

The Senate

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Rural and Regional Affairs  
and Transport  
Legislation Committee

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Criminal Code Amendment (Animal  
Protection) Bill 2015

June 2015

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ISBN 978-1-76010-195-4

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# Membership of the committee

## Members

Senator the Hon Bill Heffernan, Chair  
Senator Glenn Sterle, Deputy Chair  
Senator Joe Bullock  
Senator Sean Edwards  
Senator Rachel Siewert  
Senator John Williams

New South Wales, LP  
Western Australia, ALP  
Western Australia, ALP  
South Australia, LP  
Western Australia, AG  
New South Wales, NATS

## Substitute members for this inquiry

Senator Lee Rhiannon  
to replace Senator Rachel Siewert

New South Wales, AG

## Other Senators participating in this inquiry

Senator Chris Back  
Senator David Leyonhjelm  
Senator Nick Xenophon

Western Australia, LP  
New South Wales, LDP  
South Australia, IND

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## **List of recommendations**

### **Recommendation 1**

**3.36 It is recommended that, rather than the current requirement of one business day, the time frame be amended to require that a person report, 'as soon as practicable' to the relevant authority.**

### **Recommendation 2**

**3.37 It is recommended that, subject to the foregoing recommendation, the bill be passed.**





# Chapter 1

## Introduction

1.1 The Criminal Code Amendment (Animal Protection) Bill 2015 (the bill) was introduced into the Senate on 11 February 2015. On 12 February 2015, the Selection of Bills Committee referred the bill to the Senate Rural and Regional Affairs and Transport Legislation Committee (the committee) for inquiry and report by 13 May 2015.<sup>1</sup> On 12 May 2015, the Senate granted an extension of time for reporting until 29 May 2015. An Interim Report was tabled on 29 May.

### The bill

1.2 The purpose of the bill is to amend the *Criminal Code Act 1995* to:

- insert new offences in relation to failure to report a visual recording of malicious cruelty to domestic animals, and interference with the conduct of lawful animal enterprises; and
- make consequential amendments.<sup>2</sup>

### Conduct of the inquiry

1.3 Due to the timeframe and the very specific subject matter of the inquiry, the committee agreed not to advertise the inquiry in the national press. The committee did, however, write directly to a significant number of stakeholder groups, seeking their comments on the provisions of the bill.

1.4 The committee received 1671 written submissions (see Appendix 1). A large number of form letters were also received. A sample copy of each was published on the committee's website.

1.5 The committee held a public hearing on Friday, 15 May 2015, in Canberra. A list of witnesses who appeared at the public hearing may be found at Appendix 2.

1.6 The references to the Hansard transcript made in this report are to the proof transcript and it is noted that page numbers may vary between the proof and the official transcript. The Hansard transcript of the hearing is available online at the committee's website.

### Structure of the report

1.7 Chapter 2 of the report provides the background to bill, including the key provisions of the bill.

1.8 Chapter 3 describes the key issues raised during this inquiry, including the timeframe proposed by the bill in relation to the reporting of animal cruelty, the

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1 Selection of Bills Committee, *Report No. 1 of 2015*, dated 12 February 2015.

2 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, pp 1–2.

surrendering of visual recordings of animal cruelty, the damage caused by incursions on farms (including threats to biosecurity) and the imposition of new criminal penalties for specific offences.

1.9 The committee notes that additional comments or reports in relation to this inquiry may be tabled in the Senate at a future time. These may include dissenting comments.

### **Acknowledgement**

1.10 The committee acknowledges the contribution of all those individuals and organisations who prepared written submissions and those who appeared as witnesses. Their efforts have assisted the committee considerably in the preparation of this report.

# Chapter 2

## Background

2.1 The Explanatory Memorandum (EM) to the bill notes that the bill is 'designed to minimise unnecessary delays in the reporting of malicious cruelty to animals'. It is argued that when there is delay in the reporting of such events:

... there are serious implications for the animals involved as well as the risk of significant threats to animal enterprise industries which include economic viability, safety and biosecurity.<sup>1</sup>

2.2 The amendments proposed to the *Criminal Code Act 1995* include the insertion of a new Part 9.7 in relation to protecting animals and animal enterprises, consisting of:

- Division 383, which relates to failing to report malicious cruelty to animals; and
- Division 385, which relates to interference with the conduct of lawful animal enterprises.<sup>2</sup>

### Schedule 1 – Amendments

#### Part 1 – Main Amendments

2.3 **Item 1** inserts a new Part 9.7 into the *Criminal Code Act 1995*, consisting of two divisions, providing for the protection of animals and animal enterprises.

#### Division 383

2.4 Division 383 relates to failure to report malicious cruelty to animals.

2.5 Section 383.5 sets out two obligations relating to the reporting of malicious cruelty to animals. Under the amendments proposed by the bill, if a person has made a visual recording of an activity they believe to constitute malicious cruelty to an animal or animals, they must report the activity to the relevant authority within one business day. The person must also provide this record to the relevant authority (that has responsibility for animal welfare in the jurisdiction) within five business days.<sup>3</sup>

2.6 The EM indicates that if a person fails to fulfil either or both of these obligations, they have committed an offence under section 383.5.<sup>4</sup>

2.7 The EM indicates that the bill is not intended to override the constitutional rights of states and territories to enact and enforce laws. It is also noted that Subsection 383.5(4) limits the effect of the offence to where the alleged malicious

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1 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 1.

2 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 1.

3 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 3.

4 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 3.

cruelty is observed and recording made by a federally regulated entity or in constitutional trade or commerce or in a territory or Commonwealth place.<sup>5</sup>

2.8 It is proposed that the extent of the bill will be confined to 'domestic animals':

It is intended that these will be those which are husbanded by or rely on humans for elements of their nutrition, management, housing and general wellbeing. This is in contrast to feral animals or other animals that are not domesticated or reliant on human nurture.<sup>6</sup>

2.9 The EM notes that subsection 383.5(3) would set out that the defendant would bear an evidential burden in relation to making out the matter in paragraph 383.5(1)(c). It is suggested that this is appropriate, because it reflects the fact that it would be significantly more difficult and costly for the prosecution to, in effect, prove a negative – i.e. that the activity was not reported – as information about whether the matter was reported would in most cases be peculiarly within the knowledge of the defendant.<sup>7</sup>

2.10 It is also noted that the prosecution will not need to prove that a person knew that the conduct occurred in the circumstances mentioned in subsections 383.5(4):

Absolute liability will apply. The effect of applying absolute liability to this element would mean that no fault element needs to be proved and the defence of mistake of fact is not available.<sup>8</sup>

## **Division 385**

2.11 It is proposed, under Section 385.5, that a person would commit an offence if they engage in conduct that destroys or damages property used in carrying on an animal enterprise, or that belongs to a person who carries on or is associated with a person who carries on an animal enterprise. This offence would be punishable by imprisonment according to the following:

- An offence which results in economic damage exceeding \$10,000: 5 years.
- An offence which results in substantial bodily injury or economic damage exceeding \$100,000: 10 years.
- An offence which results in serious bodily injury or economic damage exceeding \$1,000,000: 20 years.
- An offence which results in death of any individual: Life imprisonment.
- In any other case: 1 year.<sup>9</sup>

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5 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 3.

6 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 3.

7 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 3.

8 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 3.

9 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 3.

2.12 It is proposed that Section 385.10 would create a new offence of causing fear of death or serious bodily injury if a person engages in conduct involving threats, vandalism, property damage, criminal trespass, harassment or intimidation to another person or persons connected with an animal enterprise. It is proposed that this offence would be punishable by imprisonment.<sup>10</sup>

2.13 The EM notes that the bill is not designed to limit the lawful conduct of any person engaged in peaceful picketing or acting in good faith in an industrial matter or who, in good faith, is reporting on a matter of public interest according to the defences listed in section 385.15. A defendant bears an evidential burden in relation to these matters.<sup>11</sup>

2.14 Under the proposed amendment, it is proposed that the prosecution would not need to prove that a person knew that the conduct occurred in the circumstances mentioned in subsections 385.5(3) or 385.10(3). Absolute liability would apply. The effect of applying absolute liability to this element would mean that no fault element needs to be proved and the defence of mistake of fact is not available.<sup>12</sup>

2.15 It is indicated that, in relation to both Division 383 and 385:

Absolute liability is appropriate and required for this element of the offences because it is a jurisdictional element. A jurisdictional element of an offence is an element that does not relate to the substance of the offence, but marks a jurisdictional boundary between matters that fall within the legislative power of the Commonwealth, States or Territories. This is consistent with Commonwealth criminal law policy, as described in the Guide to Framing Commonwealth Offences, Civil Penalties and Enforcement Powers.<sup>13</sup>

2.16 Item 2 would insert definitions for the following terms:

- animal enterprise;
- constitutional communication;
- economic damage;
- federally regulated entity;
- serious bodily injury; and
- substantial bodily injury.<sup>14</sup>

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10 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p 4.

11 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p 4.

12 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 3.

13 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, pp 3 and 4.

14 Explanatory Memorandum, Criminal Code Amendment (Animal Protection) Bill 2015, p. 5.

## **Part 2 – Consequential Amendments**

2.17 The EM indicates that, under Part 2, a number of amendments are proposed in relation to defined terms that are to be used in new Part 9.7 of the *Criminal Code Act 1995*. The terms 'Commonwealth place' and 'constitutional trade and commerce' are already used, and defined, elsewhere in the *Criminal Code* so the definitions for these terms have been moved to the Dictionary, without any changes, so that each term is only defined in one place. Part 2 also includes two new signpost definitions for 'close family member' and 'malicious cruelty to animals' and replaces a reference to postal, telegraphic, telephonic communications in paragraph 400.2A(4)(b) with the new term of 'constitutional communication' that is inserted by Part 1.

### **Senate Standing Committee for the Scrutiny of Bills – comments on bill**

2.18 Under its terms of reference the Senate Standing Committee for the Scrutiny of Bills (the Scrutiny committee) is appointed to report, in respect of the clauses of bills introduced into the Senate or the provisions of bills not yet before the Senate, and in respect of Acts of the Parliament, whether such bills or Acts, by express words or otherwise:<sup>15</sup>

- (i) trespass unduly on personal rights and liberties;
- (ii) make rights, liberties or obligations unduly dependent upon insufficiently defined administrative powers;
- (iii) make rights, liberties or obligations unduly dependent upon non-reviewable decisions;
- (iv) inappropriately delegate legislative powers; or
- (v) insufficiently subject the exercise of legislative power to parliamentary scrutiny.

2.19 The Scrutiny committee examined the bill and its provisions. The Scrutiny committee's findings are summarised below.

#### ***Undue trespass on personal rights and liberties – reversal of burden of proof – schedule 1, item 1, proposed subsection 383.5(3)***

2.20 In commenting on Schedule 1, Item 1, proposed subsection 383.5(3), the Scrutiny committee noted that the proposed subsection provides that the defendant would bear an evidential burden in relation to making out the matter in paragraph 383.5(1)(c), namely, that malicious cruelty was not reported to a relevant authority within one day after the activity occurred and that the visual record of that activity was not given to the relevant authority within five days. The Scrutiny committee acknowledged the argument provided in the EM as to why this approach is appropriate.<sup>16</sup> However, it argued that:

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15 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, Terms of Reference (1)(a), p. v.

16 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, p. 29.

On the other hand, it may be noted that the matter the defendant is being required to prove is central to the question of liability for the offence. Further, it is arguably the case that the relevant authorities should be required to implement systems which facilitate proof through systems for recording, processing and storing records. Given the existence of such systems it may be considered inappropriate to require defendants to discharge an evidential burden of proof. It is also suggested that the appropriateness of placing an evidential burden on defendants may be thought problematic as the entities to whom disclosure of cruelty reports and delivery of records must be made is not defined with precision, but by reference to whether the authority has 'responsibility for enforcing laws relating to animal welfare'. In light of these matters and the brevity of the justification offered for the approach the committee seeks the Senator's more detailed explanation of the reversal of onus be sought. **The committee therefore seeks the Senator's explanation as to why the entities to whom disclosure of cruelty and the delivery of records must be made cannot be defined with more precision as uncertainty in the operation of offences may also be considered to trespass on personal rights and liberties.**<sup>17</sup>

***Undue trespass on personal rights and liberties – absolute liability schedule 1 item 1, proposed subsections 383.5(5), 385.5(4) and 385.10(4)***

2.21 The Scrutiny committee noted that absolute liability applied in relation to the 'jurisdictional' element of the offence set out in subsection 383.5(4). The Scrutiny committee indicated that, in light of the explanation at page four of the EM – which is consistent with the *Guide to Framing Commonwealth offences, Civil Penalties and Enforcement Powers* – it would make no further comment in relation to this issue.<sup>18</sup>

2.22 The Scrutiny committee noted that this same issue also arises in relation to subsection 385.5(4) and subsection 385.10(4). The Scrutiny committee indicated that in the circumstances, it would make no further comment on these subsections.<sup>19</sup>

***Undue trespass on personal rights and liberties – new offences and penalties – schedule 1, item 1, proposed subsection 385.5(1), 385.10(1), section 385.20***

2.23 The Scrutiny committee noted that these provisions detail proposed penalties for the offences of destroying or damaging property connected with an animal enterprise, causing fear of death or serious bodily injury to a person connected with the carrying on of an animal enterprise. It was also noted that section 385.20 sets out

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17 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, pp 29 and 30.

18 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, p. 30.

19 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, p. 30.

aggravated offences in relation to conduct that results in the differing levels of economic damage or that results in physical injury or death.<sup>20</sup>

2.24 The Scrutiny committee also observed that the penalties proposed involve significant custodial sentences ranging from 1 year imprisonment to life imprisonment. In response to which it was stated that:

The committee's normal expectation is that new offences will be justified by reference to (a) the need for the offences where existing offences would also cover the conduct (e.g. crimes against property and persons) and (b) that penalties imposed for new offences be justified by comparison with those imposed for similar offences in Commonwealth legislation. **As the explanatory memorandum does not address these matters, the committee seeks the Senator's comprehensive justification for the proposed approach.**<sup>21</sup>

***Undue trespass on personal rights and liberties – reversal of burden of proof – schedule 1, item 1, proposed subsection 385.15***

2.25 The Scrutiny committee noted that this provides for three defences to conduct which would otherwise be caught by offences in Division 385. The proposed defences are that the conduct is:

- (a) peaceful picketing, or some other legally sanctioned peaceful demonstration;
- (b) done in good faith in connection with an industry dispute or an industrial matter; or
- (c) publishing in good faith a report or commentary about a matter of public interest.<sup>22</sup>

2.26 It was also observed by the Scrutiny committee that, in relation to each of these defences, a defendant bears an evidential burden of proof.

