



Inquiry into the impact of animal rights activism on Victorian agriculture

1 August 2019

Contact

Craig Hough — Director Policy and Strategy, Australian Dairy Farmers Ltd

03 8621 4206 | chough@australiandairyfarmers.com.au

Level 2, Swan House, 22 William Street, Melbourne, Victoria 3000

Contents

Introduction	3
Industry Overview	4
Policy analysis and response	5
Trespass and other crimes	6
Privacy	10
Biosecurity	11
Animal health and welfare	14
References	21

Introduction

The Australian Dairy Farmers (ADF), the peak body representing dairy farmers nationally, welcomes the commencement of an inquiry by the Victorian Parliament's Economy and Infrastructure Committee into the impact of animal rights activism on Victorian agriculture.

For some years now animal activists have been attempting to shut down the Australian dairy industry and shift consumers to plant based diets. They primarily seek to achieve these goals by:

1. falsely presenting the industry as condoning and hiding animal abuse to the public
2. undertaking criminal activities against dairy farmers.

This agenda has caused undue hardship to farmers. They have suffered lost production and revenue from ill-informed consumers ceasing to purchase dairy products and dealing with activists invading their farms. They also suffer from increased stress and fear of being attacked by activists sometime in the future.

Optimising animal performance and farm profitability requires healthy, content and productive farm animals. The average annual milk production per cow nationally has increased from 2,848 litres in 1979-80 to 6,070 litres in 2017-18 (Dairy Australia 2018). This is the result of improved herd genetics and advances in pasture management, supplementary feeding regimes and animal management. Given that each litre of milk per cow translates to increased profit for a farmer, it is not in their financial (and legal) interest to behave in a manner the animal activists portray.

ADF has developed this submission on the grounds that this is a community specific (livestock/dairy) national priority. On this basis it is critical that the committee understands the industry's regulations, strategies and priorities in the context of its Terms of Reference. This will ensure the determinations and recommendations arising from the inquiry are evidenced based and in the best interest of farmers, their animals and other stakeholders.

Industry Overview

Australian dairy is a \$12 billion farm, manufacturing and export industry. This comprises of 42,000 people working in over 5,500 farms producing around 9 billion litres of raw milk per annum and processing companies transforming the milk into high value dairy products. Around 65 per cent of Australian dairy is sold on the domestic market. It is purchased from supermarkets and other retail or wholesale outlets for direct consumption or as ingredients in food and beverage. The total value of Australia's dairy exports is around \$2.8 billion per annum. This positions Australia as the fourth largest dairy exporter with 7 per cent of global trade. Approximately 125 Australian companies export dairy products to over 100 countries. The largest markets are China, Japan, Singapore, Malaysia and Indonesia (Dairy Australia 2019).

Victoria produces 64 per cent of Australia's national milk production (5.77 billion litres in 2017-18). It also accounts for 79 per cent of national dairy exports (Victorian Department of Economic Development, Jobs, Transport and Resources 2018). As a result, returns to Victorian dairy farmers are strongly connected to world dairy commodity prices. Farms are predominately located in the North Central, South West and Gippsland regions of the state. All three regions produce the greatest amount of milk during the spring period; however, each region has its own unique milk production distribution. Typically, calving patterns follow a similar trend to the milk production curve which has peaks occurring two or so months after the calving peak.

The dairy industry is serviced at the national level by ADF and Dairy Australia (DA). ADF is the national policy and advocacy body. It represents Australia's six dairying states, including Victoria. State bodies, known as State Dairy Farmer Organisations (SDFO), pay a membership fee to participate in ADF's national policy development and delivery. The Victorian SDFO is known as the United DairyFarmers of Victoria. ADF, like other commodity groups, is a member of the National Farmers Federation (NFF). This is the peak body representing cross commodity agricultural issues across the country. DA is a Research Development Corporation (RDC) formed in 2003 to deliver farm research, development and extension (RD&E), industry and community marketing, policy research and trade and international market development. Areas covered in its RD&E program are pastures and forages, feedbase and animal nutrition, genetics and herd improvement, resource management, animal health and fertility, farm business and workforce management and advanced management technologies. A substantial amount of DA's work underpins ADF's industry policy development and government advocacy.

Policy analysis and response

The Australian dairy industry believes that:

1. no one person or organisation is above the law
2. human rights should always be protected by government at all levels
3. public reporting by media and other sources should be factual and based on evidence and science.

