MEDIA RELEASE: 19 DECEMBER 2024

Federal Court denies injunction on animal slaughter footage

- **The Federal Court has refused to block the publication of footage of the slaughter of animals, which was illegally obtained by animal protection organisation Farm Transparency Project earlier this year at the Game Meats Company slaughterhouse in Eurobin, Victoria.**
- **The organisation will be allowed to publish the footage - which contains evidence of animal cruelty and illegal activity - once the month-long appeal window has passed.**
- **The judgment follows a five-day trial in July where FTP admitted to trespassing at the facility and installing hidden cameras to capture footage of the slaughter of goats.**

In its judgment handed down today, the Federal Court of Australia has refused to grant an injunction to block the publication of illegally obtained animal slaughter footage, in a landmark case challenging the Australian public's right to know what happens to animals in slaughterhouses.

Justice Snaden stated that while "most people eat meat... commercial meat processing is a gruesome business, no matter how ethically or humanely it is performed." He went on to describe the evidence presented in the case before giving the reasoning for his judgment. He stated that, while it was not a matter of contest that FTI directors Chris Delforce and Harley McDonald-Eckersall trespassed at the facility, the evidence did not support GMC's claims that publications from the organisation constituted injurious falsehood. He makes reference to evidence given by a manager who admitted that there Ã¢â¬Åmay have beenÃ¢â¬Â a culture at the Abattoir that Ã¢â¬Å[i]f we pass the external audit, everything is okay.", and accepted FTP's statements and communications following the publication of the footage to imply that "certain things occurred at the Abattoir and that those occurrences (or some of them) are apt to be described as having involved acts of animal cruelty."

The Game Meats Company filed for an injunction in May which forced Farm Transparency Project to remove footage of animals being slaughtered at the Eurobin slaughterhouse, which they captured during a covert investigation at the facility earlier this year.

During a five-day trial in July, FTP admitted to trespassing at the facility to install hidden cameras and to sharing this footage in a formal complaint to the Federal Department of Agriculture, which was never formally acknowledged. FTP then shared the footage with 7 News who contacted the facility. It was also discovered during the trial that the Department of Agriculture informally notified the slaughterhouse of the footage and the interest from 7 News, rather than launching an official investigation, allowing the slaughterhouse to discreetly seek an injunction to block the footage.

Farm Transparency Project's executive director, Chris Delforce responded to the judgment with the following statement:

> "This is a historic win for animals, and for the public's right to know what happens to them behind the closed doors of farms and slaughterhouses. The animal slaughter industry depends on utmost secrecy - it knows that this is a nation of animal lovers who aren't aware that they're paying for cruelty every time they buy meat, dairy or eggs. This case was a desperate bid to uphold that secrecy, as made clear throughout the trial as the slaughterhouse lamented what might happen if the way in which it was caught treating animals was made public.
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> The case has brought to light the absolutely disgraceful attitude of the regulator, the federal Department of Agriculture, whose reaction to our formal complaint was to give a quiet heads-up to their mates at the slaughterhouse. Taking the complaint seriously would have meant acknowledging that their own employee, whose job it was as the On-Plant Veterinarian to identify the behaviour our hidden cameras captured, had utterly failed. What's the point of even pretending to have laws protecting animals in slaughterhouses, if they're not going to be enforced? Any faith the Australian public may have had in their government doing 'the right thing' when it comes to the welfare of farmed animals can now be considered unequivocally misplaced.
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> Without our investigators risking their safety and liberty to bring these atrocities to light, the suffering of these animals in the name of profit would continue unseen and unheard. Being a multi-million dollar company does not entitle you to exploit and harm others."

Regarding his decision not to grant an injunction in this case, his Honour stated:

> "Had I reached different conclusions as to falsity and malice in this matter, it may be that I might have been disposed to grant injunctive relief as requested... I do not consider that any of the Three Publications is actionable as an injurious falsehood, nor that FTIÃ¢â¬â¢s undoubted intention to repeat them should

attract the relief that is sought. GMCÃ¢â¬â¢s claim to relief in tort for injurious falsehood must fail."

On other matters, including the issue of who holds copyright of the footage captured, Justice Snaden deferred to previous cases including *Windridge v. Animal Liberation* where injunctive relief was refused in similar circumstances.

FTP has been ordered to pay $130,000 in damages to the slaughterhouse.

The full judgment is available at: https://www.comcourts.gov.au/file/Federal/P/VID417/2024/actions

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Facilities related to this media release:
Game Meats Company Slaughterhouse, Eurobin VIC

Campaigns related to this media release:
Right to Know: the Game Meats Cruelty Case
Shut down slaughterhouses

Farm Transparency Project (FTP) is a non-profit animal protection charity, dedicated to ending the abuse and exploitation of animals in farms, slaughterhouses and other commercial settings. Through comprehensive investigations, documentary films, and the creation of innovative tools and resources, FTP seeks to force industry transparency and educate consumers by shining a light on the brutal reality endured by animals in the name of profit.