2.27 The Scrutiny committee acknowledged that the bill's Statement of Compatibility (at page eight) states:

This is appropriate as it reflects the fact that it would be significantly more difficult and costly for the prosecution to in effect prove matters such as the fact that the activity was not reported, as information about whether the matter was reported would in most cases be peculiarly within the knowledge of the defendant.<sup>23</sup>

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20 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, pp 30 and 31.

21 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, p. 31.

22 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, p. 31.

23 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, p. 31.



2.28 It went on to argue however, that:

Unfortunately this justification for the approach lacks specificity and seems directed only to the offence in Division 383, not those in Division 385. Given that aggravated versions of the offences attract very significant penalties and that the matters in the offence are central to the question of liability, **the committee seeks the Senator's detailed justification for this approach.**<sup>24</sup>

2.29 The Scrutiny committee concluded as follows in relation to the three amendments summarised above:

*Pending the Senator's reply, the committee draws Senators' attention to the provisions, as they may be considered to trespass unduly on personal rights and liberties, in breach of principle 1(a)(i) of the committee's terms of reference.*<sup>25</sup>

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24 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, pp 31 and 32.

25 Senate Standing Committee for the Scrutiny of Bills, *Alert Digest No. 2 of 2015*, 4 March 2015, pp 30, 31 and 32.



# Chapter 3

## Issues

### **Key issues raised by those in favour of the bill**

3.1 The committee received a number of submissions which fully supported the objectives of the bill. These submissions were largely – but not exclusively – provided by those involved in various agricultural enterprises. These groups argued very strongly in favour of the amendments proposed by the bill, and told the committee that there is a very real risk that Australian food and fibre production systems can be compromised by the actions of any person 'that would for whatever reason, intimidate, threaten or attack any other person associated with an animal enterprise'.<sup>1</sup> Members of these groups also expressed concerns in relation to issues of animal safety, the safety of farm workers and possible breaches of biosecurity protocols.<sup>2</sup>

3.2 The National Farmers' Federation (NFF) submitted that it strongly supports the bill in its intent, and is of the view that the bill 'does not preclude any individual from lawfully pursuing a cause'. It was argued that:

If an organisation or individual wish to raise a concern then they should use every course available to them to do so as long as it does not break the law. This [the bill] is a simple and logical approach which reduced the likelihood of the law being taken into individuals own hands and preventing any negative impacts such as breaches of biosecurity arrangements which would have serious consequences for the agriculture industry. The NFF view is that no one should be above the law. Farmers must conduct their business in accordance with the law and it only fair and equitable that other members of [the] community should act lawfully as well.<sup>3</sup>

### ***Failing to report 'malicious cruelty to animals'***

3.3 As noted in the previous chapter, Section 383.5 makes it a criminal offence for a person not to report a visual record of what they believe to be 'malicious cruelty' to an animal to the relevant authority within one business day, and/or the person fails to surrender the visual record to the relevant authority within five business days.

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1 National Farmers Federation, *Submission 41*, p. 6.

2 See for example, Australian Chicken Growers' Council Limited *Submission 59*, [p. 2], Australian Dairy Farmers, *Submission 54*, [p. 1], Australian Pork Limited, *Submission 58*, p. 1 and Queensland Farmers' Federation, *Submission 67*, [p. 2].

3 National Farmers Federation, *Submission 41*, p. 7.

3.4 A number of individuals and organisations indicated their support for this amendment.<sup>4</sup> The Australian Chicken Growers' Council (ACGA) argued that this amendment would guarantee that witnesses to malicious animal cruelty are obliged by law to report the incident within 'a timeframe that allows authorities to address and prevent further occurrences of cruelty in a timely manner'.<sup>5</sup> The ACGA also indicated that it supports the use of the word 'malicious' in the amendment, because it prevents any ambiguity about what might be defined as animal cruelty and argued that 'a perfectly human practice might be seen as cruel if witnessed by someone who does not understand the process'.<sup>6</sup>

3.5 In response to a submission provided by the AVA which argued that the proposed measure would not achieve its stated objectives, Dr Barry Smyth, Past President of the AVA, responded:

The bill addresses specifically cases of malicious cruelty to animals. And the notification cannot be soon enough. You need to know straightaway. The sooner you can have access to an animal that has been injured or whose welfare in any other way has been compromised, the sooner you can institute treatment and the better off the animal will be and the more likelihood there is of a successful outcome to your treatment. The longer the delay between reporting and you, as a veterinarian, being able to access the animal and being able to institute treatment, the less likely you are to have a good outcome. So I do not see a problem with 24-hour reporting.<sup>7</sup>

3.6 The committee also notes Dr Smyth's responses to questions from the committee regarding the AVA's submission:

**Senator Rhiannon:** Did you read the AVA's submission before you came?

**Dr Smyth:** Yes, I did.

**Senator Rhiannon:** So you would be aware of their statement. They have said:

... we have concerns about the effectiveness of this proposed legislation to achieve any significant improvement in animal welfare.

Do you agree with that statement?

**Dr Smyth:** Absolutely not.<sup>8</sup>

3.7 ACGA also expressed support for the second part of the amendment – the requirement to surrender any visual evidence within a five day period. It was further

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4 See, for example, National Farmers' Federation, *Submission 41*, p. 7, Australian Chicken Growers' Council Limited *Submission 59*, [p. 2], Australian Dairy Farmers, *Submission 54*, [p. 1], Australian Pork Limited, *Submission 58*, p. 1 and Queensland Farmers' Federation, *Submission 67*, [p. 2].

5 Australian Chicken Growers' Council Limited *Submission 59*, [p. 2]

6 Australian Chicken Growers' Council Limited *Submission 59*, [p. 2]

7 Dr George Barry Smyth, *Committee Hansard*, 15 May 2015, p. 24.

8 Dr George Barry Smyth, *Committee Hansard*, 15 May 2015, p. 25.

suggested that the requirement that any evidence being provided should be unedited, would ensure that evidence (that could lead to preventing future cases of cruelty) are not stockpiled with a view to achieving greater media impact and shock value.<sup>9</sup>

3.8 Australian Pork Limited (APL) also raised concerns about footage being used for shock value. APL submitted whilst it considers the proposed timeframes for reporting animal cruelty (and the provision of any record of this cruelty) are appropriate, it argued that the bill could be strengthened by:

... specifically stating that the removal of metadata or the manipulation of the electronic files (e.g. the incorporation of 'screams' from animals for 'shock' purposes) be prohibited. APL is concerned that the altering of evidence in any form will potentially render evidence of animal cruelty inadmissible in a court of law.<sup>10</sup>

3.9 While being clear in its support for the bill, APL also sought some clarification in terms of the terminology used in relation to this particular amendment. It was suggested that there is a need for more inclusive definitions – in particular a clarification of the term 'domestic animal'. APL asked, for example, whether the term only applies to farmed animals or whether it also covered domestic pets and enterprises such as puppy farms. APL argued that this particular definition should also be made clearer in the EM.<sup>11</sup>

3.10 The NFF acknowledged that the draft bill is concerned in large part with the issue of reporting malicious cruelty as defined under section 383.10, and surrendering visual recordings of malicious cruelty. The NFF noted that the bill does not address animal suffering as a result of animal neglect, and suggested that the scope of the bill be broadened to include:

- incidences of cruelty against wildlife and feral animals;
- incidences where duty of care has been breached; and
- a requirement to report by anyone who witnesses such acts of malicious cruelty whether filmed or not.<sup>12</sup>

3.11 The NFF suggested that broadening the bill may address potential criticisms that the legislation is intended to keep such things hidden from public view rather than to actually tackle animal cruelty.<sup>13</sup>

### ***Destroying or damaging property and causing fear of death or serious bodily injury***

3.12 As previously noted, under Section 383.5, the bill proposes the creation of a new offence for engaging in conduct that destroys or damages property in the following circumstances:

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9 Australian Chicken Growers' Council Limited *Submission 59*, [p. 2]

10 Australian Pork Limited, *Submission 58*, p. 2.

11 Australian Pork Limited, *Submission 58*, p. 1.

12 National Farmers Federation, *Submission 41*, p. 7.

13 National Farmers Federation, *Submission 41*, p. 7.

- where that property:
  - is used in carrying on an animal enterprise;
  - belongs to a person who carries on an animal enterprise; or
  - belongs to a person who is otherwise connected with, or related to animal enterprise; and
- where the person engaging in the conduct intends that the conduct will interfere with the carrying on of the animal enterprise.

3.13 The new offence provision proposed by Section 385.10 can be summarised as follows:

- a person commits an offence (the first person) if they engage in conduct involving threats, vandalism, property damage, criminal trespass, harassment or intimidation in circumstances where that conduct causes another person (the second person) to reasonably fear that 'any person' will cause death or serious injury to a 'targeted person', being the second person, or their close family member, or their employee or a contractor of the person. This must occur in circumstances where:
  - the second person or the targeted person carries on an animal enterprise; or
  - the second person or the targeted person is otherwise connected with, or related to, an animal enterprise and;
  - the first person intends that the conduct will interfere with the carrying on of the animal enterprise.<sup>14</sup>

3.14 In his evidence to the committee, Dr Peter Scott<sup>15</sup> told the committee that those who invade agricultural enterprises – for example, poultry farms and piggeries – can cause considerable damage and disruption. Dr Scott argued that following incursions on farms, one of the primary concerns is biosecurity – in relation to both exotic and endemic diseases:

Endemic diseases are diseases that are out there and they are controlled by vaccination in general. But particularly when you are dealing with elite herds, those herds are under extreme biosecurity, where people shower on and have a strict 'no entrance' of 48 hours and things like that. And I suppose those animals are bred very, very clean, out of a disease-free status. We do have active examples of people invading those farms and introducing those endemic diseases, which means that those animals lose

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14 Joint Submission: Animal Defenders Office, the Northern Rivers Community Legal Centre, Lawyers for Companion Animals and Far West Community Legal Centre, *Submission 201*, [p. 4].

15 Dr Peter C. Scott is a veterinarian who has considerable experience in working with intensive farming and animal enterprises.

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value for commercial sale down the line and in some cases for export overseas.<sup>16</sup>

3.15 Mrs Jo-Anne Bloomfield, a cattle producer in the Northern Territory, argued that the actions of those involved in farm intrusion can actually 'initiate negative animal welfare through intention or otherwise', and in some cases the invasion itself can lead to malicious cruelty through injury and/or death of an animal.

3.16 Mrs Bloomfield told the committee that she supports the provisions of the bill, and made the following comments in relation to trespass and destroying and/or damaging property:

- trespass laws alone do not act as a deterrent to those people involved in property invasions; and
- most people involved in property invasions have no actual animal husbandry skills and are not trained in the legal aspects of conducting investigations;
- it is only a matter of time before mass animal deaths occur due to intruders; and
- it is also only a matter of time before a human being is either injured or killed during a farm invasion.

### **Committee comment**

3.17 The committee has in the past expressed its concerns about the risks those employed in agricultural enterprises are constantly exposed to. The committee is very much aware of the ways in which those involved in Australia's food and fibre production systems and their livestock can be compromised by the actions of those who would seek to intimidate, threaten or attack them. The committee shares the concerns of those involved in agricultural enterprises in relation to the safety of farm workers and livestock and the serious consequences which can arise following breaches of biosecurity and workplace health and safety protocols.

### **Key issues raised by those opposed to the bill**

3.18 The committee received a substantial number of submissions to its inquiry – a large number of which expressed concern about the intentions of the bill. In particular, the committee received a substantial number of submissions which did not support the amendment proposed in Section 383.5 in relation to failure to report 'malicious cruelty to animals'.<sup>17</sup>

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16 Dr Peter C. Scott, *Committee Hansard*, 15 May 2015, p. 24.

17 See for example, Mr Barry Terzic and Ms Sonja Terpstra, *Submission 9*, p. 1, Mr Paul Daher, *Submission 17*, p. 1, Ms Nicole van Barneveld, *Submission 21*, p. 1, Greens NSW, *Submission 42*, p. 3, Sentient, The Veterinary Institute for Animal Ethics, *Submission 51*, [p. 1], RSPCA, *Submission 52*, p. 4, Voiceless, *Submission 56*, p. 3, Ms Karin Schuett, *Submission 801*, p. 1, Mr J. and Ms C. Donaldson, *Submission 803*, p. 1 and Joint Media Organisations, *Submission 810*, p. 2.

3.19 In particular, it was suggested by a number of submitters that the bill would unfairly target undercover investigators and investigative journalists who expose animal cruelty.<sup>18</sup> It was argued that 'investigators should be allowed to gather evidence to expose those who commit animal cruelty'.<sup>19</sup> Further, it was argued that:

The Bill will also target whistleblowers, who will then be deterred from exposing animal cruelty in their workplaces (abattoirs, factory farms, etc) due to fear of losing their jobs if they are identified. There is specific whistleblower legislation in place within Australia to specifically protect people in such situations, and these protections should not be curtailed by this Bill.<sup>20</sup>

3.20 A similar sentiment was expressed by submitters who argued that:

... since subsection 383.5(2) makes the actual occurrence of animal abuse immaterial, and since reporting is only limited to select authorities, it is difficult to see how this provision aligned with the purported object of the Bill, which is to ensure that animals are protected against 'unnecessary cruelty' and to minimise delays in the reporting of cruelty. If these intentions are genuinely at the heart of the Bill, then available avenues for reporting abuse would be widened, and the focus of the provisions would be on the occurrence of actual abuse, and not on the subjective qualities of those who capture evidence of abuse.<sup>21</sup>

3.21 A large number of submitters also argued that, without undercover investigations, animal cruelty in abattoirs and factory farms would escape detection.<sup>22</sup>

3.22 It was argued that this provision 'creates a positive legal duty which is both unusual and highly burdensome, and it is difficult to identify any analogous provision under either Commonwealth or state legislation'. Further, it was argued that this is:

Particularly concerning since the provision involves the creation of a criminal offence where the burden of proving the elements of the offence is displaced from the prosecution to the defendant (contrary to s13.1 of the Code). A criminal conviction attracts consequences that typically extend far beyond the immediate penalty, and the Explanatory Memorandum does not include any explanation as to why it is appropriate to impose such onerous obligations and sanctions on members of the community who are not

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18 See for example, Sentient, The Veterinary Institute for Animal Ethics, *Submission 51*, [p. 1], Voiceless, *Submission 56*, p. 3, Ms Karin Schuett, *Submission 801*, p. 1, Mr J. and Ms C. Donaldson, *Submission 803*, p. 1 and Joint Media Organisations, *Submission 810*, p. 2.