In response to the impact animal rights activism is having on the dairy industry, these values translate to the following objectives:

1. Farmers have a right to farm without the threat of invasion, sabotage or biosecurity outbreak posed by animal activists.
2. Animal activists trespassing onto farms or committing other crimes should be held to account by the criminal justice system. Their punishment should be proportionate to the crime committed and an effective deterrent to them and others in the future.
3. Farmers private and commercial information should not be accessed or disclosed by anyone without farmer consent.
4. Animal activists disclosing false information about the dairy industry to the public needs to be corrected by industry and government.

Achieving these objectives will require the Victorian Government to act on a number of fronts. This includes legislative reform, data collection and reporting, public relations, cross jurisdictional collaboration and RD&E. The context and detail surrounding these actions are outlined in sections below.

Trespass and other crimes

For many years animal activists have been committing various crimes in an effort to shut down livestock industries. For example, back on the 17 March 2016 about 20 Animal Liberation Victoria activists gained access to the Dairy Australia headquarters at Southbank demanding an end to the dairy trade (Sampson 2016). More recently on 8 April 2019, the one-year anniversary of the animal rights documentary, *Dominion*, farms and abattoirs across the country were subject to invasion and protest by animal activists. The extent of these actions led to the Prime Minister Hon. Scott Morrison to describe the acts as ‘un-Australian and shameful’ (Chappell 2019). Such events have elevated a long-standing agriculture issue into the public arena.

Of this list of offences trespass is the most common. In the criminal law this crime is typically defined as someone entering private property without permission or via an unauthorised entry point and on most occasions refusing to leave after being asked to do so. Consistent with this definition the NFF, ADF and DA have been active in communicating to farmers how they should respond when confronted by an activist/s entering their farm. For example the NFF established the ‘Activist trespass response tips for farmers’ website page (<https://farmers.org.au/news/activist-trespass-response-tips-for-farmers/>).

The Australian Bureau of Statistics (ABS) reports on Australian crime. Trespass without intent to commit a crime is coded (Group 1311) but is not reported at a national level. This makes it difficult to obtain a national dataset comparing states and territories on the crime of trespass.

State Government bodies such as Victoria’s Crime Statistics Agency report on crime at the state level. This reporting is typically limited to the number of offences committed and related characteristics like location. It does not report on sentencing and its effectiveness in terms of reducing recidivism and there is no list identifying individuals or organisations found guilty of offences.

The Victorian Government needs to provide more transparency around convictions and sentencing for farm trespass. Where possible this should be reported consistent with ABS standards to provide a foundation for aggregation and reporting nationally. Consideration should also be given to the development of a national database that publicly identifies individuals and organisations found guilty of farm trespass. This would help farmers and businesses with their recruitment and purchasing decisions in the future.

Individual states are primarily responsible for legislating and enforcing the crime of farm trespass. A key issue is these laws are inconsistent in scope, penalty and enforcement. In particular, penalties are often prescribed at a maximum only creating an opportunity for the courts to issue grossly inadequate penalties like non convictions, good behaviour bonds, adjourned undertakings, diversion or nominal fines.

To illustrate the penalties for trespass across states are:

1. New South Wales - Section 4 of the *Inclosed Lands Protections Act 1901 (NSW)* offers 10 penalty units. One penalty unit in NSW is currently \$110. This translates to a fine of \$1,100.
2. South Australia - Section 17 of the *Summary Offences Act 1953 (SA)* offers a maximum penalty of up to \$2,500 fine and imprisonment for up to six months.
3. Queensland - Section 11 of the *Summary Offences Act 2005 (Qld)* offers a maximum penalty of 20 penalty units or 1 year's imprisonment. One penalty unit in Queensland is currently \$130.55. This translates to a maximum fine of \$2,611.
4. Victoria - Section 9 of the *Summary Offences Act 1966 (Vic)* offers 25 penalty units or six months imprisonment. One penalty unit in Victoria is currently \$161.19. This translates to a fine of \$4,029.75.
5. Tasmania - Section 14B of the *Police Offences Act 1935 (Tas)* offers a fine not exceeding 25 penalty units or imprisonment for a term not exceeding 6 months. One penalty unit in Tasmania is currently \$163. This translates to a maximum fine of \$4,075.
6. Western Australia - Section 70 of the *Criminal Code Act Compilation Act 1913 (WA)* offers a maximum penalty of 12 months imprisonment and a fine of \$12,000.

Most Australian states have recognised the shortcomings of their legislation and in recent times have either strengthened their laws or established a process like the Victorian inquiry to identify opportunities for improvement in the law and beyond. ADF's consultation with its SDFOs and Western Australian Police Force found that the Western Australian legislation has been the most effective punishment and deterrent across the states but only when the maximum fine is imposed.

The Victorian Government should adopt Western Australia's trespass law with a slight amendment of making some or all of the \$12,000 fine issued as on the spot. This locks in a minimum penalty to protect against the imposition of grossly inadequate sentences being handed down by the courts.

