

**Submission  
No 126**

**INQUIRY INTO PROVISIONS OF THE RIGHT TO FARM  
BILL 2019**

**Organisation:** Animal Care Australia Inc

**Date Received:** 1 October 2019

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30<sup>th</sup> September 2019

## **Inquiry: Right to Farm Bill 2019 – New South Wales**

### **Introduction:**

Animal Care Australia (ACA) is a national incorporated association representing the interests of all animal hobbyists established to lobby for real animal welfare. ACA comprises of representatives from a broad range of pet & companion animal groups, recognising we are the real animal welfare experts - those who keep, care for and breed animals.

ACA strives to educate and clarify the differences between animal welfare and animal justice/rights. The latter has no place in legislation or policy management with the keeping of pets, companion animals, animals used for educational purposes or kept for conservation.

### **Recommendations:**

- **Animal Care Australia fully supports the current 'Right to Farm Bill 2019' (First Print)**
- **Animal Care Australia strongly recommends this Inquiry identifies and initiates a further expansion of the properties within the 'Inclosed Lands Protection Act 1901' to be protected within this Bill, to include animal hobbyists and companion pet owners, hobby farmers, conservation precincts, and animal reserves and parks.**
- **Animal Care Australia emphatically objects to public declarations stating the Government is *"trying to silence whistleblowers and animal activists here in NSW"***

For further explanation please refer to the attached documentation.

Animal Care Australia supports continual improvements in animal welfare. Trespassing and stealing animals does not result in improved animal welfare. For the good of all animals and support of farmers, these actions that are in other circumstances considered illegal should be discouraged and the offenders appropriately penalised.

On behalf of the Animal Care Australia Committee,

Michael Donnelly  
President,  
Animal Care Australia.

## **Animal Care Australia fully supports the current 'Right to Farm Bill 2019' (First Print)**

Australia is a country where the right to free speech and to protest is fully appreciated, with legal basis of the common law right to peaceful assembly. The right is further protected by the Australian Constitution under the implied freedom of political communication.

What are not protected are actions of trespass, theft, abduction, or the hindrance of society performing their daily routines.

Actions being carried out by a multitude of animal rights activists in recent years, such as breaking and entering large-scale farming and hobby farm properties, stealing/abducting livestock – in some cases these were peoples actual pets – opening of boundary fences and gates to release animals, including horses onto roads and major thoroughfares has exposed the flaws in our laws and this requires an immediate response from government. It is Animal Care Australia's stance that the 'Right to Farm Bill 2019' goes some way to meeting the rights and cries from the vast majority of the public to stem the illegal activities being perpetrated by 'rights activists'. The expanded fines, and penalties included in this Law do not adequately act as a deterrent however are an improvement on the pre-existing penalties.

With this in mind **Animal Care Australia strongly recommends this Inquiry identifies and initiates a further expansion of the properties within the 'Inclosed Lands Protection Act 1901'** to include animal hobbyists and companion pet owners, hobby farmers, conservation precincts, and animal reserves and parks.

Animal Care Australia acknowledges the primary focus of the 'Right To Farm Bill 2019', in conjunction with the updated provisions of the 'Biosecurity Act' is to enhance the protection of commercial agricultural properties, however, we have also seen smaller animal owners and properties succumbing to and being affected by animal activists.

Our concerns also extend to our members – many of whom are animal breeders who keep and breed birds, reptiles, small mammals and more as hobbyists. Key Objective 10 of The Animal Justice Party clearly states '*Birds in cages are unacceptable*'. Key Objective 4 states '*to phase out the sale of companion animals, including birds, reptiles and fish other than from shelters or rescuers.*'

Given the often radical and extreme behaviors already presented by activists it is not difficult to see protests moving from farmland paddocks to private keepers' backyards. Anyone not deemed to be a shelter or rescuer would easily become a target. We have already seen attempts at a Car Sales Yard to have a Sulphur-crested Cockatoo released from its cage, with protestors on site citing Key Objective 10 as their reason.

Animal Care Australia requests that the NSW Government identifies that the private keeping of animals is of great importance to our society. Pets and companion animals bring benefits to our community, such as mental health improvements, teaching our children about animals and conservation and these benefits should be recognised with as much value as the commercial agricultural animals & properties.

### **Animal Care Australia emphatically objects to public declarations stating the Government is "trying to silence whistleblowers and animal activists here in NSW"**

These outlandish, overly-exaggerated claims serve no purpose in our society instead they simply feed the growing fervor of animal activism – creating a greater threat to all of society.

The statement is simply untrue. The 'Right to Farm Bill' is clearly about preventing trespass, it does not inhibit the right to protest, or to voice concerns and it by no means prevents whistleblowers from reporting their concerns.

Whistleblowers more often than not come from within the organisation or company that they are reporting on. There is no prevention of trespass on an existing employee. They already have the freedom to come and go until their employment ceases.

With this in mind Animal Care Australia supports the 'Right to Farm Bill 2019' and will continue to monitor the outcome of this Inquiry.



“Animal welfare by the experts—those who keep, care for and breed animals”

### **Mission Statement**

Animal Care Australia (ACA) is the Peak Animal Welfare Body representing the keepers and breeders of animals in Australia as pets and companions.

### **Objects**

- To represent Animal Care Groups as the peak animal welfare body
- To engage and advise Government and legislators on welfare issues relating to pets and companion animals.
- To protect the rights of ethical hobbyists & animal keepers to breed and keep pets and companion animals.
- To clarify the difference between animal rights and animal welfare
- To promote higher Animal welfare outcomes