

Every province has anti-trespass legislation. People who enter farms without permission have already been prosecuted under these laws.

It's illegal under the *Criminal Code* and provincial animal welfare legislation to harm or poison animals. Anyone who does so while trespassing on a farm could be prosecuted.

**The real threat to biosecurity is farm practices, not animal advocates.**

There is not a single documented case of an animal advocate introducing a biosecurity threat onto a farm.

Disease outbreaks occur regularly on farms, and the Canadian Food Inspection Agency monitors these carefully and investigates them when they occur. Contamination is usually caused by farm staff working on multiple farms; sharing needles and equipment; contact with wild animals; or in the case of mad cow disease, by feeding ground up dead animals back to live animals. For example, recent COVID-19 outbreaks at mink farms in British Columbia and around the world were caused by infected workers, who then passed the virus on to minks.

The real threat to biosecurity on farms is poor adherence to biosecurity protocols by farmers. That is why Bill C-205 is ag gag-style legislation, dressed up as a biosecurity bill. If Bill C-205 was truly intended to protect biosecurity on farms, it would apply to farmers, too—not just those on farms without permission.

**Bill C-205 may be unconstitutional, as it intrudes on provincial jurisdiction.**

- Provinces have exclusive jurisdiction to enact trespass laws. Many provinces have already amended their farm trespass laws through ag gag-style legislation, including Alberta, Ontario, and PEI. In fact, PEI recently passed legislation that is nearly identical to Bill C-205.
- By targeting trespassers, Bill C-205 is a federal bill that intrudes on provincial jurisdiction. It could be challenged in court and struck down as an unconstitutional interference with the federal-provincial division of powers in Canada.

**Instead of cracking down on peaceful protesters, the federal government should regulate and monitor animal welfare conditions on farms.**

Animal welfare is a matter of intense public concern, yet there are no federal or provincial animal welfare regulations protecting animals on farms. The federal government only regulates transport and slaughter, leaving animals in the dark from the moment they are born until the day they are trucked to slaughter to be killed. Otherwise, the farming industry largely makes its own rules.

The reason people trespass on farms is that the government does not proactively monitor animal welfare conditions on farms, so this is one of the only ways citizens can see conditions. The public is losing confidence in the farming industry because of the lack of transparency and oversight.

The bill's supporters emphasize that it only targets people who are unlawfully on farms, and it does not cover whistleblowers or undercover employees. On its face, it seems reasonable that if someone trespasses on a farm and introduces a contaminant, they should face legal consequences. However, provincial trespass laws already make it an offence to trespass on farms. All that Bill C-205 does is add another layer of shockingly severe punishments for people engaging in civil disobedience by occupying farms. Bill C-205 is a form of ag gag-style legislation like we have seen introduced in various provinces such as Ontario, Alberta, PEI, and, most recently, Manitoba.

Furthermore, the bill creates a very broad offence: entering a place in a way that **could** introduce a substance that is **capable** of affecting an animal. This is a very low standard, and would put people at risk of prosecution even if they took precautions to respect biosecurity protocols.