Following the national day of farm trespass on 8 April 2019, ADF, via the NFF, requested the Australian Charities and Not for Profits Commissioner investigate Aussie Farms Inc. and remove its status as a registered charity (which provides tax exemptions). Aussie Farms Inc. is a registered charity (<https://www.acnc.gov.au/charity/9f0633403d5ba54b18384debdb4d2827>) under the *Australian Charities and Not-for-profits Commission Act 2012 (Cth)*. This means it is subject to the regulatory oversight of the Australian Charities and Not for Profits Commission (<https://www.acnc.gov.au/raise-concern/regulating-charities/how-we-ensure-charities-meet-their-obligations>). The Commissioner was asked to determine whether Aussie Farms Inc. aided and abetted criminal activity i.e. farm trespass on the national day of animal activism. If found guilty this is grounds for termination by the Commissioner. The investigation is subject to secrecy provisions, so it's unlikely any information will be provided until the matter is resolved.

Victoria's police and criminal courts should provide the Australian Charities and Not for Profits Commissioner with information to assist its investigation of Aussie Farms Inc. or any other charity potentially breaching the criminal law in the future.

The Australian Government currently has before the Parliament the *Criminal Code Amendment (Agricultural Protection) Bill 2019 (Cth)*. This introduces two new offences relating to the use of a carriage service to incite trespass, property offences, or other offences on agricultural land. If convicted, the perpetrator would receive up to 12 months imprisonment (inciting trespass), or up to 5 years imprisonment (inciting damage or theft). The Bill includes exemptions for whistleblowers and journalists sharing information in the public interest.

The Victorian Government should issue a public statement supporting the federal Bill. If passed it should also provide appropriate police and other support to ensure it and other crimes are adequately investigated and prosecuted.

Privacy

The Aussie Farms Repository (<https://www.aussiefarms.org.au/>) and other private and commercial information obtained and disclosed by animal activists or anyone else without relevant farmer consent is a breach of a farmer's privacy. This is irrespective of whether the information is used to instigate farm trespass or not.

The *Charter of Human Rights and Responsibilities Act 2006 (Vic)* is a Victorian law that sets out the basic rights, freedoms and responsibilities of all people in Victoria. Twenty fundamental human rights are protected in the Charter. Section 13 of the Charter provides the right to privacy and reputation. This is described in the Charter as 'everyone in the state having the right to keep their lives private and their family, home or personal information not being interfered with, unless the law allows it.'

People can complain about administrative action taken by a public authority which contravenes the Charter. This is generally undertaken by the Victorian Ombudsman. The Victorian Equal Opportunity and Human Rights Commission supports this process by providing education, reporting, reviewing and intervention functions. The Charter does not deal with animal activists, extremists or any other private citizen impinging on another person's human right.

The Victorian Government should consider expanding the scope of the *Charter of Human Rights and Responsibilities Act 2006 (Vic)* to include citizen to citizen relationships.

The federal *Privacy Act 1988 (Cth)* was introduced to promote and protect the privacy of individuals and to regulate how Australian Government agencies and organisations with an annual turnover of more than \$3 million, and some other organisations, handle personal information. It includes 13 Australian Privacy Principles, which apply to some private sector organisations, as well as most Australian Government agencies.

Following the publication of the Aussie Farms Repository in January 2019 ADF, through the NFF, asked the Australian Information and Privacy Commissioner to investigate the website's legitimacy. Consistent with legislation the Commissioner found that Aussie Farms Inc. was exempt from the Act due to its annual turnover being less than \$3 million. This decision prompted the NFF to request the Australian Government to remove the exemption. The Australian Government obliged by removing it on 5 April 2019. This now exposes Aussie Farms Inc. to penalties up to \$2.1 million under the Act.

Biosecurity

Animal diseases such as foot-and-mouth (FMD), bovine spongiform encephalopathy (BSE) or mad cow disease, anthrax and others are an ongoing threat to the dairy industry. Any outbreak will cause a degree of pain and suffering, possibly death, to livestock. This reduces animal welfare, farm production, market access and profit for farmers and the supply chain. In some cases, it will also have adverse impacts on human health and the environment. Governments across the country are similarly impacted by these events with resources having to be allocated to containment or eradication activities, investigations and prosecutions and various recovery efforts like restoring market access with international governments. These are trade limiting diseases that would see the immediate closure of most if not all export markets. The expected (possibly irreparable) damage to affected industries would cost billions of dollars in the first year alone.