19 Ms Karina Huddleston, *Submission 200*, p. 1.

20 Ms Karina Huddleston, *Submission 200*, p. 1.

21 Joint Submission: Animal Defenders Office, the Northern Rivers Community Legal Centre, Lawyers for Companion Animals and Far West Community Legal Centre, *Submission 201*, [p. 2].

22 See for example, Mr Barry Terzic and Ms Sonja Terpstra, *Submission 9*, p. 1, Mr Paul Daher, *Submission 17*, p. 1, Ms Nicole van Barneveld, *Submission 21*, p. 1, Greens NSW, *Submission 42*, p. 3, RSPCA, *Submission 52*, p. 4 and Ms Lynn Fitzpatrick, *Submission 71*, p. 1.



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perpetrators of animal abuse, but who merely witness and capture evidence of animal abuse. Similarly, the fact that it is difficult for the prosecution to prove a particular matter is not in itself a sound justification for placing an evidentiary burden on a defendant, and the explanation provided in the Explanatory Memorandum can only be described as deficient, at best.<sup>23</sup>

3.23 In evidence to the committee, the RSPCA indicated that the organisation 'believes that anyone witnessing animal cruelty has a moral obligation to report it to relevant authorities'. The RSPCA indicated that it also supports a mandatory reporting requirement under an appropriate and effective legal framework. It argued that its preferred framework would include:

- an appropriate class of persons to whom the reporting obligation applies;
- a reasonable and effective period within which to report;
- comprehensive protections for the individuals reporting; and
- implementation within the appropriate jurisdiction.<sup>24</sup>

3.24 The RSPCA further argued that the reporting requirement contained in the bill does not address these key features:

It imposes an arbitrary and unrealistic reporting time frame. It applies only to individuals who take video and photographs of cruelty and not to eyewitnesses, which makes it clear that the bill is directed at private investigations and journalists in particular and therefore casts doubt over the sincerity of the bill's stated aims of protecting animals. It provides no protections for those who are made to report, and it is proposed for implementation at the federal level, which is constitutionally suspect and will create difficulties in enforcement. Ultimately it will inhibit and prevent investigations into widespread or routine cases of animal cruelty.<sup>25</sup>

3.25 The views expressed by the RSPCA were supported by the Australian Veterinary Association (AVA). The AVA noted that veterinarians have an ethical obligation to report instances of abuse or neglect to the authorities and, similarly the organisation 'believes that members of the public who become aware of animal abuse or neglect should act to report their concerns as soon as practically possible'.<sup>26</sup>

3.26 The AVA did, however, express concerns that:

... the rather limited time frame for reporting and the related penalties in this draft bill may actually discourage reporting. It is also likely that in remote locations reporting within one business day may not be practical. While the bill's explanatory memorandum suggests that there is some

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23 Joint Submission: Animal Defenders Office, the Northern Rivers Community Legal Centre, Lawyers for Companion Animals and Far West Community Legal Centre, *Submission 201*, [p. 2].

24 Mr Jed Goodfellow, Policy Officer, RSPCA Australia, *Committee Hansard*, 15 May 2015, p. 7.

25 Mr Jed Goodfellow, Policy Officer, RSPCA Australia, *Committee Hansard*, 15 May 2015, p. 7.

26 Australian Veterinary Association, *Submission 64*, p. 3.

flexibility in the reporting timeframe, this is not included in the bill itself. There should be greater clarity around this in the bill at the very least.<sup>27</sup>

3.27 The Animal Law Institute (ALI) also raised concerns about what it described as the 'unreasonable time limits'<sup>28</sup> prescribed in the bill in relation to reporting. ALI argued that the proposed one day and five day time limits are unreasonable and counter-productive to the prevention of malicious cruelty, in the following ways:

- A person who is unable to report malicious animal cruelty (within the one day timeframe) is likely to choose not to report the cruelty at all, rather than face possible criminal charges.
- The bill states that the time requirements start from the time the record is made. It is possible there would be situations where an individual (conducting a covert investigation) would leave a camera recording for several days before returning to collect the camera. In this situation, the individual would then be required to watch footage, possibly seek expert opinions from a veterinarian or a lawyer, to determine if it contained any malicious cruelty. By the time the individual is able to hand over the footage, they may have already breached the reporting requirements.
- The requirement to report all recorded incidents of malicious animal cruelty within one day prevents ongoing investigations into animal industries, which may be uncovering long term and systematic animal cruelty.<sup>29</sup>

3.28 The committee received evidence from a number of submitters which commented on Section 385.5 of the bill – which proposes the creation of a new offence for 'engaging in conduct that destroys or damages property' in a number of different circumstances. Those opposed to the bill noted that this provision is extremely broad, and the EM does not offer sufficient explanation as to its application, or to the meaning of many of its terms.

3.29 It was argued, for example that it is difficult to draw any clear legal boundary around what it means to engage in conduct that destroys or damages property that belongs to a person who is connected with, or related to, an animal enterprise, given that 'animal enterprise' is defined in the bill to include a commercial enterprise that stores animals or animal products, for among other things, profit or food.

3.30 It was further argued that:

The definition of animal enterprise also includes, rather curiously, 'any show or similar event intended to advance agricultural arts or science',

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27 Australian Veterinary Association, *Submission 64*, p. 4.

28 Animal Law Institute, *Submission 530*, p. 2.

29 Animal Law Institute, *Submission 530*, p. 2.

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which again casts an extremely broad net in terms of the provision's coverage.<sup>30</sup>

3.31 A number of submitters also argued that the EM does not provide an appropriate explanation as to why it is necessary to create a new, additional offence relating to property damage, or why the imposition of new criminal penalties is warranted or justified.<sup>31</sup>

3.32 ALI suggested that the bill creates an unnecessary duplication of existing laws, and may in fact lead to double punishment. Further, it argued that:

Laws are currently in effect in all States and Territories to capture the proposed offences contained in Division 385, including damage to property, threats, vandalism, criminal trespass, harassment or intimidation. These new offences are wholly unnecessary, as they would duplicate crimes contained in state and territory legislation. ALI fails to see grounds to create additional offences to the state/territory laws simply because those offences are committed on the property of an animal enterprise, belonging to a person who carries on an animal enterprise, or belonging to a person who is otherwise connected with, or related to, an animal enterprise.<sup>32</sup>

### **Committee comment**

3.33 The committee acknowledges that a significant number of the submissions to this inquiry questioned both the intention and the likely operation of the bill in regard to animal cruelty. In particular, the committee notes the views expressed by those who argued that the proposed legislation would unfairly target those who seek to uncover animal cruelty, such as whistleblowers (including abattoir, farm and factory workers), undercover investigators and investigative journalists.

3.34 Whilst the committee acknowledges these views, it also notes that the bill does not remove or limit the ability for people to report animal cruelty, nor does it preclude any individual from lawfully pursuing a specific case of ongoing and/or systematic animal cruelty.

3.35 The committee does note, however, the argument raised by some submitters about the prescriptive nature of the timeframe for reporting. The committee acknowledges that, particularly in the case of remote locations, reporting within one business day may not be practical or possible. The committee therefore suggests that the time frame for reporting be less prescriptive.

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30 Joint Submission: Animal Defenders Office, the Northern Rivers Community Legal Centre, Lawyers for Companion Animals and Far West Community Legal Centre, *Submission 201*, [p. 4].

31 See for example, Australian Veterinary Association, *Submission 64*, p. 4, Barristers Animal Welfare Panel, *Submission 240*, Annexure A, p. 1, The Animal Law Institute, *Submission 530*, p. 3 and Joint Submission: Animal Defenders Office, the Northern Rivers Community Legal Centre, Lawyers for Companion Animals and Far West Community Legal Centre, *Submission 201*, [p. 4].

32 See for example, The Animal Law Institute, *Submission 530*, p. 3.

**Recommendation 1**

**3.36** It is recommended that, rather than the current requirement of one business day, the time frame be amended to require that a person report, 'as soon as practicable' to the relevant authority.

**Recommendation 2**

**3.37** It is recommended that, subject to the foregoing recommendation, the bill be passed.

**Senator the Hon Bill Heffernan  
Chair**

# Australian Greens' Dissenting Report

1.1 The Australian Greens are deeply committed to improving animal welfare. We support any actions that seek to alleviate animal suffering and to put an end to animal cruelty where it occurs.

1.2 The Australian Greens fully reject any attempts to minimise and remove mechanisms that would increase transparency and accountability to this end.

1.3 The *Criminal Code Amendment (Animal Protection) Bill 2015* seeks to deter and punish those who would expose to the public visual evidence of animal cruelty in commercial animal industries. It would do this by effectively criminalising investigators while turning a blind eye to the perpetrators of that cruelty.

1.4 Indeed, the bill would result in greater penalties being imposed on those who make visual records of animal cruelty, than those who would commit the cruelty which remains an illegal act.

1.5 As such, the Greens reject the bill in its entirety.

1.6 The Greens acknowledge and thank the 1600+ individual submissions made to the inquiry which have helped inform the Greens' position. We note an overwhelming majority of submissions condemn the bill and its intentions, and that the minority support for the bill consists of those commercial interests that would benefit from less scrutiny of their animal welfare practices.

1.7 We also thank the many others who signed petitions and form letters and who contacted their elected representatives directly opposing the bill.

1.8 Without the voices and actions of Australians from all walks of life and political persuasions; without the journalists, activists and investigators of animal welfare issues; without the hard work of our animal welfare organisations across Australia, animals suffering systemic and casual cruelty would forever remain voiceless and unnoticed behind closed doors.

1.9 The Greens also thank the committee for its hard work and the witnesses to this inquiry particularly the RSPCA, Voiceless, Sentient, and the Barristers Animal Welfare Panel, for their valuable input. We thank Animals Australia and Animal Liberation for their advice on this bill.

## **Purpose of the bill**

1.10 The Second Reading Speech asserts the primary aim of the bill is "*the welfare of the animals believed to be victims of malicious cruelty*", while the Explanatory Memorandum claims "*the Bill's first priority is to ensure that animals are protected against further unnecessary cruelty caused by a delay in reporting*". The title of the bill erroneously claims "*Animal Protection*" as its purpose.

1.11 However statements in the Second Reading Speech and by the bill's proponents make clear the primary aim is to protect commercial industries from public exposure if their business practices result in animal cruelty. This would ensure that

such businesses could continue profiting or benefitting from the mistreatment and suffering of animals.

1.12 The effects of the bill confirm this.

1.13 It protects enterprises and associated persons and ventures from having visual evidence of systemic and long-term animal cruelty collected and exposed to the public and to legal scrutiny and accountability.

1.14 It also gags public revelations of animal cruelty by meting out draconian and disproportionate punishment to the investigators, whistle-blowers, advocates and media who would make and accumulate that visual record evidencing the animal cruelty.

1.15 It should be noted such bodies of evidence have been necessary for the successful prosecution of animal cruelty cases and for informing public demand for change to alleviate harm inflicted on animals by animal enterprises. This bill if passed would also diminish the chances of successful legal prosecution of cases against perpetrators of animal cruelty and neglect.

1.16 The bill turns a completely blind eye to the perpetrators of animal cruelty, despite the illegality of those crimes and the public demand for such crimes to be investigated and prosecuted.

1.17 Incredibly it does not compel other direct eye witnesses to report any animal cruelty when they see it.

1.18 The Greens note that proponents of the bill are contradictorily silent on these fundamental omissions that will allow the unimpeded continuation of animal cruelty where it occurs.

### **New offences**

1.19 The bill creates three new broad offences that are applicable only to animal enterprises or related enterprises or individuals:

1. Failing to report and submit the visual recording of malicious animal cruelty within certain time limits (s383.5).
2. Damaging of property belonging to an animal enterprise or a person connected or related to an animal enterprise (s385.5).
3. Causing fear of death or serious bodily injury to a person who is connected or related to an animal enterprise (s385.10).

### **Duplication**

1.20 The bill unnecessarily duplicates existing laws with the risk of double punishments, confused legal processes and compromised investigations by authorities.

1.21 State and federal laws already exist to protect all persons including “animal enterprises” from trespass, property damage, and conduct involving bodily injury, threats, harassment or intimidation. Those laws are already adequate.

1.22 Indeed evidence to the inquiry suggests this bill would confuse and complicate law enforcement of those existing statutes.

1.23 There has been no case made in any of the bill documents, nor in any evidence provided to the inquiry, as to why any part of this bill is needed or appropriate in any form.

1.24 The Greens note the Joint Media Organisation's observation that *the Australian Government Annual Deregulation Report 2014* states that "*poorly designed and inefficient regulation has been imposing unnecessary costs on us all*" and that the current government in 2014 removed "*over 10,000 unnecessary and counter-productive regulations and redundant acts of parliament*".

1.25 The additional qualifier attached to the replicated offences "*with the intention of interfering with the carrying on of an animal enterprise*" is redundant. Courts already consider the motivation of offenders during the sentencing process.

### **Political and commercial agendas**

1.26 With this in mind, however, the Greens share a number of submitters' concerns that the additional offences, solely applicable to commercial animal industries and associated individuals and entities, confirm that this bill is drafted to suit the political and commercial agendas of its proponents and to ensure a criminal conviction to suit those agendas.

1.27 This is dangerous territory indeed. As noted by Barristers Animal Welfare Panel, the RSPCA, and other submissions, it risks serious abuse of legislative power to secure criminal convictions for political or commercial advantage.

### **Targets visual records of cruelty**

1.28 The bill criminalises a person because they recorded an activity they believe to be "malicious cruelty" to animals and have not reported that activity within one business day, or have not submitted that visual record within five business days to an unspecified "authority" (s383.5).

