

**GENETICALLY MODIFIED CANOLA — MARSH-BAXTER CASE —
DEPARTMENT OF AGRICULTURE AND FOOD REPORT**

Statement

HON JIM CHOWN (Agricultural) [5.13 pm]: This is a continuation of my remarks on the last day of sitting. It is now patently obvious that the anti-GM movement and its supporters are bereft of any morals and will take any action, whether legal or otherwise, to pursue its ideological stance against an agricultural crop that is grown over billions of acres worldwide, and a crop that has justifiably been scientifically scrutinised and peer-reviewed to the point at which today it is, without fear, the safest form of food that the human population on this planet has ever produced. These anti-GM activists are, in effect, the equivalent of ISIS operatives, and I will substantiate that statement by quoting from an article that was published on 13 October 2015. It was written by a journalist who is now part of the parliamentary journalistic team, Mr Colin Bettles. I will quote certain points from this article and members are more than welcome to download it. It states —

Emails obtained under a recent US-based Freedom of Information request show the proposal in an exchange between WA organic food entrepreneur Georg Kailis and US agricultural research professor Dr Charles “Chuck” Benbrook.

It goes on with regard to these email communications —

In communications with Dr Benbrook released in the FOI trail, Mr Kailis suggested \$1.5 million had been provided to boost Mr Marsh’s legal case in the WA courts, against his neighbour Mike Baxter.

...

“We just did two years of prep work for the Steve Marsh case which cost \$1m of pro bono from Australia’s biggest lawyers, plus \$500k from us (The Safe Food Foundation).

It goes on further to state —

In his reply email, Dr Benbrook told Mr Kailis he would charge \$200 per hour to be an expert witness in the Marsh case.

He also warned about going down the “academic route” but could “ramrod” the proposed research that would question the safety of GMs.

...

“I will ramrod it, but cannot take it on unless fully funded.

Further on in the email trail that was found under the FOI process, he states —

“I charge \$200/hr—I have lots of trial and depo experience.”

In another email, Mr Kailis asked what the costs and outcomes would be of choosing the “ramrod path” of four to eight months.

Dr Benbrook’s reply said, “Off the top of my head, if I am the ramrod, I would need full control of process and right to be a slave driver/dictator, and at least \$100k, and probably will regret promising to do it for that amount”.

When this became public, a senior university lecturer at the University of Melbourne, Dr David Tribe, said that the email exchange showed that there was a public relations plan to produce a predetermined outcome on the efficacy of genetically modified crops, not a scientific one. The article goes on to state —

“This exchange shows that Mr Kailis is prepared to pay for research that has a preordained outcome and is confirmation of bias,” he said.

Dr Tribe also said the email exchange showed Mr Kailis had a global network of anti-GM and pro-organic connections he was working with.

But he said it was “curious” that despite this network of allies, including the Safe Food Foundation, they were unable to find a solitary witness who was able to testify at the Marsh v Baxter court case, and give evidence, proving GMs are unsafe.

“This ‘dollars for the findings we need’ playbook is a worrying departure from open-minded scientific investigation,” he said.

In fact, members, this is more proof that the anti-GM people are more than prepared to pay for and fabricate evidence for a trial. As I stated last night, not only did somebody who sympathised with them actually place plants on Baxter’s property, but also they are prepared to mess with the legal system, not just the farming system. They want to play God, which is a gross contradiction of the ideological viewpoint they have against GMs—that is, that GMs are not natural—yet they do not like the natural legal outcomes of the common law process of this state. I say

again that these people should not be held in high regard at all and should be considered unworthy of consideration in any debate due to the lengths that they are prepared to go to.

What is more worrying is the fact that a committee is looking into an issue that is predicated on the GM trial of Marsh v Baxter. Hon Matthew Swinbourn is the chairman of that committee. I state with regard to the reasons that he is holding an inquiry into some form of compensation or legal —

Hon Matthew Swinbourn: Be very careful.

Hon JIM CHOWN: I do not have to be careful. I refer to the reasons he is holding an inquiry into some form of compensation or the legal requirements of this trial. I quote from Hon Matthew Swinbourn's statement to the Legislative Council when presenting the forty-seventh report of the Standing Committee on Environment and Public Affairs —

The recent case of Marsh v Baxter in the Supreme Court of Western Australia, which appears to be the first of its type in Australia and involved a farmer taking legal action against a neighbouring farmer for damages for contamination, has drawn significant attention to this issue in Western Australia. It ignited debate on whether the common law provides adequate remedies and whether a compensation mechanism is required.

I ask a question with regard to —

Hon Darren West interjected.

The PRESIDENT: Order!

Hon JIM CHOWN: I ask why this particular inquiry is taking place, on the evidence presented over the last two nights. I understand that the inquiry is underway and I certainly hope that members of the committee look at *Hansard* with regard to this matter that I have addressed on two occasions and take it into consideration.