Animals, people and vehicles entering farms with traces of a disease infect herds, and possibly people and wildlife. For example, dirt on the shoes of a person could contain a type of endospore or bacteria that transmits an animal disease. To mitigate this risk farmers are encouraged to have various biosecurity protocols in place for entry on a farm. For example the completion of a visitor/staff risk assessment (<https://www.farmbiosecurity.com.au/wp-content/uploads/2019/02/Visitor-and-Staff-Risk-Assessment.pdf>). While there are varying adoption rates across the country, the problem is that when animal activists' trespass onto farms such protocols are never followed. This further increases the risk of a biosecurity outbreak.

Biosecurity outbreaks vary in impact and cost. Livestock affected by diseases may not always show obvious clinical signs of the disease, however, the disease may still be having a negative impact on productivity by, for example reducing milk production. While most of these cases are resolved inside the farmgate by the farmer and vet through medication and management, the farmer incurs the cost of revenue forgone and vet/medication bills. These and other negative impacts increase the further a disease spreads to other properties and furthermore if people and wildlife are infected. For example, the CSIRO (2017) estimate that if Australia were to be infected by FMD it would cost the economy up to \$50 billion over 10 years, primarily due to trade restrictions. This is in addition to the social impacts associated with 'animal culling and loss of income due to time to return to trade affecting producer psychological health.'

The federal *Biosecurity Act 2015 (Cth)* was introduced to manage biosecurity and human disease risks and emergencies. Section 310 defines a biosecurity risk as an invasive pest or disease. Sections 333 and 349 governs people entering or leaving the premises with contravention of procedures incurring imprisonment for 5 years or 300 penalty units, or both.

The Australian Department of Agriculture administers the *Biosecurity Act 2015 (Cth)*. Outcome 2 in the department's *2019 Federal Budget* makes a commitment to 'Safeguard Australia's animal and plant health status to maintain overseas markets and protect the economy and environment from the impact of exotic pests and diseases, through risk assessment, inspection and certification, and the implementation of emergency response arrangements for Australian agricultural, food and fibre industries.' Despite this:

1. the budget for Outcome 2 has been reduced from \$37.9 million in 2018-19 to \$33.3 million in 2019-20.
2. the number of charges, prosecutions and penalties enforced under the *Biosecurity Act 2015 (Cth)* are not disclosed in the *2019 Federal Budget* or the department's or Inspector-General of Biosecurity's annual reports. This makes it near impossible to assess performance.
3. there are delays in implementing the biosecurity levy on imported goods. This means a commitment is required to ensure that the funds delivered from this levy are fully invested in border biosecurity.

The Victorian Government should work with the Australian Government and its state and territory counterparts through the Agriculture Ministers Forum (AGMIN) and subordinate Biosecurity Committee to ensure federal funding is directed at reducing biosecurity risk e.g. FMD. This should be determined by AGMIN (and the Biosecurity Committee) via a national performance scorecard which reports level of expenditure, output and outcomes across key biosecurity risks.

The Victorian *Livestock Disease Control Act 1994 (Vic)* articulates requirements to protect Victorian livestock from disease and protect public health by preventing diseases that are transmissible to humans. Breaches of this Act or its Regulations results in penalties for farmers.

This Act does not appear to have the capacity to deal with a livestock disease caused by a wayward act of a trespasser. The losses/costs typically fall onto farmers and governments and their insurance where possible. However, there is a real risk of an event being so damaging and irrecoverable, that the industry would be temporarily or permanently damaged. The law needs to account for these risks and enforcement must be swift and decisive to mitigate potential cost or negative impact.

The NSW Government has acknowledged this issue by recently proposing amendments to its *Biosecurity Act 2015 (NSW)*. This introduces on-the-spot fines of up to \$220,000 for individuals, or \$400,000 for organisations, who trespass inside factory farms and slaughterhouses to gather footage or to protest.

The Victorian Government should consider including a provision in the *Livestock Disease Control Act 1994 (Vic)* that enables farm trespassers to be prosecuted for causing an animal disease and for fines to include cost recovery for negatively impacted parties.

The adoption and extension of on farm biosecurity measures to farmers is achieved through a number of measures and pathways. Animal Health Australia (AHA) and Plant Health Australia (PHA) manage the joint initiative Farm Biosecurity (<https://www.farmbiosecurity.com.au/>), which provides generic biosecurity information for Australian farmers. As dairy farms are complex businesses with multifactorial biosecurity risks, Agriculture Victoria and DA have co-developed a Biosecurity Builder tool to address these specifically. Unfortunately, the extension and training of farmers to use this tool has been suppressed through inadequate funding.

The Victorian Government, through Agriculture Victoria, should continue to support the adoption of farm biosecurity planning and practice by providing ongoing funding of the Dairy Biosecurity Builder tool. This would enable farmers to understand and adapt to increasing biosecurity risks posed by animal activists and other sources.

