



Restaurant
& Catering

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AUSTRALIA



4 September 2019

Committee Secretary

State Development, Natural Resources and Agricultural Industry Development Committee

Inquiry into the Agriculture and Other Legislation Amendment Bill 2019

By Email: sdnraidc@parliament.qld.gov.au

Dear Sir/Madam

Restaurant & Catering Australia (RCA) appreciates the opportunity to provide a submission regarding the Agriculture and Other Legislation Amendment Bill 2019. RCA notes that the bill is an omnibus piece of legislation containing many changes to various acts, as such the RCA's submission will focus on proposed amendments to the *Summary Offences Act 2005* relating to increased risk to businesses posed by certain protest actions.

From the outset RCA state that it is not opposed to lawful protest activities and respects the rights of individuals and organisation to engage in legal protests on issues of their choice. However, RCA believes that the impact of illegal protests and increase in protest activity on the food supply chain leads to increased costs for our members in the restaurant, café and catering industry.

RCA also proposes that these changes be further expanded to include protests occurring at restaurant, café and catering businesses, who over time have been subject to increased activity from vegan and animal welfare activists.

Background

Restaurant & Catering Australia is the national industry association representing the interests of more than 47,000 restaurants, cafés and catering businesses across Australia. RCA delivers tangible outcomes to small businesses within the hospitality industry by influencing the policy decisions and regulations that impact the sector's operating environment.

RCA is committed to ensuring the industry is recognised as one of excellence, professionalism,



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profitability and sustainability. This includes advocating the broader social and economic contribution of the sector to industry and government stakeholders, as well as highlighting the value of the restaurant experience to the public.

RCA notes that Queensland currently has the second highest number of public holidays of any Australian state with 12 days gazetted as public holidays.

Queensland's Restaurant, Café and Catering Industry

Australian Bureau of Statistics Data shows that as at June 2018, the most recent Count of Australian Businesses showed 6,173 Cafes and Restaurants operating across Queensland.

The most recent Census data shows that 49,488 workers derive their primary source of income from Café's and Restaurants, making up 2.3% of the total workforce for the state of Queensland. This sector represents the fourth largest employment sector by employed people in the state of Queensland.

Illegal Protests can increase costs throughout food supply chain

One of the key concerns to the restaurant industry currently is the rising cost of meat and animal products. Without an affordable supply of beef, lamb and other meat products, restaurant costs rise and restaurant profits fall. Currently there are a multitude of issues that are affecting restaurant menus, including rising demand from Asia and falling supply due to drought driving up the cost of providing beef, lamb and other meats on menus.

For example, In July 2019, data from the Federal Department of Agriculture shows trade lamb prices hit record levels reaching \$9.45 Cwt (per 100 pounds) and beef prices are similarly elevated, with demand from China in particular driving higher domestic prices.

The risk of further increases to food costs due to illegal protests are clear. If abattoirs, farms or other business involved in the wholesale preparation or farming of animals for consumption are required to invest in greater security assets, increased protection over unlawful entry or through increased insurance or other costs due to protest activity, that cost will be passed on down the

supply chain, ultimately effecting the cost at which restaurant and cafes can buy meat and animal products to serve on their menus. This increase in cost is either absorbed by restaurants or passed onto customers.

This should be noted in the context of tightening conditions for restaurants and cafes across Australia. The RCA Industry Benchmarking Report is an industry-based survey of business conditions in the restaurant, café and catering industry. The survey monitors key trends in business costs, profitability, labour and skills shortages, as well as the general business environment. The survey is distributed to café, restaurant and catering business owners and senior managers across Australia.

The 2018 RCA Benchmarking Report shows a decline in net profit across the industry. Average turnover figures across the café, restaurant and catering sector declined during the 2016-17 Financial Year. Small-sized operators (0-19 employees) saw a decrease in average turnover from \$999,603 in 2015-16 to \$981,906 in 2016-17. Turnover in medium-sized businesses (20-199 employees) decreased from \$4.2 million in 2015-16 to \$3.9 million in 2016-17. Turnover in large enterprises (≥ 200 employees) decreased from \$24.2 million in 2015-16 to \$21.4 million in 2016-17.