1.29 This offence is applicable *only* to photographs and film footage of what is believed to be animal cruelty. This, taken with the time limits for reporting, effectively criminalises the accumulation of visual evidence required to prove systemic and ongoing animal cruelty in animal use industries and would ensure any long-term animal welfare investigations "*are stopped in their tracks*" (RSPCA Australia, Sub 52).

1.30 The scope of the bill would also criminalise vets, media and any other members of the public who record what they believe may be instances of animal cruelty.

1.31 The provision would dissuade individuals from seeking expert advice about the validity of their recorded animal cruelty concerns and put an end to the lodging of those animal welfare concerns outside the time periods, as to do so would constitute a criminal offence under this bill. Already public whistleblowers delay reporting animal abuse for various reasons, they "*often report they were nervous, frightened of the animal abuser, or were hoping that the abuse would stop without intervention*" (Animal Liberation, Sub 242).

1.32 Conversely, the bill may also find law enforcement agencies or the RSPCA flooded with thousands of photographs or footage of innocuous activities involving animals from all and sundry who may be concerned about committing a crime if they do not submit their animal photographs or footage of what might be construed as possible animal welfare breaches.

### **Constitutionality**

1.33 The Greens also note questions raised in many submissions about the constitutionality of the bill.

### **Infringement of traditional rights, freedoms and privileges**

1.34 The Joint Media Organisation's submission also highlights the Government's review by the Australian Law Reform Commission of Commonwealth laws, aiming to identify provisions that unreasonably compromise and encroach upon traditional individual rights, freedoms and privileges.

1.35 The stated intent by the Attorney-General is to "*strive to protect and restore*" those rights, recognising the diminishing and devaluing of those freedoms compromise the principles of democracy.

1.36 This bill actively and deliberately dismantles those rights and turns its back on well-established legal principles.

1.37 The Joint Media Organisations made it clear that the bill operates to actively undermine and inhibit freedom of the media for investigative news gathering and reporting in good faith and in the public interest. Especially those stories that "*may shine a light in dark areas*" such as intensive farming operations, live exports or the more recent greyhound industry investigations.

### **Reversal of Evidential burden**

1.38 The presumption of innocence is a *fundamental* cornerstone of common and criminal law which serves to protect even those proponents of the bill from arbitrary punishment by requiring the prosecution prove all elements of an offence beyond reasonable doubt.

1.39 This bill reverses the evidential burden of proof with the Explanatory Memorandum asserting that such a reversal "*will not necessarily violate the presumption of innocence provided that the law is not unreasonable in the circumstances and maintains the rights of the accused*" (our emphasis).

1.40 That is, this bill does not require the prosecutor or the accuser to provide evidence to establish the offence. Rather the defendant must shoulder the evidential burden to disprove the (non-established) offence.

1.41 Currently the reversal of the evidential burden onto the defendant is imposed in serious cases involving treason, espionage, and terrorism related acts as defined in the *Criminal Code Act 1995*. As an aside, the Greens share the same deep alarm about the removal of the basic right to a presumption of innocence in these cases.

1.42 Nonetheless, it is outrageous that proponents of the bill would have trespass, property damage, and fear of harassment or intimidation – or the non-reporting of a



photograph or video of animal abuse – fall into the same category such as are currently claimed to warrant serious abrogation of such a fundamental legal principle as the presumption of innocence.

1.43 That investigators into animal welfare abuses may be prosecuted in the similar rights framework as those accused of violent terrorist acts, where they must disprove an accusation that may be delivered without any proof whatsoever, is of most serious concern.

1.44 The Greens concur with submissions that note the claim this provision is justified because the prosecution would find it “very difficult” to prove that visual records of animal abuse were made is an absurdity, given the making of such records is the threshold element of the principal offence under the bill.

1.45 Equally absurd is that the prosecution must prove the act of cruelty in the first place, and then put aside that established fact in order to pursue the primary question of if or when that act was reported and recorded visual evidence supplied to authorities.

### **Removal of intention**

1.46 The bill also removes another important check on excessive punishment by removing no fault provisions otherwise available to the courts under existing laws: *“no fault needs to be proved and the defence of the mistake of fact is not available”*.

1.47 The onus is on the accused to disprove an offence unproven by the prosecution, with a presumption of guilt from the outset, and then unable to rely on any defence of ignorance or honest mistake of fact.

1.48 The dismantling of such fundamental legal protections, when considered with the penalties this bill seeks to bring down is unconscionable.

### **Draconian and excessive penalties**

1.49 The bill seeks draconian and disproportionate penalties for those seeking to obtain evidence of cruelty in animal enterprises that exceed maximum penalties for the actual infliction of animal cruelty.

1.50 The omission of a described “maximum” penalty finds that prescribed penalties in the bill are effectively mandatory.

1.51 This could see an animal welfare investigator prosecuted under the provisions of this bill facing a mandatory maximum penalty without the need for the accusing animal enterprise, or any person or business related to the enterprise, to prove the offence.

1.52 Not only this, the accused would be stripped of any basic right to the presumption of innocence or of a right of defence and instead would have to disprove the offence, regardless of whether the prosecution had any merit whatsoever.

1.53 Under this bill, it is conceivable that “an individual could be imprisoned for one year for breaking a lock or rescuing a sick or injured hen, which would certainly be an unjust outcome” (Voiceless, Sub 56).

## **Non-specificity**

1.54 The Greens NSW' submission notes there are a number of offences in the bill that are drafted dangerously loosely.

1.55 For example, the aggravated offences provisions (s385.20) lack the specificity such as causation, malice or intent otherwise required in laws on homicide or serious injury. For example the test "if the conduct results in [serious bodily injury, economic damage, or death to any individual]" does not specify what "results in" means.

1.56 Given the penalties are mandatory, and the maximum penalty is life imprisonment "for conduct that results in death", this conceivably could result in someone being accused of contributing to the death of any individual who may not have actually been present when the offence is asserted to have been committed.

1.57 A similarly vague offence (s385.10) "engages in conduct involving" allows the capture of an inappropriately broad range of activities that may have only the most tenuous connection to the offences of threats, vandalism, property damage, criminal trespass, harassment or intimidation that cause "fear" in a person – whether that fear is rational or not.

1.58 Sentient (Sub 51) notes the definition of "animals" does not protect non-domestic animals such as native and non-native wildlife which is often subjected to malicious cruelty as evidence by the recent expose of live bating in the greyhound racing industry.

## **The real problems**

1.59 The Greens have long condemned the inadequacy of current laws that purport to protect the welfare and wellbeing of animals within industry and other so-called "animal enterprises".

1.60 The lack of well-funded independent oversight of animal cruelty protection and the inadequate monitoring and enforcement of existing animal protection laws by government agencies continues to condemn animals to short lifetimes full of pain, fear and great suffering beyond the spotlight of the public gaze.

1.61 It is the lack of will and commitment from government that necessitates organisations such as Animals Australia, Animal Liberation , PETA and the many other courageous animal groups, journalists and committed individuals to investigate, bear witness to, and collect evidence of systemic industry-wide and long-term animal cruelty.

1.62 It is a lack of government support and funding that finds inadequately funded or legally empowered "*animal protection enforcement bodies such as the RSPCA, who are then put in a position to have to act on a reactive basis, after the harm is done*" (Animals Australia. Sub 770).

1.63 The significant impact such investigations have had on the development of animal welfare law, on enabling prosecutions against animal cruelty, increasing consumer and public awareness and forcing changing practices by offending industries and businesses cannot be underestimated.

1.64 Just two of the many examples: Without Animals Australia's collection of extensive evidence of cruel slaughter practices in Indonesia and ABC's Four Corners reporting of that evidence, the live export ESCAS regulations would not have been put in place and extended to the importing countries, the use of the cruel Mark I slaughter boxes would not have been banned and increased pre-stunning methods would not have been implemented in Indonesia (Animals Australia, Sub 770).

1.65 The greyhound industry across Australia would be continuing to use animals as live bait if not for the work of Animals Australia and Animal Liberation Queensland that has shaken up the industry across the country.

1.66 This bill would put an end to the community's most formidable weapon in exposing and prosecuting widespread routine and systemic cruelty: Covert surveillance in long-term investigations.

1.67 The Greens condemn this bill. It is an undisguised and clumsy attempt to end the scrutiny of offending animal industries, by punishing the investigators and protecting the offenders.

1.68 It offers nothing to repair our completely ineffective animal welfare regulatory framework.

1.69 There has been no evidence presented to support a case that this bill is required or appropriate. It undermines basic legal principles necessary to a fair and just legal system. It has no social license.

1.70 The Greens unequivocally reject this offensive bill.

### **Dissenting report recommendations**

1. The Greens recommend this bill not proceed.
2. Employees, owners and operators, associates and others connected to animal facilities who suspect or are witness to animal cruelty or neglect in that enterprise should be compelled to report it.
3. Strong and effective legal protections should be afforded to those who thus are required to report animal cruelty.
4. Journalists and independent investigators should not be prosecuted for the provision of any evidence of animal cruelty in animal enterprises.
5. Minimum Standards and Codes of Practice should meet public expectations of what constitutes humane treatment of animals. They should not codify animal cruelty that would otherwise be prosecuted under existing animal protection legislation.
6. The Australian Government should reinstate withdrawn funding for the Australian Animal Welfare Strategy and its advisory committees and commit to supporting animal welfare initiatives at a federal level, and prosecuting breaches to its own regulations such as the ESCAS that pertains to live exports.
7. Departments of Agriculture represent the interests of industry and should not be responsible for oversight of animal welfare investigations.

8. An Independent Office for Animal Welfare (IOAW), should be introduced by the federal government to oversee and coordinate state based IOAWs. All IOAWs should be empowered, resourced and compelled to fully investigate, enforce and prosecute all animal welfare cases, including not only domesticated animals but also native and non-native wildlife.
9. More and adequate funding and resources should be provided to animal protection organisations such as the RSPCA and The Animal Welfare League who are charged with investigating animal cruelty complaints.
10. Investigating organisations and animal welfare investigative officers such as the police and the RSPCA should be provided with appropriate powers and resources to detect long-term systemic animal cruelty and to enforce and prosecute breaches. This includes the ability to covertly record investigated premise and unannounced inspections of facilities.
11. Industries and sectors who use animals in any way should be incentivised by government to promote public transparency and accountability to ensure their treatment of animals meets social and ethical expectations of humane treatment.

**Senator Lee Rhiannon**  
**Australian Greens**

# Appendix 1

## Submissions received

<b>Submission Number</b>	<b>Submitter</b>
1	Mr Phil Westwood
2	Mr Clive and Dawn Mead
3	Ms Stephanie Tyrrell
4	Ms Beryl Dix
5	Mr Rod Reeve
6	Ms Deb Bauer
7	Mr Richard Pooley
8	Ms Alison Noble
9	Mr Barry Terzic and Ms Sonja Terpstra
10	Ms Deborah Eggers
11	Mr Peter Schuiringa
12	Ms Janice Martz
13	Mr David Morgan
14	Ms Donna McDowall
15	Professor Philip Almond and Ms Patricia Lee
16	Ms Marlene Hargreaves
17	Mr Paul Daher
18	Ms Deb Morris
19	Ms Vicki Jan Berg
20	Ms Casey Pool
21	Ms Nicole van Barneveld
22	Ms Karen O'Reilly-Briggs
23	Mr Steven Scipione
24	Mr Sabcharchris Woodward
25	Ms Myrelle Hurst
26	Ms Arlene Henley
27	Ms Barbara Brindley
28	Ms Michelle Kelly
29	Ms Brooke Harwood
30	Mr Jeremy Richman
31	Ms Liana Markovich
32	Mr Robert Railton

- 33 Ms Jennifer Formston
- 34 Ms Averil Coe
- 35 Mr Ian Camp
- 36 Ms Wendy Murphy
- 37 Mr Richard King
- 38 Ms Kerrie Parker
- 39 Mr Ronald Colijn
- 40 Ms Isabella Russo
- 41 National Farmers' Federation
- 42 Greens NSW
- 43 Sheepmeat Council of Australia
- 44 Dr Susan Foster
- 45 Animal Welfare League Australia
- 46 Country Downs Station
- 47 Ms Kirsten Darling
- 48 Humane Society International
- 49 Livestock SA
- 50 Cattle Council of Australia
- 51 Sentient, The Veterinary Institute for Animal Ethics
- 52 RSPCA Australia
- 53 Against Animal Cruelty Tasmania
- 54 Australian Dairy Farmers Limited
- 55 Animal Liberation Qld
- 56 Voiceless
- 57 PETA Australia
- 58 Australian Pork Limited
- 59 Australian Chicken Growers Council
- 60 Ms Ashley Avci
- 61 Mr Alex Ottaway
- 62 Pastoralists & Graziers Association of WA
- 63 Ms G.G. Gray
- 64 Australian Veterinary Association
- 65 WoolProducers Australia
- 66 Mr Alex Greenwich MP
- 67 Queensland Farmers' Federation
- 68 Australian Lot Feeders' Association
- 69 WAFarmers
- 70 Australian Livestock & Property Agents Association Ltd
- 71 Ms Lynn Fitzpatrick

- 72 Dr Malcolm Caulfield
- 73 Ms V. Stewart
- 74 Dr Patrick Haid
- 75 Tyng-Yann Yen
- 76 Ms Karen Sher
- 77 L. Mackaway
- 78 Ms Madison Scarpella
- 79 Ms Lisa Wood
- 80 Ms Linda Fleiter
- 81 Ms Kathryn Outram
- 82 Ms Lucy Fox
- 83 Ms Tracey Pfeiffer
- 84 Ms Jemma Dent
- 85 Ms Shona Fisher
- 86 Dr Di Evans
- 87 Dr Stephen Thornton
- 88 Dr Bronwyn Walker
- 89 Ms Rina Cohen
- 90 Ms Robynne Black
- 91 Ms Maria Mohrholz
- 92 Mr Phillip Ponton
- 93 Mr Shan Patterson
- 94 Ms Linda McDowell
- 95 Ms Elizabeth Dale
- 96 Ms Nina Payne
- 97 Ms Katie De-loyde
- 98 Ms Dominique Oje
- 99 Mrs Helen Stephens
- 100 Ms Marilyn Davies
- 101 Ms Susan Hood
- 102 Ms Alexandra Newman
- 103 Ms Amity Crimmins
- 104 Ms Emily Murphy
- 105 Ms Sue Thomas
- 106 Ms Lucy Maxwell
- 107 Ms Cynthia Harris
- 108 Ms Lauren Alderton
- 109 Ms Liz Pearse
- 110 Mr Bornali Borah