Animal health and welfare

Animal activists argue the reason why they trespass on farms and breach farmer privacy is because they want to expose animal cruelty in the industry. For example, Mr Chris Delforce, Executive Director of Aussies Farms Inc. said in a media statement in response to the proposed NSW biosecurity laws that ‘once again, the issue of biosecurity is being used as an excuse to attempt to limit consumer awareness of the systemic cruelty occurring in farms and slaughterhouses across the country’ (Delforce 2019). In the same statement Mr Delforce said that ‘protest actions are being used (by the government) as a smokescreen to stem the tide of footage and photographs which have been, for many years, a source of great embarrassment and reputation damage for industries that engage in commercialised animal cruelty. Were these industries transparent and honest about what happens inside these facilities, there’d be no need for anyone to take it upon themselves to capture evidence of it.’ Other animal activist organisations like Direct Action Everywhere echo these views via similar media statements, websites and campaigns.

The Australian dairy industry has demonstrated its ability to put strategies in place to manage productivity and animal welfare issues consistent with changes in community values and biosecurity threats. Science has and will continue to play a key role in generating knowledge and promoting a well-informed debate on the appropriate treatment of animals. ADF recognises that this requires a multifaceted approach with the risks associated with change in technology and practice requiring continual attention, management and improvement. Any change in policy needs to be soundly based in science, otherwise the Australian dairy industry’s market access and animal ownership is compromised.

Australia has a very strong record in animal welfare RD&E. This is validated by the number of peer reviewed publications, presentations at international conferences, positions on international committees and advisory groups and significant number of collaborations. The most formal collaborations are:

1. Animal Welfare Science Centre (<https://www.animalwelfare-science.net/>)
2. CSIRO Livestock Industries division based at Armidale
3. Centre for Animal Welfare and Ethics based at the University of Queensland
4. Co-operative Research Centres and other joint funding initiatives.

Back in 2009 the then Primary Industries Ministerial Council (PIMC) endorsed a framework to better coordinate and more efficiently collaborate on agriculture RD&E. To implement the framework, PIMC endorsed 14 sectoral strategies including dairy and 9 cross-sectoral strategies including animal welfare and biosecurity over a four-year period since the framework's announcement. All primary industry government agencies, RDCs and the Australian Council of the Deans of Agriculture (ACDA) are signatories and deliverers of the framework (reconfirmed with the release of a *Statement of Intent* on 26 July 2017). This is the authorising and organising environment for animal welfare RD&E, including the collaborations. It also nominates the Victorian Government as lead government agency for dairy RD&E due to the industry's size and prominence in the state.

The *Australian Animal Welfare RD&E Strategy*, revised in 2017 under the framework, focuses on the following priorities:

1. Animal Welfare Assessment
2. Pain Assessment and Management
3. Management, Housing and Husbandry
4. Transport, Euthanasia and Slaughter Impacts
5. Attitudinal Effects on the Welfare of Livestock throughout the Value Chain
6. Education, Training and Extension

An audit of current animal welfare RD&E capability, infrastructure and investment was conducted during 2016. The audit identified that there are some 54 Full Time Equivalents (FTEs) dedicated to animal welfare RD&E in Australia, representing an increase of approximately 35 per cent compared to an audit carried out in 2010. The audit also compared current and required capability in the context of delivering the agreed six priorities. This found capability to be adequate across most priorities except for three areas:

1. More investment is required in automated welfare monitoring systems and biosensors to effectively deliver the Animal Welfare Assessment priority.
2. More capacity in social sciences is required to effectively deliver the Attitudinal Effects on the Welfare of Livestock throughout the Value Chain.
3. Researchers' engagement and skills needed to be strengthened to effectively interface with Industry Advisory staff to effectively deliver the Education, Training and Extension priority.

The Victorian Government needs to ensure the three outstanding capability gaps identified in the animal welfare RD&E capability audit are filled in Agriculture Victoria or other agency executing Victoria's responsibilities under the *Australian Animal Welfare RD&E Strategy*.

Agriculture Victoria, within the Department of Economic Development, Jobs, Transport and Resources, administers and enforces the *Prevention of Cruelty to Animals Act 1986* (POCTAA). Inspectors appointed under the POCTAA have a range of enforcement powers relating to suspected cruelty to animals. These include powers to enter and search premises, seize animals, inspect livestock, take photographs and samples, provide care for animals, speak to owners of animals to obtain relevant information and issue notices to comply relating to the welfare of an animal. When the department considers there is sufficient evidence that an offence under the POCTAA has been committed, charges can be brought in the Magistrates' Court of Victoria. Over the last five and half years (2012-2018), the department prosecuted 71 cases across Victoria's livestock (sheep, beef, pork and dairy) industries (Agriculture Victoria 2019). Considering there are 3,881 dairy farms operating in Victoria (Dairy Australia 2018), it is fair to say the industry has a high level of compliance with the state's animal welfare law.

