

The proposed amendment to the *Health of Animals Act* would not meaningfully improve the conditions that reliably lead to disease outbreaks, but masquerades as such an improvement in an attempt to alter trespass law to suit the interests of agricultural industries; by taking the route of an amendment to the *Health of Animals Act*, the amendment's supporters seek to cleverly sidestep the unconstitutionality of such a proposal, as trespass law falls under provincial jurisdiction. This amendment does not address the causes of disease outbreaks on farms, but it does utilize that premise in order to punish trespassers in ways that industry groups wish the laws could currently; further deterring trespassers will not disrupt the regularity of disease outbreaks on farms (a problem we can solve through other means with greater efficacy), but it will instead help industries to conceal horrifying conditions from the public eye, something the government has a duty to proactively monitor in the interest of the public, and in the interest of animal welfare. This duty does not change simply because industries would prefer their sub-standard practices be concealed.

This amendment is presented as a solution to a problem that is already sufficiently covered under current legislation. The problem of trespassers entering a place where they then expose animals to a "disease or toxic substance" is a scenario generated so that this amendment appears as a necessary solution to an urgent problem. A person who is trespassing could pose a biosecurity threat just as an invited guest, owner, or any other person could pose a threat. Why should trespassers face tougher punishments when disease prevention measures *that would actually address such threats* could be introduced instead? Given how frequently outbreaks occur involving non-trespassers, legislation should obviously seek to correct those conditions if they are so concerned. This amendment is designed to punish trespassers for a *potential* threat they *may* pose, not because of an actual concern for this threat, but as a way to further deter trespassing—all the while these threats are regularly posed by the conditions of facilities themselves, and by those on the farms legally. It is a red flag to see that this amendment seeks to punish trespassers as a means of preventing disease outbreak, when any person with tenuous grasp of this issue can figure out that there are much better ways of addressing disease outbreak. I am concerned that the misleading language of this amendment exaggerates the threats posed by trespassers, seemingly taking advantage of the current fear surrounding disease outbreak to usher such legislation through.

Every province has trespassing laws that are sufficient—this amendment does not provide anything new aside from more severe punishments for trespassers under the guise of an interest in animal welfare. Punishments for trespassing are already set in law and should not be intensified via the proposed amendment simply because agricultural interest groups wish that existing laws better served their interests. There is a disconnect between the proposed purpose of this amendment and who/what is actually targeted. This amendment demonstrates the bloated political influence of industry groups in having their interests satisfied; this is a discouraging and audacious misuse of our legislative system and our politicians' time, who should be prioritizing the pressing issues facing Canadians rather than willingly going along with these industry groups' charade. This amendment is truly about twisting laws so that those who consider themselves animal advocates face more severe punishment for trespassing, with the risk of disease outbreak from this trespassing included as justification. However, disease outbreaks occur frequently on farms due to the sub-standard conditions animals and workers are subjected to. Why not introduce legislation that seeks to improve the actual causes of outbreaks? Or would industries become suddenly less interested in solving this problem if their role in perpetuating disease outbreaks is

acknowledged? If disease outbreaks truly need to be addressed, there are better ways to do so than punish trespassers—thus the intention behind the amendment is given away.

It is offensive that such a proposal would make it so far, given that it simply provides a way for inappropriately severe consequences for trespassers to be imposed in the interests of agriculture industries; legislators know that the wellbeing of animals is used as a back door for trespass legislation to go through, since the honest presentation of the goals of the amendment would reveal that it is an unconstitutional intrusion on an area of provincial jurisdiction (provinces have jurisdiction over trespass law, not the federal government).

I recommend that alternative legislation be introduced: legislation that genuinely seeks to improve the conditions of animals in agricultural settings would prevent disease outbreak. Such legislation should be informed by thoroughly collected data, and publicly available reports detailing the primary causes of outbreaks and other health, safety, and welfare risks. Punishing trespassers does not make animals any less at risk of abuse or disease, in fact, animal advocates provide the public with insight into the inhumane conditions where animals are farmed. Perhaps if legislators could stop wasting citizens' time with their dishonesty and obsessive catering to industries, we could address these issues properly; the conditions of animals in Canadian agriculture industries should be proactively monitored, with opportunities for the public to be informed. The current lack of neutral and transparent government oversight should not have to be addressed via trespassers who uncover horrifying conditions themselves. Rather than punish these people for providing an oversight service that the government owes to citizens, legislators need to realize that transparency is necessary for public confidence in these industries and their government. Industries should earn consumers' trust through transparency, and the government needs to do the same. By neglecting the need for such checks on these industries to instead seek greater punishments for trespassers who expose the problems this amendment pretends to care about, the amendment's supporters show where their priorities lay: In warping legislation to fortify the already bloated power of the agricultural industries long coddled by the federal government, all at the expense of farmed animals and citizens alike. Shame.