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Secretariat
Legal and Constitutional Affairs Legislation Committee

**Inquiry into the Criminal Code Amendment (Agricultural Protection) Bill 2019
Supplementary Submission**

Following my appearance before the Committee on Monday 12 August, I wish to make the following points to supplement the evidence I provided.

1. Regarding the occurrence of “humane slaughter” in Australian slaughterhouses:
 - The definition of the word “humane” is as follows:
 - *Having or showing compassion or benevolence. (Oxford Dictionary)*
 - It is a logical fallacy to suggest that animals can be “compassionately” or “benevolently” slaughtered unnecessarily against their will. There is nothing compassionate about sending an animal into a gas chamber, or slicing a knife across their throat, in order to sell parts of their carcass for commercial gain.
2. Regarding Senator McMahon’s denial of exemptions for livestock animals under state Prevention of Cruelty to Animals Acts, I would like to draw her attention to the Prevention of Cruelty to Animals Act 1986 (Victoria) as an example, which states in Section 9:
 - (1) A person who—
 - (a) wounds, mutilates, tortures, overrides, overdrives, overworks, abuses, beats, worries, torments or terrifies an animal; or
 - (b) loads, crowds or confines an animal where the loading, crowding or confinement of the animal causes, or is likely to cause, unreasonable pain or suffering to the animal; or
 - (c) does or omits to do an act with the result that unreasonable pain or suffering is caused, or is likely to be caused, to an animal; or
 - (d) drives, conveys, carries or packs an animal in a manner or position or in circumstances which subjects or subject, or is likely to subject, it to unnecessary pain or sufferingcommits an act of cruelty upon that animal and is guilty of an offence and is liable to a penalty of not more than, in the case of a natural person, 246 penalty units or imprisonment for 12 months or, in the case of a body corporate, 600 penalty units.

As a matter of daily routine (noting the visual evidence already provided to the Committee), this section is blatantly violated on farms and slaughterhouses across Victoria and the entire country, however these violations are nullified by Section 6:

- (1) This Act does not apply to—
 - (a) **the slaughter of animals in accordance with the Meat Industry Act 1993 or any Commonwealth Act ; or**
 - (b) except to the extent that it is necessary to rely upon a Code of Practice as a defence to an offence under this Act, the keeping, treatment, handling, transportation, sale, killing, hunting, shooting, catching, trapping, netting, marking, care, use, husbandry or management of any animal or class of animals (**other than a farm animal or class of farm animals**) which is carried out in accordance with a Code of Practice; or

(c) **any act or practice with respect to the farming, transport, sale or killing of any farm animal which is carried out in accordance with a Code of Practice;**

Given that there is no difference in the capacity to feel pain, fear, grief and suffering between “companion” animals (cats and dogs) and “livestock” animals, with pigs known to be at least as intelligent as dogs, the Act is clear that while routine, industry-standard practices on farms and in slaughterhouses are in fact considered an “act of cruelty”, such cruelty is entirely legal when done to the latter group of species simply because of their commercial value. The only protections afforded for livestock animals are the extremely minimal ones offered by relevant Codes of Practice, which permit things such as extreme prolonged confinement and mutilation without pain relief, and in many instances these “protections” are not compulsory. This is a grossly indefensible failure of our animal welfare laws, which through no coincidence is unknown to most consumers of animal products who are therefore unwillingly funding animal cruelty.

3. Regarding the assertions that activists have caused animal cruelty by “invading farms”, including the drowning of piglets in effluent ponds due to activists destroying infrastructure:
 - No evidence whatsoever has been provided to substantiate these claims. It concerns me that if the individuals who made these claims had also claimed that the earth is flat, certain members of this Committee would take it as gospel. The assertion that myself or my “protesting friends” have destroyed infrastructure or recklessly hurt animals is a blatantly untrue, unwarranted and offensive attack on my character, and Senator McMahon’s sudden concern over animal welfare is at complete odds with her remarks that slaughter of animals in Australia is “humane” while acknowledging that she has not bothered to view the visual evidence to the contrary that I provided in my submission. I request that unless these accusations can be substantiated with evidence, they should not be considered as part of any decisions or recommendations made in relation to this bill.

Sincerely,

Chris Delforce



Executive Director
Aussie Farms Inc.