The Australian dairy industry's animal welfare standards and practices go beyond state and federal regulations. It has an internationally recognised *Australian Dairy Sustainability Framework* - a 'triple bottom line' (economic, social and environment) performance management system that includes a commitment to 'strive for health, welfare and best care for all animals throughout their lives'. This translates to achieving the following goals and targets:

1. 100 per cent compliant with legislated animal welfare standards
2. No routine use of calving induction
3. No tail docking
4. All calves disbudded with pain relief prior to two months of age
5. All farmers implementing a lameness strategy
6. All farmers, where relevant, have cooling facilities
7. Bobby calves managed appropriately
8. All farms are implementing a documented biosecurity plan
9. 25 per cent increase in the number of consumers who believe dairy farmers do a good job caring for animals
10. Use antibiotics responsibly - as little as possible or as much as necessary to protect the health and welfare of our animals

11. All dairy farmers access antibiotics from a registered vet and are using them responsibly under veterinary direction
12. Antibiotics that are of high importance to human Antimicrobial Resistance (AMR) in Australia are only used to treat dairy livestock in exceptional circumstances where no other alternatives exist.

Dairy farms are busy places. Tankers often pick up milk on a daily basis and vets and other service providers visit farms regularly. As most of these visitors are aware and are sometimes required to report or enforce industry standards, dairy farmers by default have transparency and accountability to the industry's animal health and welfare standards. For example, dairy processor contracts often require compliance to industry standards and milk tanker drivers are employed by dairy processors.

Since 2005 DA has been regularly conducting the *Animal Husbandry Survey*. This is a statistically significant (between 400 – 600 participants) computer assisted telephone interview of dairy farmers randomly selected from the levy payer database. It tracks farmer adoption of the dairy industry's commitments to improving animal welfare, including disbudding practices, calf pathways, calving induction, lameness prevention, treatment of downer cows, and herd nutrition programs.

One of the key areas of success and concern for the industry is tail docking. The industry has had a long-term commitment to eradicate the practice. This is demonstrated by DA delivering various practice change programs to farmers over many years. These policy and extension commitments have proven to be effective with survey data confirming a pattern of decline since industry's regulatory interventions.