- 111** Ms Kym Hayes-Parker
- 112** Liberty Victoria
- 113** Ms Rana Kordahi
- 114** Law Institute of Victoria
- 115** Mr Brian Flohm
- 116** Ms Leonie Wilton and Mr Jason Harris
- 117** Ms Erin Macgregor
- 118** Ms Sam Hayze
- 119** Ms Cheryl Moore
- 120** Ms Adrienne Tripp
- 121** Ms Jill Mather
- 122** Ms Lisa Newton
- 123** Ms Kathryn Lyster
- 124** Ms Robyn Leslie
- 125** Ms Tennille Glover
- 126** Ms Maria Ford
- 127** Ms Helen Reynolds
- 128** Ms Jarna Shea
- 129** Ms Margaret Watt
- 130** Ms J. Jossen
- 131** Ms Arwen Parkinson
- 132** Ms Josephine Comb
- 133** Ms Sonya King
- 134** Ms Amber Wilkie
- 135** Mr Jim Kearney
- 136** Mr D.C. Brown, Mrs. V.F. Alcaine, Mr. P.H. Alcaine and Ms. T.F. Lavery
- 137** Ms Laura Moss
- 138** Dr Vanessa Acero
- 139** Ms Carmen Lovering
- 140** Ms Catherine Guns
- 141** Ms Trish Wilkins
- 142** Ms Louise Dante
- 143** Ms C. Loader
- 144** Mr Tony Ward
- 145** Animals Angels
- 146** Ms Ann Britton
- 147** Law Council of Australia
- 148** The Law Society of South Australia
- 149** Ms Christine Bennett



- 150** Ms Janet Baker
- 151** Mr Paul Cox
- 152** Jadwiga Stanczyk
- 153** Ms Maaret Sinkko
- 154** Mr William Setterfield
- 155** Ms Amanda Devine
- 156** Ms Sue Willis
- 157** Mr Peter Fell
- 158** Mr Thomas Brown
- 159** Ms S. Francis
- 160** Puja Ladva
- 161** Ms Averil Nancarrow
- 162** Ms Geo Carter
- 163** Ms Terina Kocbek
- 164** Mr Glenn Addison
- 165** Mr John Tracey
- 166** Ms Sabrina Parrini
- 167** Adair Denshire
- 168** Ms Christine Williams
- 169** Jo Mckell
- 170** Ms Joy Ankey-Jarvis
- 171** Ms Marianne Troke
- 172** Ms Rachael Lonergan
- 173** Ms Rhiannon Dunn
- 174** Ms Jillian Heath
- 175** Ms Elise Ramos
- 176** Ms Kate Anderson
- 177** Ms Joanne Murphy
- 178** Jo Berens
- 179** Ms Alida Tomaszewski
- 180** Ms Gayle Coutts
- 181** Ms Rose Spear
- 182** Kim Young
- 183** Ms Catherine Laurence
- 184** Ms Annie Grace
- 185** Mr Spyro Kalos
- 186** Ms Sue Golden
- 187** Ms Catherine Zanevra
- 188** Ms Kelley Watson

- 189** Ms Helen Judge
- 190** Ms Adriana Rossi
- 191** Mr Stuart and Margaret Hamilton
- 192** Ms Sally Turner
- 193** Ms Katrina Mullen
- 194** Ms Dianne Harbour
- 195** Ms Kaylene Mann
- 196** Mr Jon Daley
- 197** Ms Patricia McMurray
- 198** Mr Edward Hogan
- 199** Harness Racing Queensland
- 200** Ms Karina Huddleston
- 201** Animal Defenders Office, the Northern Rivers Community Legal Centre,  
Lawyers for Companion Animals, and Far West Community Legal Centre
- 202** World Animal Protection
- 203** Ms Raelene Hall
- 204** Ms Sarah Davison
- 205** Ms Heather Cambridge
- 206** Mr Gary Aschmoneit
- 207** Ms Ruth Plunkett
- 208** Mr Peter Jones
- 209** Ms Corinne McInerney
- 210** Ms Anne Mills
- 211** Mr Richard Norris
- 212** Ms Tricia Miles
- 213** Ms Joanne Andersen
- 214** Ms Maeve Hollow
- 215** Ms Barbara Absolon
- 216** Ineke Romeyn
- 217** Ms Christine Smith
- 218** Ms Bronwyn Hill
- 219** Mr Russell Williams
- 220** Ms Lee-Anne Mate
- 221** Mr Don Mitchell
- 222** Grazyna Mackiewicz
- 223** Mr Kevin and Mrs Jocelyn Muir
- 224** Ms Carole Hill
- 225** Mr Greg Stilianou
- 226** Ms Angela Edwards

- 227 Ms Maggie Merchant
- 228 Ms Shirley Daly
- 229 Ms Susan Hauswith
- 230 Ms Megan Barlocher
- 231 Ms Elizabeth and Ms Molly Kime
- 232 Ms Jasmine Winiata
- 233 Mr Phil Wayne
- 234 Ms Naraelle Ahern
- 235 Ms Helen Iconomou
- 236 Ms Christine Peel
- 237 Ms Jessica Murray
- 238 Mr Martyn Reed
- 239 Kerry Pomroy
- 240 Barristers Animal Welfare Panel
- 241 Ms Moira McLean
- 242 Animal Liberation
- 243 Ms Judi Chesney-Coward
- 244 Ms Jenny Moxham
- 245 Mr Tony and Mrs Pauline Southall
- 246 Mr Guy Farrands
- 247 Mr David Jenkinson
- 248 Ms Helen McGuinness
- 249 Ms Laura Jamieson
- 250 Ms Belinda Ward
- 251 Ms Lynne Linfield
- 252 Mr Philip Watson
- 253 Australian Horse Industry Council
- 254 Ms Gail Genero
- 255 Ms Rachel Crane
- 256 Mr Peter Bassett
- 257 Ms Anita Bayliss
- 258 Mr Leonard Hall
- 259 Ms Emily Heath
- 260 Ms Lorna Wall
- 261 Ms Amber Harris
- 262 C. Day
- 263 Ms Kaye Falls
- 264 Lee McGrath
- 265 Ms Colleen Wells

- 266** Ms Cindy Bowman
- 267** Ms Brigid Hendry
- 268** Ms Kathy Calleja
- 269** Ms Lisa Gill
- 270** Ms Jodie Nielsen
- 271** Mr David Lovejoy
- 272** Lesley Bowden
- 273** Ms Renee Stewart
- 274** Santi Lawson
- 275** Mr John Tannock
- 276** Ms Elizabeth Furst
- 277** Dr Trudy Seidel (BVSc)
- 278** Ms Valerie Sabiston
- 279** Francoise Dupen
- 280** Ms Tania Sinni
- 281** Mr Graeme Melbourne
- 282** Mr Justin Lee
- 283** Ms Pamela Judd
- 284** Ms Joanne Russell
- 285** Ms Amanda Barrett
- 286** Ms Jill Redwood
- 287** Ms Nerina Elliot
- 288** Ms Nicole Soley
- 289** Ms Victoria Anne Sublette
- 290** Ms Lorna MacDonald
- 291** Mr David Halliburton
- 292** Mr Tristan Drew
- 293** Animal Liberation Victoria
- 294** GJ Arthur
- 295** Ms Margaret Lorang
- 296** Ms Vivien Smith
- 297** Ms Louise Willie
- 298** Terry Rothhaupt
- 299** Ms Cathyn Reeves
- 300** Tanya and Colin Gibb
- 301** Michael and Rosalie Dean
- 302** Ms Deborah Roberts
- 303** Terry Jones
- 304** Ms Carol Brooks

- 305** Ms Kerry Goodwin
- 306** Ms Jenny Singleton
- 307** Charne Galvin
- 308** Ms Aileen Reiter
- 309** Ms Giulia Vasey
- 310** Ms Natalie Van Leekwijck
- 311** Ms Becky Wood
- 312** Jo Squire
- 313** Ms Karen Dawson
- 314** Ms Helen Bray
- 315** Ms Martina Sagardua
- 316** Ms Julie Hansford
- 317** Ms Mary Madigan
- 318** Dr Lynette Eggleston
- 319** Ms Katrina Fraser
- 320** Kerry Brighton
- 321** Ms Barb Monument
- 322** Ms Michaela Griffin
- 323** Mr Colin Edwards
- 324** Ms Laura Ruaux
- 325** Ms Gloria Claus
- 326** Ms Jenny Rae
- 327** Mr Matthew Edwards
- 328** Ms Dana Gibson
- 329** Ms Doreen Wall
- 330** Mr Hugh Bailey
- 331** Ms Ailsa Braslins
- 332** Manuela Shields
- 333** Ms Kathleen Grills
- 334** Ms Jill Hill
- 335** Ms Margaret Jack
- 336** Mr Bruce Ransley
- 337** Mr Stephen de Tarczynski
- 338** Mr George Enderlin
- 339** Ms Tanya Roddan
- 340** Ms Joanne Cowen
- 341** Ms Sally Chapman
- 342** Ms Elisabeth Bechmann
- 343** Mr Sanjay Sircar

- 344** Ms Sue Wuoti
- 345** Mar Crammond
- 346** Ms Caterina Colubriale
- 347** Ms Debra Youle
- 348** Ms Sharon Jones
- 349** Ms Joanne Blackmore
- 350** Ms Marie Reeson
- 351** Mrs Sheila Griffiths
- 352** Ms Debra Curtis-Pryce
- 353** Ms Joan Govias
- 354** Mr Peter Ashford
- 355** Ms Maggi Day
- 356** Ms Maureen Dawson
- 357** Mr Peter Jays
- 358** Mr Timothy Ruschena
- 359** Dr Robert Miller
- 360** Mr Paul McGreevy
- 361** Ms Nattali McColl
- 362** Chris Stevens
- 363** Ms Diane Michel
- 364** Ms Pam Woods
- 365** Mr Ross Barr
- 366** Ms Krystle Carroll
- 367** Mr Martin Wilson
- 368** Ms Denise Dale
- 369** Ms Jan Weatherburn
- 370** Ms Christine McVeigh
- 371** Ms Marie Caroline
- 372** Ms Melanie Stagg
- 373** Ms Meryll Marsh
- 374** Ms Julia Stephen
- 375** Mr Daniel Prendergast
- 376** Ms Sharon Anderson
- 377** Ms Deborah Guger
- 378** Ms Kate Howson
- 379** Ms Julie Slight
- 380** Ms Heather Harris
- 381** Mr John Card
- 382** Mr Peter Kiernan

- 383 Dr Emily Rushford
- 384 Ms Wendy Ruul
- 385 Ms Dianne Sharp
- 386 Mr Ian Wood
- 387 Ms Sally de Dear
- 388 Mr Terence Walford
- 389 Ms Georgia Johnson
- 390 Ms Leonie Challacombe
- 391 Mr and Mrs Donald and Lesley Saunders
- 392 Rev'd Leigh Gardiner
- 393 Mrs and Mr Judith and Peter Foster
- 394 Ms Nina Clausen
- 395 Ms Roslyn Barker
- 396 Ms Sandra Taylor
- 397 Ms Evi Meuris
- 398 Ms Cherry Gunnensen
- 399 Ms Georgie Hart
- 400 Ms Pauline Thurston
- 401 Ms Carel Lucas
- 402 Mr Paul Osborn
- 403 Mr Tony Smith
- 404 Ms Annette Mitchell
- 405 Mr Gary and Mrs Janet Crighton
- 406 Ms Christine Murawski
- 407 Ms Michelle Jackson
- 408 Mr John Frois
- 409 Mr Phillip Diprose
- 410 Ms Joyce Manning
- 411 Ms Anna Celliers
- 412 Ms Ingrid Coates
- 413 Ms Maureen Shippen
- 414 Ms Belinda Weber
- 415 Prof Barry Spurr
- 416 Mr Tim Brown
- 417 Ms Tara Caton
- 418 Ms Judu Addison
- 419 Ms Kerry Moderz
- 420 Mr Peter Morris
- 421 Ms Alison Barrett

- 422 Ms Carol Thompson
- 423 Ms Sally Horne
- 424 Ms Heather Martin
- 425 Canan Tzelil
- 426 Ms Cathy Place
- 427 Ms Jennifer Hole
- 428 Ms Helen Deane
- 429 Ms Annie Petersen
- 430 Mr Douglas Stetner
- 431 Ms Penny Shearman
- 432 Ms Andrea Caldwell
- 433 Mrs Carol Rumble
- 434 Ms Nari-Lea Wilson
- 435 Ms Lynn Barlow
- 436 Ms Norma Hale
- 437 Ms Julia Cruiser
- 438 Ms Heather Kennedy
- 439 Ms Kym Camilleri
- 440 Ms Debra Kroehnert
- 441 Ms Jenni Chamberlain
- 442 Ms Suzy Zajicek
- 443 Mr Malcolm Spittle
- 444 Ms Gail Willoughby
- 445 Kristen Sutcliffe
- 446 Ms Lynley Young
- 447 Ms Kirsty Officer
- 448 Ms Beverley Adamson
- 449 Ms Geraldine Sauvage
- 450 Ms Colleen Turnbull
- 451 Ms Anthea White
- 452 Ms Elaine Crewe
- 453 Ms Bea Gliozerys
- 454 Ms Louisa Laing
- 455 Ms Joanne Elliott
- 456 Ms Meryn Callander
- 457 Ms Trudy Hunter-Boyle
- 458 Mr Dale Price
- 459 Mr Paul MacLeman
- 460 Ms Cheryl Bettridge