In relation to menu and meal prices, 62.7 per cent of businesses believed that menu and meal prices would increase over the next 12 months compared to 57.8 per cent in 2017. Also, over 50% of businesses surveyed indicated they expected profitability in their businesses to decrease over the next 12 months.

Vegan and Animal Rights Protests also impact Restaurant Industry

While the intent of this bill and changes to the *Summary Offences Act 2005* relate to protests activity occurring at locations such as farms, zoos and abattoirs, RCA wishes to note that animal and vegan protest activity also directly impacts the restaurant, cafe and catering industry.

Recent examples of this include high profile protests in Leederville in Perth in May 2019, where vegan activist group Direct Action Everywhere marched down the street holding signs and sharing grim details about how animals are slaughtered in abattoirs. Footage of the protest shows

one of the activists entering the restaurant premises and preaching to restaurant goers, urging them to watch an online documentary on animal cruelty.

A second example is where dozens of vegan protesters stormed a Melbourne steak restaurant in January 2018, shouting chants at diners using megaphones. Thirty-five protesters from the same activist group as well as a group titled 'Melbourne Cow Save' marched into Rare Steakhouse on King Street in the CBD holding graphic posters of cows in slaughterhouses with slogans such as "Steak = violence, death and suffering".

Rare Steakhouse's media and marketing manager said this about the protest:

It was just a regular Saturday evening, and we were looking forward to it being a busy night, when a group of protesters marched into the venue and located themselves in the upstairs and downstairs dining areas

They were holding placards and banners and proceeded to chant and yell about consuming meat. They were filming our diners as they were eating and yelling into their megaphones.

Our senior staff members identified who they thought were the ringleaders of the group and approached them and asked them to please leave because they were obviously unwelcome and entered the restaurant with the purpose of disrupting the peace. When they refused to leave, the police were called."

On both incidents while police were called, no arrests or charges were laid.

RCA supports proposed changes to *Summary Offences Act 2005*

It should be noted that RCA is strongly supportive of the proposed changes to the *Summary Offences Act 2005*, which enhance the potential to prosecute persons who trespass or protest in another inappropriate way and provide penalties for the offending that reflect community concern and which address the serious risks that may be posed by the protest activities.

The *Summary Offences Act 2005* currently includes an offence for unlawful entry to a dwelling or

its yard or a place used for a business purpose or its yard (section 11), which carries a maximum penalty of 20 penalty units or one year's imprisonment. RCA notes that clause 133 of the Bill would amend section 13 (Unlawfully entering farming land etc.) to double the maximum penalty to 20 penalty units or one year's imprisonment and that clause 133 will also extend the existing offence in section 13 to land used for a broader range of purposes related to animal keeping and other agriculture. Other sections of the bill also strengthen offences relating to an assembly of three or more if their conduct taken together would cause a person in the vicinity to reasonably fear that unlawful violence will be used.

RCA recommends the committee give due consideration to two amendments to the Bill. These two recommended amendments relate to Clause 133 and 132. RCA recommends these two clauses in the bill be slightly amended to add a further subsection to Clause 132 and 133 to make specific mention of restaurants, cafes or catering function venues as a place where unlawful protests may occur. The examples above show that there is a need to protect restaurant, café and catering business owners as well as their patrons from this type of unlawful protest.

Conclusion

RCA thanks the committee for the opportunity to provide a submission to the Agriculture and Other Legislation Amendment Bill 2019. If you wish to discuss RCA's submission further, do not hesitate to contact Tom Green, Manager – Policy and Government at RCA.

RCA again thanks you for the opportunity to make this submission.

Regards



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