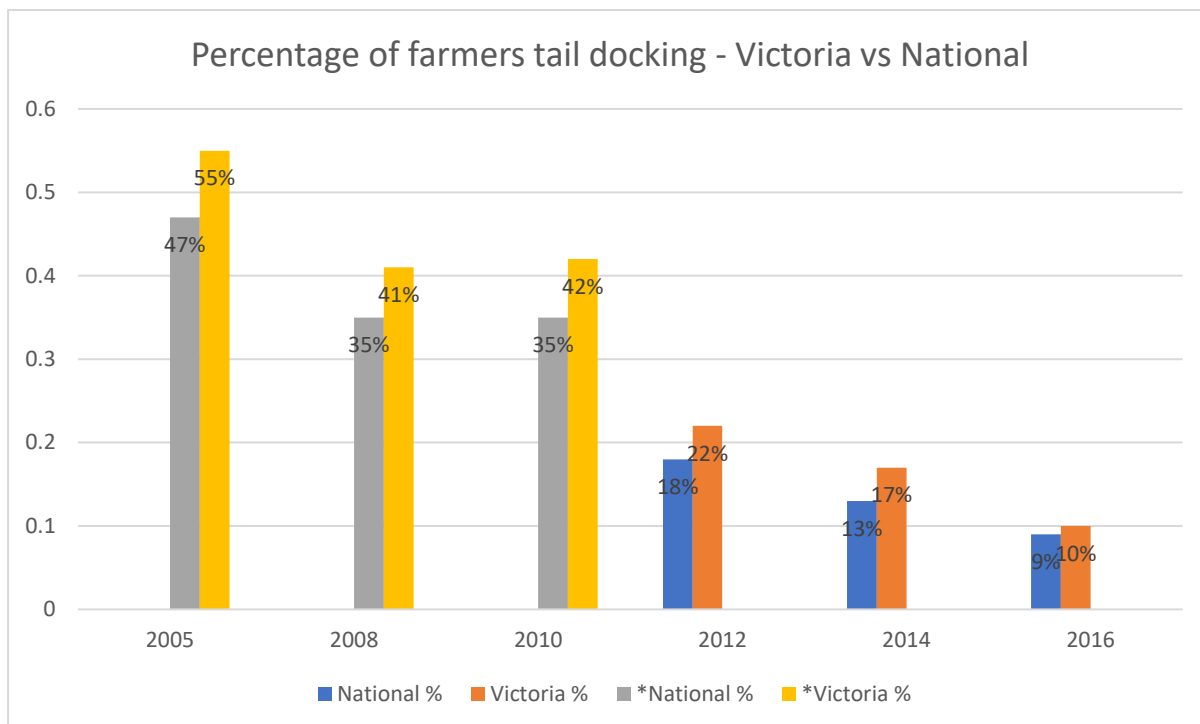


Figure 1: Percentage of farmers tail docking for management purposes. *Question changed from 2010 to 2012: 2005 – 2010 – Number of farms with cows with docked tails, 2012-2016 – Number of farmers who routinely dock tails

The Australian dairy industry was heavily involved with the development of the *Australian Animal Welfare Standards and Guidelines for Cattle*. It committed them to industry policy in 2013. This included agreeing to the legislation of Standard 9.3 that ‘a person must tail dock cattle only on veterinary advise and only to treat injury or disease.’ While industry self-regulation has achieved consistent practice decline it is ADF’s view that the remaining 10 per cent of farms in Victoria routinely docking their cow’s tails will only stop when the practice is prohibited in legislation. The *Australian Animal Welfare Standards and Guidelines for Cattle* was agreed upon by the State and Territory Governments in 2016. Since this agreement only South Australia and New South Wales have formally implemented them.

The Victorian Government needs to commit to the timely legislation of the *Australian Animal Welfare Standards and Guidelines for Cattle* to meet the animal welfare expectations of the Australian dairy industry and broader community.

Since 2012, the Australian dairy industry has been publicly reporting (on an annual basis) against its *Australian Dairy Sustainability Framework* goals and targets. The latest December 2018 report highlighted incremental improvement across most categories. It also provided reasonable confidence that many of the industry’s 2020 targets will be achieved. However, despite the usefulness of the *Animal Husbandry Survey* there continues to be a lack of data in some commitment categories.