- 461** Mr and Mrs Bill and Carol Warner
- 462** Mr David Baird
- 463** Ms Natalie Di Lenardo
- 464** Mr Tim Newell
- 465** Ms Christine Pierson
- 466** Mr Darren Moyle
- 467** Ms Amanda Allen
- 468** Ms Meagan Lamming
- 469** Ms Liz Christoforou
- 470** Ms Anne Roberts
- 471** Mr Graham Carter
- 472** Ms Margaret Walsh
- 473** Mrs Rose Skinner
- 474** Ms Sandra Dodovski
- 475** Lane Smith
- 476** Ishara Udawela
- 477** Ms Sandra Clark
- 478** Ms Vivienne Newman
- 479** Ms Alexandra Dawes
- 480** Kim Sutterby
- 481** Ms Felicity Forby
- 482** Shasta Lynch
- 483** Mr Greg Watt
- 484** Ms Gillian Edwards
- 485** Ms Linda Fleeman
- 486** Lesley Hawson
- 487** Ms Karen Cooper
- 488** Ms Glenys Hoyle
- 489** Bobbi Dawson
- 490** Ms Cassandra Buckley
- 491** R Lock
- 492** Yukiko M
- 493** Ms Hayley Russell
- 494** Ms Lisa Roberts
- 495** Ms Lynda Plummer
- 496** Ms Dawn Smith
- 497** Ms Deb Ophof
- 498** Ms Helen Graham
- 499** Ms Susan Nicholson

- 500 Ms Heidi Fahnle
- 501 Ms Estelle Tsenin
- 502 Ms Louise Caines
- 503 Mr Michael Lloyd Hughes
- 504 Ms Lee Kemp
- 505 Ms Pam Price
- 506 Ms Lena Martens
- 507 Ms Sue StrodL
- 508 Ms Wendy Murley
- 509 Animal Justice Party
- 510 Ms Rina Cigana
- 511 Mr Garry Lobley
- 512 Robin Davis
- 513 Ms Joan Pearson
- 514 Ms Jenny Seedsman
- 515 Mr Ian Cameron
- 516 M Vanderhave
- 517 Mr Greg Morris
- 518 Ms Patricia Hefti
- 519 Mrs Kerri Jordan
- 520 Kerrie McCutcheon
- 521 Ms Jennette Metcalfe
- 522 Ms Magda Palmer Cordingley
- 523 Ms Juliette Ishlove-Morris
- 524 Thor and Marie Nakon
- 525 Ms Cherie Studwell
- 526 Ms Wendy Newman
- 527 Ms Wendy Williams
- 528 Ms Dianne Bateman
- 529 Mr Max Galanti
- 530 Mr Matt Barwick
- 531 Ms Candice Le Roux
- 532 Mrs C Morris
- 533 Ms Jan Kendall
- 534 Ms Julie Christie
- 535 Dell Smith
- 536 Ms Marion Scott
- 537 Ms Colleen McKenney
- 538 Ms Veronica Lim

- 539** Ms Karen Kelly
- 540** Ms Jane Negri
- 541** Mr Steve Gill
- 542** Ms Margaret Buck
- 543** Ms Jane Nicolle
- 544** Ms Elizabeth Shanahan
- 545** Ms Simone Callaghan
- 546** Mr Mario Gismondi
- 547** Mr James William
- 548** Mr Sundeep Phatak
- 549** Mr Charles Davis
- 550** Ms Simone Hunter
- 551** Ms Nicola Heywood
- 552** Dr Paulette Smythe
- 553** Ms Shae Karrington
- 554** Ms Leslie J Killen
- 555** Mr Bruce Campbell
- 556** Ms Amy Johnson
- 557** James Bodey
- 558** Miss Stefanie Aranza
- 559** Mr Neil and Elizabeth Jones
- 560** Mrs Ana Pizarro Sanchez
- 561** Mrs Leeanne Crawford
- 562** Mr Kevin Sonnack
- 563** Ms Valerie Latimore
- 564** Matt Campbell
- 565** Ms Veronica Kroon
- 566** Ms Tara Tate
- 567** Ms Marcia Lingard
- 568** Kerri Toy
- 569** Ms Pauline McCarthy
- 570** Mrs Janine Clipstone
- 571** Tritawan Ruttivut
- 572** Mrs Shelley Stevenson
- 573** L. Cornish
- 574** Mr Harry Audus
- 575** E. Hewitt
- 576** Mr Robin Iveson
- 577** Ms Vicki Jordan

- 578** Ms Anjella Parkhomenko
- 579** Ms Jennifer Spencer
- 580** Mrs Christine Wenborn
- 581** Dr Nathalie Casal
- 582** Lorraine Cooke
- 583** Ms Deanna Symonds
- 584** Rachael Wilkinson
- 585** Mrs Valerie den Ouden
- 586** Ms Valda Purvis
- 587** Ms Hilary Warrington
- 588** Ms Katrina Isaacs
- 589** Ms Camille Bradley
- 590** Denise Wilson
- 591** Dr Karin Strehlow
- 592** Dr Katherine Barraclough
- 593** Ms Clare Mann
- 594** Ms Jeanie Farrugia
- 595** Greg Tate
- 596** Dr Gwyn Jolley
- 597** Ms Dina Bryan
- 598** Mr John Ly
- 599** Ms Ellie Tiernan
- 600** Ms Julie Allan
- 601** Ms Rosie Stafford
- 602** Ms Sandy Collins
- 603** Ms Mandy Smith
- 604** Ms Carolina Rodriguez
- 605** John Parncutt B.V.Sc. (Hons) MANZCVS (pharm)
- 606** Lesley McDonald
- 607** Ms Jennifer Gamble
- 608** Mr Trent Thorne
- 609** Gerowyn Hanson
- 610** Toni Joyce
- 611** Junko Deguchi
- 612** Ms Suzanne Harrison
- 613** Ms Sarah Avery
- 614** Mr Rod Cleary
- 615** Ms Christine McLeish
- 616** Ms Gina Vains

- 617 Mr Greg Isaacs
- 618 Ms Patricia Pahl
- 619 Ms Courtney Testre
- 620 Ms Rhonda Green
- 621 Sita Parsons
- 622 Ms Lynette Stevenson
- 623 Mr James Buckman
- 624 Ms Lee-Anne McGuinness
- 625 Ms Cathy Castleton
- 626 Ms Karen Murphy
- 627 Ms Sandra Ferns
- 628 Ms Karen Buckley
- 629 Ms Wendy Nathan
- 630 Ms Helen Brocker
- 631 Ms Julie Dengate
- 632 Ms Wendy Park
- 633 Ms Tanya Imeri
- 634 Donalea Patman
- 635 Ms Heidi Clonda-Murphy
- 636 Mr Richard Dornan
- 637 Ms Margaret Gissing
- 638 Ms Cherie Imlah
- 639 Ms Jasemin Rose
- 640 Desley Davis
- 641 Ms Pamela Engelande
- 642 Ms Ursula Longheon
- 643 Ms Lisa Sandars
- 644 Mr Kevin and Carol Miller
- 645 Ms Gai Wood
- 646 Ms Maureen Angela McDonagh
- 647 Ms Sharon Cahoon
- 648 Ms Alisha Tampalini
- 649 Mr Paul Murphy
- 650 Ms Katalin Charlton
- 651 Ms Elizabeth Shanahan
- 652 Ms Maxine Gillman
- 653 Ms Annarosa Berman
- 654 Mr Graham Kefford
- 655 Ms Jayne Colton

- 656** Ms Jillian Wilkinson
- 657** Ms Danielle Herrera
- 658** Ms Stevie Austin
- 659** Ms Lisa Franklin
- 660** Ms Margot Vugs
- 661** Ms Joanne Rowley
- 662** Ms Caraline Sullivan
- 663** Ms Deanne Woodards
- 664** Ms Michelle Lipman
- 665** Ms Lisa Forbes
- 666** Ms Donna Dean
- 667** Ms Jane Leitinger
- 668** Ms Rhonda Barretr
- 669** Mr Nicholas Lee
- 670** Ms Jill Clark
- 671** Ms Susan Taylor
- 672** Ms Mary Forbes
- 673** Robyn Lyttle
- 674** Ms Patricia Murphy
- 675** Ms Helen Huxley
- 676** Ms Liz Potter
- 677** Ms Leah Evans
- 678** Ms Melinda Menzies
- 679** Leonie and David Bishop
- 680** Ms Donna Bugden
- 681** Ms Maree Clarke
- 682** Gerarda Hands (
- 683** Ms Janelle Elsayed
- 684** Ms Jacki Phillips
- 685** Ms Vanessa Daugelat
- 686** Natural Health Society of Australia
- 687** Ms Janine Lum
- 688** Mr Geoff Russell
- 689** Ms Jackie McBride
- 690** Ms Wendy Morrison
- 691** Ms Helen Manos
- 692** Ms Tracey Hicks
- 693** Mr Michael Perroux
- 694** Ms Kristen O'Halloran

- 695** Ms Hailey Maxwell
- 696** Ms Sarah Robinson
- 697** Ms Claire Hansen
- 698** Ms Anne Skelly
- 699** Jo Fox
- 700** Mr Don Stokes
- 701** Ms Peggy Howells
- 702** Ms Kate Paterson
- 703** Dorian Hill
- 704** Ms Teresa Bostle
- 705** Kerry Burgess
- 706** Ms Jill Bough
- 707** Ms Pam Wallis
- 708** Ms Angela Roche
- 709** Ms Alison de Niese
- 710** Dr Rebecca Stewart
- 711** Ms Jaqueline Marzinotto
- 712** Ms Natalie Obbes
- 713** Mr Geoff Kennedy
- 714** Ms Teena Cooper
- 715** Ms Maria Estacio
- 716** Ms Frances Dolan
- 717** Ms Jean Daghish
- 718** Ms Fiona Marzinotto
- 719** Ms Karen Svenson
- 720** Ms Marion Valster
- 721** Mr Aaronn Krischer
- 722** Ms Tamara Kuldin
- 723** Ms Linda Phillips
- 724** Ms Breeana Loughnan Jones
- 725** Ms Cheryl Reader
- 726** Mr Adam Jacob
- 727** Ms Rachelle Hinz
- 728** Thoroughbred Breeders Queensland Association
- 729** Ms Jeanette Newton
- 730** Ms Jackie Shephard
- 731** Mr John Hayward
- 732** Ms Jenniffer Viracacha
- 733** Mr Patrick Hawthorne

- 734** Mrs Ailsa Kuiper
- 735** Jacq Atkin
- 736** Ms Lyndi Chapman
- 737** Jess Bernard
- 738** Ms Deidre Bohan
- 739** Ms Lily Marai
- 740** Ms Belinda Meyers
- 741** Ms Patricia Wright
- 742** Ms Lucie Manning
- 743** Mr Denis and Marie Mills
- 744** Peta Terry
- 745** Monisha Kumar
- 746** Ms Alison Morgan
- 747** Ms Anne Layton-Bennett
- 748** Feneil Shah
- 749** Ms Kristy Pescod
- 750** Mr Gavin Sharpe
- 751** Ms Estelle Ross
- 752** Dr Sue Schofield
- 753** Mr Stephen Van Der Kleij
- 754** Ms Kylie Jones
- 755** Ranjula Sharma
- 756** Ms Vickie Broughton
- 757** Ms Shylie Woods
- 758** Ms Caroline Ward
- 759** Ms Dee Crawford
- 760** Ms Caryn Spriggs
- 761** Keryl O'brien
- 762** Mr Michael Ridley
- 763** Ms Kate Ponton
- 764** Ms Christine Thomas
- 765** Ms Kara Stokes
- 766** Port Adelaide Monitors Community Group
- 767** Harness Racing Australia Inc
- 768** Ms Lou Baxter
- 769** Horse SA
- 770** Animals Australia
- 771** Cats Assistance To Sterilise Incorporated
- 772** Inez Hamilton-Smith



- 773** Stop Tasmanian Animal Cruelty
- 774** Ms Katherine Nelson
- 775** Dogs' Homes of Tasmania
- 776** Dr Anna Sri
- 777** Wellard Rural Exports Pty Ltd
- 778** The Animal Law Institute
- 779** Vets Against Live Export
- 780** Greyt Companoins Inc.
- 781** Craig Mostyn Group
- 782** Dr Jennifer Hood
- 783** Animal Rights Advocates Inc
- 784** Dr Lucy Kirton
- 785** Ms Elizabeth Ellis
- 786** Ms Lynda Stoner
- 787** Ms Helen Armstrong
- 788** Ms Elizabeth Duggan
- 789** Ms Mary Lowe
- 790** Ms Helen Oliver
- 791** Ms Eveline Van't Foort
- 792** Ms Susie Howard
- 793** Ms Jessica Robertson
- 794** Ms Melinda Jones
- 795** Mr John Gibney
- 796** Mr Eugene Slobodniuk
- 797** Ms Jane Barr
- 798** Ms Wendy Roberts
- 799** Mr Albert Mah
- 800** Ms Katrina Emmett
- 801** Ms Sarah Mathias
- 802** Chris Fowler
- 803** Mr & Ms Justin Donaldson
- 804** Dr Bridget Brooklyn
- 805** Mrs Serena Morris (PDF 48 KB)
- 806** Ms Silvia Levame
- 807** Mrs Jo-Anne Bloomfield
- 808** Further Submissions Accepted by the Committee (see appendix 3)
- 809** Dr G. Barry Smyth
- 810** Joint Media Organisations
- 811** Ms Stacey Bell

## **Additional information received**

- Received on 19 May 2015, from Sentient, The Veterinary Institute for Animal Ethics. Answers to Questions taken on Notice on 15 May 2015.
- Received on 20 May 2015, from RSPCA Australia. Answers to Questions taken on Notice on 15 May 2015.
- Received on 20 May 2015, from Mr Trent Thorne. Answers to Questions taken on Notice on 15 May 2015.
- Received on 22 May 2015, from Voiceless. Answers to Questions taken on Notice on 15 May 2015.

## **Form letters received**

- Form letter variation 1 was received from 1476 individuals.
- Form letter variation 2 was received from 8 individuals.
- Form letter variation 3 was received from 5 individuals.
- Form letter variation 4 was received from 73 individuals.
- Form letter variation 5 was received from 2 individuals.
- Form letter variation 6 was received from 243 individuals.
- Form letter variation 7 was received from 26 individuals.
- Form letter variation 8 was received from 14 individuals.
- Form letter variation 9 was received from 16 individuals.
- Form letter variation 10 was received from 7 individuals.
- Form letter variation 11 was received from 2 individuals.
- Form letter variation 12 was received from 2 individuals.