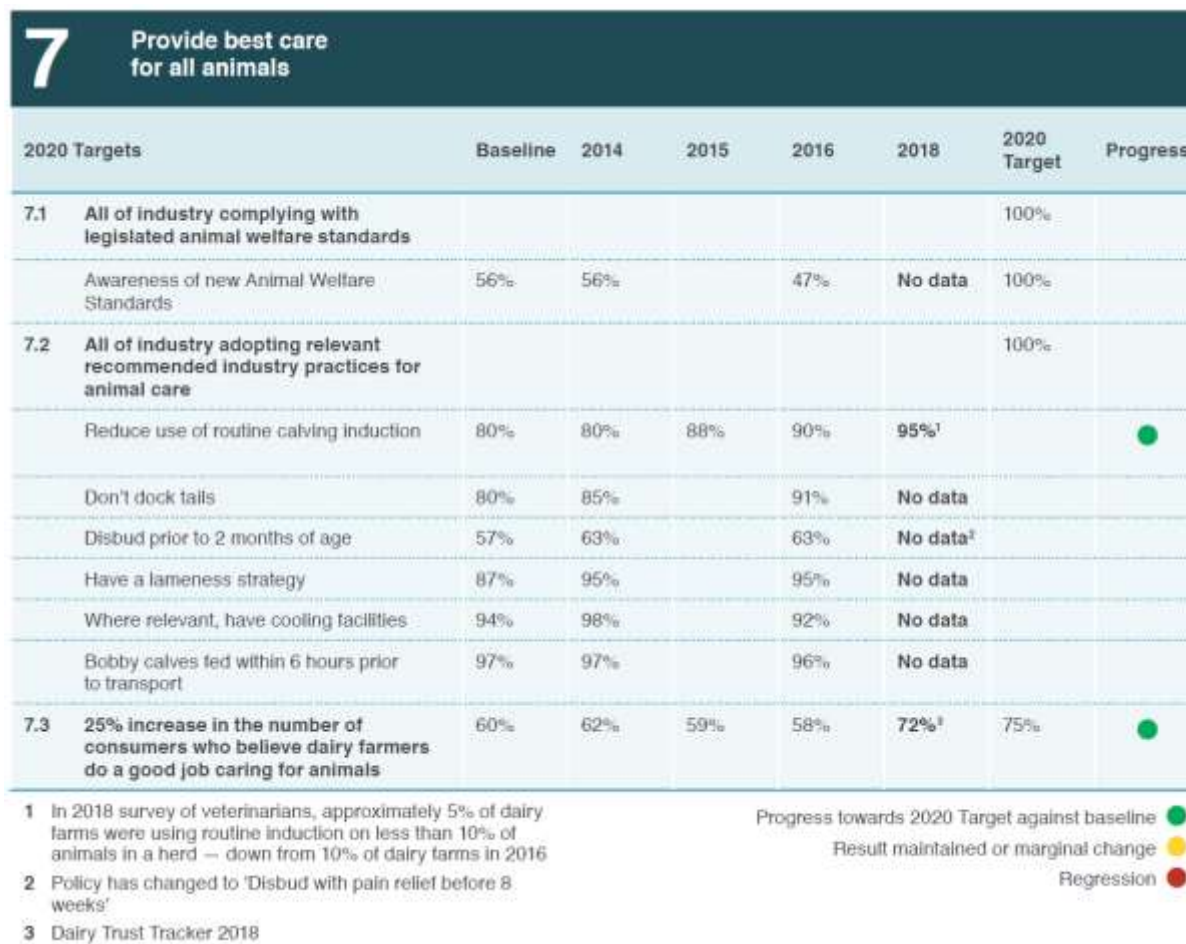


Figure 2: Australian Dairy Industry Sustainability Framework - Goal 7: Provide best care for all animals’ scorecard

Efforts are being made to develop these datasets and monitor them via a digital application but there are funding and resource constraints. Vets have a system called “Drugrite” to identify farmers who are able to responsibly receive and administer medications. There may be an opportunity to replicate this or link via ‘Farmrite’ or ‘Cowrite’, which are systems used by industry. DA is currently developing an online program that monitors animal health and welfare performance more efficiently. This is currently nearing the demonstration point in the project cycle.

The Victorian Government could partner with DA to improve animal health and welfare data collection and reporting coverage and frequency by progressing development of the digital monitoring program and integration with other systems where possible.

The issue with animal activists, and media more broadly, is that the industry's animal welfare record outlined above is not being explained to the Victorian public. For example, some farmers have attempted to upload evidence e.g. CCTV footage of their good animal welfare practices to the Aussie Farms Inc. website, only to be refused access.

DA has responded to this and other social licence issues by launching a Dairy Matters Campaign in 2019. This is a website (<https://www.dairy.com.au/dairy-matters/you-ask-we-answer>) for any member of the public to obtain facts and ask questions about the dairy industry and its products. All material and answers provided by DA are based on evidence and science. Due to financial constraints, the campaign has been narrowly targeted to a small portion of the community. Expanding the campaign to all of the Victorian public would dramatically improve understanding of agricultural practices and alleviate concerns the community may feel towards dairy foods and industry practices. ADF believes that such efforts would be in the public interest.

The Victorian Government could provide the dairy industry with funding to extend the Dairy Matters campaign to more broadly share factual messages of industry value and practice to the Victorian public.

References

2019 Cattle, *Australian Animal Welfare Standards and Guidelines*

<http://www.animalwelfarestandards.net.au/cattle/>

Agriculture Victoria (2019) <http://agriculture.vic.gov.au/agriculture/animal-health-and-welfare/animal-welfare/record-of-prosecutions>

Animals Australia (2019) <https://www.animalsaustralia.org/>

Australian Dairy Industry (2018) *Sustainability Report*, Dairy Australia

<https://www.sustainabledairyoz.com.au/>

Chappell, K. (2019) 'Abattoirs invaded in day of animal activist protests', *The Ararat Advertiser*, 8 April.

CSIRO (2017) 'Foot and Mouth Disease', *Research Impact Evaluation*, Strategy, Market Vision and Innovation Division, Canberra.

Dairy Australia (2018) *Australian Dairy Industry in Focus 2018*, Southbank.

Dairy Australia (2019) <https://www.dairyaustralia.com.au/industry/farm-facts/dairy-at-a-glance>

Delforce, C. (2019) *Statement in response to proposed NSW biosecurity laws targeting activists*, 22 July, Aussie Farms Inc.

National Primary Industries Research, Development and Extension Framework (2017) *Animal Welfare RD&E Strategy*, <https://www.npirdef.org/content/24/f7cd0081/Animal-Welfare-RDE-Strategy.pdf>

Sampson, A. (2016) 'Animal rights activists sit in at Dairy Australia headquarters', *Weekly Times*, 17 March.

Victorian Department of Economic Development, Jobs, Transport and Resources (2018) *Dairy Farm Monitor Project – Victoria*,

http://agriculture.vic.gov.au/_data/assets/pdf_file/0008/431747/DFMP_Vic_Annual-Report-17-18.pdf