## Appendix 2

### Public hearings and witnesses

#### 15 May 2015, Canberra ACT

- ELLIOTT, Dr Rosemary, President,  
Sentient, The Veterinary Institute for Animal Ethics
- GIUFFRE, Mr Emmanuel, Legal Counsel,  
Voiceless, The Animal Protection Institute
- GOODFELLOW, Mr Jed Andrew, Policy Officer,  
RSPCA Australia
- GROVES, Mr Chris, Chair, Animal Welfare Taskforce,  
National Farmers' Federation
- HALL, Ms Jo, Chief Executive Officer,  
WoolProducers Australia
- JONES, Dr Bidida, Chief Scientist,  
RSPCA Australia
- KERR, Ms Deborah, General Manager, Policy,  
Australian Pork Limited
- LLOYD, Dr Barry,  
Private capacity
- MAHAR, Mr Tony, Deputy Chief Executive,  
National Farmers' Federation
- McEWEN, Mr Graeme James, Director,  
Barristers Animal Welfare Panel
- NEIL, Ms Heather, Chief Executive Officer,  
RSPCA Australia
- SCOTT, Dr Peter C,  
Private capacity
- SMYTH, Dr George Barry,  
Private capacity
- THORNE, Mr Trent Anthony,  
Private capacity



## **Appendix 3**

### **Submission 808 – Further submissions accepted by the committee**

<b>Cor Number</b>	<b>Submitter</b>
1	Yehuda Harmor
2	Chris Gill
3	Yasmeen de la Croix
4	Louise Murphy
5	Marina Finlay
6	Georgia Fox
7	Noel Marchiandi
8	Amanda Sieders
9	Jane Gray
10	Bernardine Guy
11	Barbara Fraser
12	G Kelsey
13	Gaby Menschel
14	Tania Connolly
15	Wendy Bergin
16	Jackie Rares
17	Elizabeth Taylor
18	James Kitchen
19	Helen Vines
20	Emma Lord
21	Brendan Mays
22	Matt Peake
23	Stan and Wendy Bajdo
24	Priscills Chapman
25	Alarna Jenkins
26	Tina Maddison
27	Geoff Tilley
28	Tricia Wells
29	Glen Paton
30	Robyne Green

- 31 James Ferguson
- 32 Adriana Beachtime
- 33 Katie Smith
- 34 Julie Okamoto
- 35 Arian Wallach
- 36 Melissa Nash
- 37 Tracy Caines
- 38 Deborah Bower
- 39 Jacki Goodridge and Rick Roberts
- 40 Ruth Klingler
- 41 Sylvia Florin
- 42 Ray and Narelle Mole
- 43 Lesley Hicks
- 44 Wolf Schoen
- 45 Penny Oates
- 46 Rebecca Hausler
- 47 Diana Murray
- 48 Elizabeth Whitaker
- 49 Lonni Aylett
- 50 Debra Murtagh
- 51 Wendy Trinder
- 52 Rosahlana Robinson
- 53 Leonie Lopez
- 54 Glenda King
- 55 Gail Dalby
- 56 Halina Garnys
- 57 Raye Williams
- 58 Mervyn Pywell
- 59 Dawn Juratowitch
- 60 Paul Crebar
- 61 Louise Novak
- 62 Denis and Aileen Cryle
- 63 Marnie Duffin
- 64 Amanda Bowen
- 65 Anne Norris
- 66 Carolyn Mihaka
- 67 Bes Marshall and Len Kane
- 68 Deborah Sherwood
- 69 Marilyn Whitbread

- 70 Keith Knight and Jennifer Braid
- 71 Sue Evans
- 72 Deanna Mant
- 73 Frances Williams
- 74 John Tuck
- 75 Christine Invelito
- 76 Rob Nave
- 77 Emma Yates
- 78 Jill Antony
- 79 Kathryn Lamb
- 80 Bruce Pywell
- 81 Martine Porret
- 82 Daniel Lyons
- 83 Cathy Cox
- 84 Valerie Newton
- 85 Claire Catt
- 86 Sage Willow
- 87 David Chivell
- 88 Val Dowater
- 89 James and Mrs Ankna Parkin
- 90 Wendy Livingstone
- 91 Paul Nolan
- 92 Christine Fraser
- 93 Lee O'Mahoney
- 94 Elizabeth Attard
- 95 Ian MacDougall
- 96 Jennifer MacDougall
- 97 Sonja Flauaus- Morgan
- 98 Gail and Alan Vacy-Lyle
- 99 Jane Maber
- 100 Jodie Land
- 101 Julie Bowen
- 102 Ilana Hamilton
- 103 Stephanie Horrex
- 104 Corinne Karbhari
- 105 Patricia Skilton
- 106 Jane Valentine
- 107 Liz Thornton
- 108 Lisa Weeks

- 109** Fiona Potter
- 110** Trevor Clancy
- 111** Sarah Woods
- 112** Kathleen Northway
- 113** Elisabeth Newhouse
- 114** Jane Clarkson
- 115** Ckare Gray
- 116** Louise Campbell
- 117** Rosemary Bailey
- 118** Claire Hitchon
- 119** David Drew
- 120** Jane Macintyre
- 121** Karen Hodges
- 122** Peter Wolstenholme
- 123** Annette Gross
- 124** Faye Blacker
- 125** Eileen Box
- 126** L Moeung
- 127** Bonita Morgan
- 128** Nic Wallis-Smith
- 129** Kate Wallace
- 130** Julie Watson
- 131** Judy Hardy-Holden
- 132** Keith Mackenzie
- 133** Christine Talbot
- 134** Irene Gould
- 135** Pauline Lazic
- 136** Joanne Kakos
- 137** Marylyn Cessna
- 138** Pam Ison
- 139** Paula Poropat
- 140** Deborah Rees
- 141** Sophi Noble
- 142** Carole Ciechanowicz
- 143** Janine Maul
- 144** Beverley Smith
- 145** Eleanor Dilley
- 146** Tim Oneill
- 147** Pamela Hall



<b>148</b>	Jennifer Peardon
<b>149</b>	Sarah Thompson
<b>150</b>	Andrew Derwent
<b>151</b>	Deb Heays
<b>152</b>	Paula Thurston
<b>153</b>	Gwen Ferry
<b>154</b>	Elvira de Neef
<b>155</b>	Geoffrey Coyne
<b>156</b>	Elizabeth Klobas
<b>157</b>	Peter Curtis
<b>158</b>	Tricia Hepburn
<b>159</b>	Kay Labo
<b>160</b>	Micheal Cross
<b>161</b>	Rowan Wigmore
<b>162</b>	Sylvana Wenderhold
<b>163</b>	Cassandra O'Keefe
<b>164</b>	Vijai Singhal
<b>165</b>	Bronwyn Ablett
<b>166</b>	Jenny d'Arcy
<b>167</b>	Margaret O'Connell
<b>168</b>	Rossana Maloney
<b>169</b>	Elizabeth Ahlston
<b>170</b>	Gillian Dent
<b>171</b>	Hugh Colman
<b>172</b>	Sharyn Copp
<b>173</b>	Kerri Jeffery
<b>174</b>	Mark Sebastian
<b>175</b>	Julie Ardill
<b>176</b>	Geoff Ballis
<b>177</b>	Karan Hayman
<b>178</b>	Debra Curd
<b>179</b>	Sharon Morgan
<b>180</b>	Christine Dawes
<b>181</b>	Vicky Sarantis
<b>182</b>	Christine Bengoa
<b>183</b>	Sharon Gardiner
<b>184</b>	Gary and Sharyn Blight
<b>185</b>	Julie Proietto
<b>186</b>	R Kanapathipillai

<b>187</b>	Elisabeth Mortimer
<b>188</b>	Gail Luitingh
<b>189</b>	Deni Carrington-King
<b>190</b>	Terri Giri
<b>191</b>	Melinda Heron
<b>192</b>	Tami Quantock
<b>193</b>	Marie Bennett
<b>194</b>	Rina Bonner
<b>195</b>	Mary Mannion
<b>196</b>	Cath Dorey
<b>197</b>	Corrina Lessing
<b>198</b>	Margot Angliss
<b>199</b>	Felicity Pasquill
<b>200</b>	Sylvia Walker
<b>201</b>	Joanne Galati
<b>202</b>	Vesna Daniel
<b>203</b>	Cheryl Rae
<b>204</b>	Robyn Howard
<b>205</b>	Katrina Gavaghan
<b>206</b>	Carolyn Nowicki
<b>207</b>	Christine Selmes
<b>208</b>	Amanda Pfau
<b>209</b>	Lynne Doyle
<b>210</b>	Felicity Crombach
<b>211</b>	John Williams
<b>212</b>	Sue Forrester
<b>213</b>	Liana Gibson
<b>214</b>	Jenny Rundle
<b>215</b>	Margaret Saldais
<b>216</b>	Jac Bishop
<b>217</b>	Sumner Berg
<b>218</b>	Stephen Robson
<b>219</b>	Mel Sanderson
<b>220</b>	Beth McHugh
<b>221</b>	Marianne Kambouridis
<b>222</b>	Debrakaye Talbot
<b>223</b>	Kay Scott
<b>224</b>	Sharon Gebbinck
<b>225</b>	Nadine Hughes

<b>226</b>	Suzanne Bellette
<b>227</b>	Tracey Jones
<b>228</b>	Anna Towan
<b>229</b>	Helen Bracewell
<b>230</b>	Ralph Haywood
<b>231</b>	Trevor Blatchford
<b>232</b>	Glenyce Bacon
<b>233</b>	Roy Gray
<b>234</b>	Alana Hopson
<b>235</b>	Helen Brister
<b>236</b>	Clive Catlow
<b>237</b>	Nadine Billingham
<b>238</b>	Lynne Richardson
<b>239</b>	Catriona Smith
<b>240</b>	Lindy Carter
<b>241</b>	Penny Hanton
<b>242</b>	Jessica McIntosh
<b>243</b>	Andrew Beeham
<b>244</b>	Judith Davis
<b>245</b>	Lorna Duljas
<b>246</b>	Belinda Gull
<b>247</b>	Lisa Clarke
<b>248</b>	Kim Moffat
<b>249</b>	Lorelle Taylor
<b>250</b>	Peta Lodge
<b>251</b>	Denise Kraus
<b>252</b>	Claire Nielsen
<b>253</b>	Daniela Solomon
<b>254</b>	Pauline Ryan
<b>255</b>	Jarvis Sparks
<b>256</b>	Ellen Linke
<b>257</b>	Elisabeth Mortimer
<b>258</b>	Serena Brice
<b>259</b>	Patricia Vincent
<b>260</b>	B Semtner
<b>261</b>	Jane Gilchrist
<b>262</b>	Marion Semtner
<b>263</b>	Kara Raby
<b>264</b>	Rowena Sheppard

<b>265</b>	Kanaiya Parmar
<b>266</b>	Barbara Holgate
<b>267</b>	Margaret Noonan
<b>268</b>	Jenny Meaden
<b>269</b>	Brad Smith
<b>270</b>	Kerryn Jayes
<b>271</b>	Donna Gibb
<b>272</b>	Elaine Hunt
<b>273</b>	Lynn Dawes
<b>274</b>	Amy Greenshields
<b>275</b>	Angela Bakonyi
<b>276</b>	Terry McNab
<b>277</b>	Lisa Green
<b>278</b>	Maureen Gurmin
<b>279</b>	N Filbey
<b>280</b>	Gina Vains
<b>281</b>	Jo Auld
<b>282</b>	Theresa Brook
<b>283</b>	Monica Brown
<b>284</b>	Phil Curgenvin
<b>285</b>	Frances Mac Neill
<b>286</b>	Bernadette Madden
<b>287</b>	Lynda Ford
<b>288</b>	Lynda Pugliese
<b>289</b>	Kevin Galloway
<b>290</b>	Jade Norris
<b>291</b>	Steve Crowe
<b>292</b>	Lyndell Whyte
<b>293</b>	Maralyn McDowell
<b>294</b>	Nathan Pain
<b>295</b>	Jody Shone
<b>296</b>	Paul Garde
<b>297</b>	Nathan Thomas
<b>298</b>	Angela Barnes
<b>299</b>	Kerri Rodway
<b>300</b>	Ailsa Kuiper
<b>301</b>	Gavin Brown
<b>302</b>	Linda Dicmanis
<b>303</b>	Trish Brown

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- 306** Renee Carl
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- 309** Sandra Ellims
- 310** Sandra Ferns
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- 312** Karen Holm
- 313** Gillian Barrett
- 314** Helen Gormlie
- 315** Ross Nieass
- 316** Tania Demianeuk
- 317** Liz Holtham
- 318** Julia Lim
- 319** Vandra Freger
- 320** Edwin Mills
- 321** Victoria Clark
- 322** Karl Hogg
- 323** Claudia Flaxman
- 324** Ildi Ehsman
- 325** Margaret Hilton
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- 327** Coralie Hamilton
- 328** Ian Varoline
- 329** Paul Church
- 330** Kevin Hitchon
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- 332** Gayle Cowan
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- 334** Yvonne Van Dyk
- 335** Barbara Bristowe
- 336** Sally Ritchie
- 337** Barbara Brindley
- 338** Diane Klink
- 339** Klaus Jaritz
- 340** Cheryl Weyne
- 341** Karole Prince
- 342** Kevin Ford

- 343 Sabrina Joseph
- 344 Marika Jones
- 345 Rebecca Finau
- 346 Gaye Crawford
- 347 Sandra Faulkner
- 348 Jennifer Douglas
- 349 Penny Russell
- 350 Elizabeth Jones
- 351 Rebekah Summer
- 352 Beverley Arnold
- 353 Trevor Walton
- 354 Margaret Genever
- 355 Jacqueline Evans
- 356 Bart Kelsey
- 357 Allan Wehlow
- 358 Frankie Seymour
- 359 Tracy Pratt
- 360 Catherine Hackshall
- 361 Maureen Megay
- 362 Monique March
- 363 Jane Jones
- 364 Kerry Nelson
- 365 Susan Bryant
- 366 Scott Stevenson
- 367 Carole Bartle
- 368 Pierre Giaouque
- 369 Jan Pascoe
- 370 Maggie Dovile
- 371 Debbie Robins
- 372 Sue Horton
- 373 Tony Garrod
- 374 Jorgen Andersen
- 375 Lisa Bardetta
- 376 Mathilde De Koning
- 377 Carole Burden
- 378 Jan Ashwell
- 379 Lynette Giles
- 380 Emma Rugari
- 381 Meredith Mancini

- 382 Desmond Marshall
- 383 Julie Thomas
- 384 Fiona Henrisson
- 385 Nicola Heywood
- 386 Lee Kingston
- 387 Stephen Yeadon
- 388 Dianne Maslen
- 389 Leanne Fornalski
- 390 Sue Bond
- 391 Debbie Brown
- 392 Lisa Scott
- 393 Dr Robyn Walton
- 394 Kathleen Ralph
- 395 Ken Gillett
- 396 Anne Edwards
- 397 Rosalind Wigham
- 398 Elaine Trives
- 399 Arlene Turnbull
- 400 Katherine Oakley
- 401 John Hall
- 402 Lyndel Byrne
- 403 E Mar
- 404 Lisa Clark
- 405 Carmel Glover
- 406 Hedwig Crews
- 407 Robyn Reed
- 408 Susanne Pearsall
- 409 Yvonne Sylvia
- 410 Carolyn Marriott
- 411 Leonie Crowe
- 412 Anna Pinti
- 413 Lisa Brown
- 414 Stephanie Gray-Wood
- 415 Joy Mitchell
- 416 Bridgete Zander
- 417 Tony Box
- 418 Susan Hauswirth
- 419 Jilly Stewart
- 420 Melissa Aloisio

- 421 Lynne Bateman
- 422 Leanne Kimm
- 423 Margaret Blow
- 424 Lucie Alexander
- 425 Louise Dyer
- 426 Fran Tribe
- 427 Diana Giles
- 428 Deborah Ferris
- 429 Pamela Miller
- 430 Lisa Pemberton-Holden
- 431 Coralie Schot
- 432 Birna Hjaltason
- 433 Sue Vandenbroek
- 434 Jillian Pitts
- 435 Graham Varney
- 436 Meg Streiff
- 437 Jessica Oxenham
- 438 George and Helen Manos
- 439 Lynne Skate
- 440 Ian Walters
- 441 Alix Turner
- 442 Ian Thompson
- 443 Sandra Boronyak
- 444 Margaret Cavanagh
- 445 Shirley McNally
- 446 Guill Marais
- 447 Animal Lovers of Adelaide
- 448 Gwen Ferry
- 449 Brenda Bacon
- 450 Simom Whitehouse
- 451 Julie O'Connor
- 452 Franklin Hynes
- 453 Renee Blight-Clark
- 454 Tracy Neven
- 455 Sue Litchfield
- 456 Roslyn Blackwood
- 457 Tamara Albers
- 458 Sharon Bowen
- 459 Bronwen Logan



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- 461** Fiona Connolly
- 462** Amanda Handel
- 463** Geoff Russell
- 464** Gail Canning
- 465** Vanessa Schneider
- 466** Maria Ferraro
- 467** Leanne Russell
- 468** Courtney Murphy
- 469** Deb Morrison
- 470** Carol Faulkner
- 471** Elizabeth Harte
- 472** Michelle Ashwell
- 473** John Delfgou
- 474** Marian Sutherland
- 475** An Leith
- 476** Courtney Stevens
- 477** Suzanne Buckman
- 478** Rosemary McDonnell
- 479** Alan Groves
- 480** Joanne Quinn
- 481** Derek Gardner
- 482** Stacey Winch
- 483** Sara O'Grady
- 484** Alison Zinsli
- 485** Sallyann Lamoin
- 486** Liza Van Huffel
- 487** Marisa Paolone
- 488** Evelyn Rupp
- 489** Nilma Perera
- 490** Deborah and Kevin Davey
- 491** Shelley Johnstone
- 492** Lynda Pragnell
- 493** Anne Dennings
- 494** Toni Schwind
- 495** Cathy Bedwell
- 496** Ken McGann
- 497** Jan Heinrich
- 498** Gailene Jarman

- 499** Barrie Collins
- 500** Janice Champkin
- 501** Claudia Ford
- 502** Jenny Reid
- 503** Clare Rhoden
- 504** Jamed Philp
- 505** Ann Keppie
- 506** Glenys Hoyle
- 507** Diane Hunter
- 508** Greg Sweeney
- 509** Sue Burrows
- 510** Toni Simpson
- 511** Roberta Fairbairn
- 512** Jennifer Vallance
- 513** Marie Dreux
- 514** Pamela Peterson
- 515** Nora Reddish
- 516** Maureen Jackson
- 517** Marcia Ishlove
- 518** Clive Wallis
- 519** Gail Nicholas
- 520** Ron Smith
- 521** JJ Miller
- 522** Virginia Turner
- 523** Halina Drwecka
- 524** Kathy Bond
- 525** Tracey Casey
- 526** Lorna Clarke
- 527** Lee Walters
- 528** Pam Atkinson
- 529** Marissa Stevens
- 530** Lesley Singleton
- 531** Gillian Tofferi
- 532** Jon Lowing
- 533** Jane Cleverley
- 534** Glenys Moore
- 535** Desley Young
- 536** Jane Stephens
- 537** Judith Koch

- 538** Kaye Madigan
- 539** Richard Stanford
- 540** Debra Riddle
- 541** Laura McCallion
- 542** Jane Herrador
- 543** Gabrielle Isaacs
- 544** Dianne Machin
- 545** Milli Ghosh
- 546** Mandy Gange
- 547** Brenda Hamey
- 548** Maree Rogers
- 549** Jan Tribe
- 550** Tracy Ferrari
- 551** Amanda Price
- 552** Kay Sheridan
- 553** Judith Wilde
- 554** Paula Lyndon
- 555** Emma Kelly
- 556** Toni Eaves
- 557** Yvonne Boswarva
- 558** Gail Wyatt
- 559** Joan Sadler
- 560** R Chataway
- 561** Mary Jordan
- 562** Renay Mitchell
- 563** Rochelle Wood
- 564** Sarah Lambert
- 565** Bronwyn Hughes
- 566** Allyson Jones
- 567** Terry Budd
- 568** Hannah Goodfellow
- 569** Lucy Redlich
- 570** Marg Wells
- 571** Bruce Moore
- 572** Roberta Abba
- 573** Phil Cornelius
- 574** Angela Garnett
- 575** Jackie Irvin
- 576** Sue Budd

- 577** Nigel D'Cruz
- 578** Kathleen Colley
- 579** Claire Eglinton
- 580** John McGill
- 581** Brian and Marion Jones
- 582** Ed Castenmiller
- 583** Patricia Dooley
- 584** Carol McCoag
- 585** Deborah Parker
- 586** Carole Lowde
- 587** Kris Herrera
- 588** Frances Hanna
- 589** Ursula Dorocki
- 590** Tanya Hempstead
- 591** Maurie Withers
- 592** Sarah Browne
- 593** Donna Lyn McCartie
- 594** Louise McKay
- 595** Vivien Smith
- 596** Peter Orre
- 597** Dianne Michels
- 598** Julian Jenkins
- 599** Nicole Plummer
- 600** Jenny Hughes
- 601** Jane Rasalala
- 602** Cecilia Novero
- 603** Michael Bayliss
- 604** Sue Martin
- 605** Sara Baker
- 606** Rhonda Forner
- 607** Heather Cooke
- 608** Sophie Jennings
- 609** Justin Camino
- 610** C Johnson
- 611** Val Bonner-Burrowes
- 612** Tess Sard
- 613** Erica Clark
- 614** Kathleen Nadan
- 615** Elizabeth Stanton

- 616** Polly Watkins
- 617** Rosita Frost
- 618** Deborah Burckhardt
- 619** Cathryn Reeves
- 620** Helen Luthwood
- 621** Jane Hamilton Foster
- 622** Judith McGrath
- 623** Lise Holst
- 624** Joan Lawson
- 625** Ria Bailey
- 626** Kim McDonald
- 627** Susan Wall
- 628** Gillian Killick
- 629** John Sever
- 630** Helen Jacobsen
- 631** Betty Smith
- 632** Marilyn Marsden
- 633** Jamie Bourke
- 634** Cassandra Pollock
- 635** Sue Collins
- 636** Russell Sheppeard
- 637** Raechael Picot
- 638** Andrea Chambers
- 639** Barbara and Santo Cannata
- 640** Courtney Hoskins
- 641** Jennifer Sadler
- 642** Peter Hekel
- 643** Rosemarie Haehnsen
- 644** Karen Lewis
- 645** Carmel Oxley
- 646** Tracey Booker
- 647** Bernard Negus
- 648** Karyne Gough
- 649** Mary Mckenna
- 650** Peter Kayrooz
- 651** Brian Gibbs
- 652** Sandra Grills
- 653** Vouli Dimkopoulos
- 654** Sue Litchfield

- 655 Jenny Gear
- 656 Lynn Williams
- 657 Milena Butovski
- 658 Jodie stephens
- 659 Mildred Jex
- 660 Rosie de George
- 661 Rachel Weaver
- 662 Pamela Kirk
- 663 Kate Mascal
- 664 Pauline Springett
- 665 Gay Gallagher
- 666 Jacqueline Krause
- 667 Marianne Rogers
- 668 Joe Twiss
- 669 Sumeet Walia
- 670 Sera Smith
- 671 Morgan Cole
- 672 Emilia Guthrie
- 673 Ann Carmody
- 674 Barbara Stewart
- 675 Dian Ritchie
- 676 Sue Walsh
- 677 Judy Vergison
- 678 Joshua Lambourne
- 679 Vivienne Benham
- 680 Oliver Leonard
- 681 Robin Smith
- 682 Jane Albrecht
- 683 Jayne Glenn
- 684 Sheila Hayward
- 685 Denise Cairns
- 686 Chamindri Samarakoon
- 687 Brian Williams
- 688 April Meddick
- 689 Gillian Shave
- 690 Paula Cole
- 691 Cassandra Burton
- 692 Rebecca Stevens
- 693 Bridget Elliot

- 694 Jean Cruden
- 695 Elise McDonald
- 696 Anne Lacy-Herbert
- 697 Linda Smith
- 698 Kathy See
- 699 Wendy Lunn
- 700 Teresa Olszanka
- 701 Caren Jenkins
- 702 Michelle Wright
- 703 Shae Jonsten
- 704 Patrick Murphy
- 705 Colleen Smith
- 706 Rosemary Fordham
- 707 Bob Bailey
- 708 Julie Reid
- 709 Joyce Manning
- 710 Mari Fitzpatrick
- 711 Michelle Torske
- 712 Ted Meredith
- 713 Hanah Walsh
- 714 Susam Bombardiere
- 715 Cathryn Duffy
- 716 Tay Eldridge
- 717 Kristine Law
- 718 Nichola Harris
- 719 Tara Byrne
- 720 Brenda Bailey
- 721 Karolina Widanka
- 722 Gwen Hunter
- 723 Barbara Rendall
- 724 Ingrid Shaw
- 725 Walter Stapf
- 726 Sue Estment
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- 730 Del Tennant
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- 732 Ange Lovejoy-Cullen

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- 741** Mark Fetterplace B.V.Sc Veterinary Surgeon
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- 743** Laurel Hemming
- 744** Jenny Hume
- 745** Greta Young
- 746** Annette Haridan
- 747** Janice Conlon
- 748** Susan Moore
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- 750** Mary Delaney
- 751** Jan Eva
- 752** Priya Akles
- 753** Maureen Turner
- 754** Stacey Renouf
- 755** Chris Gambell
- 756** Ciaran MacGiollafhearga
- 757** Rachael Brown
- 758** Louise Bet
- 759** Bob Braund
- 760** Scott Jamieson
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- 762** Helen Noblet
- 763** Sue Fleming
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- 765** Nicole Abbott
- 766** Gazelle Wicks
- 767** Frances Killmier
- 768** Tilly Wardale
- 769** Christine Rose Warne
- 770** Tahlia Royce BVSc
- 771** Nada Tramosljanin



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- 773 Temple Alexander Eyre
- 774 Keryl Hennah-Grabber
- 775 Rose Ritli
- 776 Simone Duggin
- 777 Annie Crane
- 778 Rebecca Ladner
- 779 Susan Nicholls
- 780 Candice Gillam
- 781 Angela Verdenius
- 782 Anne Duncan
- 783 Ted Tratt
- 784 Fay Atkins
- 785 Charlotte Rischbieth
- 786 Suzanne Borlase
- 787 Jennifer Wilkinson
- 788 Krista Etheridge
- 789 Val Milgate
- 790 Leonie Elvin
- 791 Lee McKay
- 792 Jill Lamb and Tayla Lamb
- 793 Karen Kelly
- 794 Caroline Forster
- 795 Gemma Steadall
- 796 Karen Burgess
- 797 Madeleine Boyd
- 798 Lin Ashton
- 799 David McMaster
- 800 Kaylah Allanson
- 801 Susan Kulka
- 802 Linda Street
- 803 Gillian Shave
- 804 Robyn Knobel
- 805 Pauline Odea
- 806 Kirsty Grindal
- 807 Lesley Firth
- 808 Maria Mohrholz
- 809 Chris Cullen
- 810 Shirley Cook

- 811 Daniel Jordan
- 812 Kimberley Willis-Mitchell
- 813 Alison Bailey
- 814 Alan Tarlinton
- 815 Gordon Markwart
- 816 Carmel Murphy
- 817 Sherridan Jones
- 818 Gayle Wattie
- 819 Lynda Winley
- 820 Meredith Hales
- 821 Jenny Esots
- 822 Michelle Carpenter
- 823 Maggie Rose
- 824 Siobhan Paget
- 825 Ivy Thompson
- 826 Rosalind Ogilvie
- 827 Michelle Stokes
- 828 Antoinette Walker
- 829 Thomas Archer
- 830 Jane Griffith
- 831 David Horkan
- 832 Sharlene Mantel
- 833 Scott Downing
- 834 Jennifer Jesn
- 835 Louise Elgood
- 836 Hazel Stephens
- 837 Allen Chu
- 838 Yolanda Fox
- 839 Jan Mattrow
- 840 Zarah Plummer
- 841 Wendy Davey
- 842 Karen Plummer
- 843 Gina Wyatt
- 844 Leonore Carter
- 845 Jodie Arrowsmith
- 846 Cameron Green
- 847 Mary Ann Gourlay
- 848 Lyndsey Vivian
- 849 Elizabeth Usher

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- 851** Jacqueline Heath
- 852** Lucy Fox
- 853** Wendy Dugmore
- 854** Mark Marusic
- 855** Simone Hunter
- 856** Stephanie Preedy
- 857** Elaine Hunt
- 858** Tracey Black
- 859** Jasmin White
- 860** Debra Zakharoff

