

**SELECT COMMITTEE ON ROYAL SOCIETY
FOR THE PREVENTION OF CRUELTY TO ANIMALS**

Motion

Resumed from 6 May on the following motion moved by Hon Rick Mazza —

That —

- (1) The Council establishes a select committee to inquire into the operations of the Western Australian Royal Society for the Prevention of Cruelty to Animals, including an examination of —
 - (a) its funding from the government;
 - (b) its objectives; and
 - (c) the use of its powers.
- (2) The membership of the select committee is to be five members, and to include the member from the Shooters and Fishers Party.
- (3) The member from the Shooters and Fishers Party shall be the chair.
- (4) The select committee is to report to the Council by no later than Thursday, 3 December 2015.

HON NIGEL HALLETT (South West) [1.03 pm]: I would like to recap a bit on where I started last week. What has happened between the time Hon Rick Mazza moved his motion and the past few days, particularly in light of *The Sunday Times*' revelation, has really highlighted the fact that this would be a very good inquiry to conduct. It is not about vilifying the RSPCA and it is not about attacking the good work that the RSPCA has done; there are a lot of volunteers who do a lot of good work in the RSPCA. The heart and soul of the activities of the organisation, whether it be fundraising, dog walking or performing some of the less glamorous tasks like building up the animal shelters et cetera, are all being done extremely well. However in my opinion it has become very political, and that is where it has gone wrong. I will back up that assertion in a few moments.

The RSPCA is generally viewed as the first port of call when we see animal cruelty. It is probably the most high-profile organisation in Western Australia. But when we see a headline on the front page of *The Sunday Times* as we did last week, "Gone to the dogs", it is a very damning headline and a very sad indictment of how people see the RSPCA today. Hon Rick Mazza was extremely accurate when he said that accountability is critical in maintaining credibility, and that applies across all levels of society, whether it be in politics or wherever.

When we look at the membership numbers and the numerous staff dismissals through the RSPCA, it is time to say, "We cannot allow these numbers to keep diminishing." This motion is about trying to make the RSPCA more accountable. The RSPCA has earned public respect, but I think the public is certainly now questioning its running. This is where I think a select committee would be able to turn things around and make the RSPCA a bigger and better organisation. That is what everyone in this chamber wants.

Hon Darren West gave a very good outline of the board and who the members are. However, he forgot to highlight the background of the board membership, so I will go through the 11 board members. One was a director of marketing in health care; one was a chief executive officer of a local authority; one came from the Department of Corrective Services; one came from the Department of Regional Development; one was a lawyer in state government; one was a lawyer in a university; one was from the petroleum industry; two were from the resources and mining industry; and there was one farmer in Jeanette De Landgraft, who does an extremely good job in whichever role she plays.

I would say that the membership of that board is completely unbalanced. We are not seeing the industries that should be represented. From agriculture we have Jeanette, I grant that, but we have no-one from Meat and Livestock Australia; no-one from the Livestock and Rural Transport Association of WA Inc; and no-one from the Western Australian Farmers Federation, the Pastoralists and Graziers Association or the veterinary side of the industry.

When we see the RSPCA making public calls to abolish the live export industry, I would think it needs a total industry look-at. That is where the president of the RSPCA has overstepped the mark completely. It is okay to go out and call for an industry to be abolished, but what was the fallback position from that decision by the RSPCA president when she did that? The pastoralists in the north were extremely lucky that they had had an outstanding season and were able to carry the numbers of stock that were prevented from going to the Indonesian market, and then the Egyptian market picked up. What was the RSPCA going to do if that had been an ordinary season? Who was going to feed those livestock? What was the fallback position? The fallout is that a lot of station

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owners and small businesses have lost their enterprises through one act of a federal Labor minister. All it took was one day, and the livelihoods of many, many people were destroyed.

We have rebuilt the situation with Indonesia, but it is very delicate, as we know. I believe that any organisation that decides to do this must have a fallback plan for what it is going to do. That sort of thing cannot be done overnight. Businesses in Hon Ken Baston's home town of Broome have not been paid for three or four years; I know that for a fact. The pastoralists have not received any money. Has the RSPCA put in any of the business support that these guys need? No. The RSPCA took what it thought was a populist decision and did not give a damn about the fallout. Last week in *The Sunday Times* Mr Eric Ball, a former president of the RSPCA, accused the current RSPCA board of not being representative of its members. I think he was pretty well spot on. This is a gentleman who had been president of the RSPCA for over 20 years and had won the Order of Australia medal for his service to animals; he is a person of great credibility. I think Hon Darren West's analysis of the board, although it was in-depth, lacked an insight into where it was coming from. The organisation is another issue; it is a big business. The RSPCA's recent annual report of 2013–14 presents us with statistics. On average the RSPCA's Malaga shelter took in 292 sick, abused and neglected animals every day of the year. That equates to 129 000 animal care days over a 12-month period, which is an increase of 21 per cent on the previous year. How is that funded? It is not funded by putting ridiculous advertisements in the paper. It is not even a Western Australian rabbit; it is an American hare. An advertisement the next day showed a deer that was not an Australian deer; it was a deer from overseas. If the RSPCA is so responsible that it spends between \$12 000 and \$15 000 for each advertisement, there is something wrong with that organisation's business.

Hon Sue Ellery: If it's their money and it's not government money, what right does the government have there?

Hon NIGEL HALLETT: That is fine for Hon Sue Ellery to say, but government money and Lotterywest money is involved in the RSPCA. We do not know where it is distributed.

Hon Sue Ellery: We do know, because they report back to you.

Hon Peter Katsambanis interjected.

Hon NIGEL HALLETT: Exactly; thank you.

The CEO of the RSPCA reported an operating deficit, which was put down to three key factors. Firstly, the increase in the number of animals requiring care, which I have just spoken about; and, secondly, changes in recruitment and fundraising activities that resulted in a decrease in income—one would question why that is. There used to be a phone appeal in which the RSPCA asked for donations. I used to give, but I have not since it interfered with the live export market. The third factor was the board's investment decisions in developing a new business model. These factors can be broken down into two clearly defined categories. The first is as an animal welfare organisation, and if we focus on the organisation of the business, its objectives should remain both transparent and apolitical. One would have to ask how effective the RSPCA has been over the past few years with the amount of money that it receives from government each year. It would be fair to ask what value we are getting for that money. Hon Ken Travers was pretty quick to point out last week that the RSPCA is a privately owned enterprise, but this private enterprise is run in part with public money, so we have a right and a duty to seek clarification on where this money is going. As parliamentarians we substantiate every part of our allowance to the Parliament. No member has an issue with that, so why do they have an issue with the RSPCA doing the same?

Hon Sue Ellery: No, we do not.

Hon NIGEL HALLETT: We do so. As country members we get a living away from home allowance and a travel allowance. If a member gets a travel allowance, they have to substantiate their expenses.

Hon Sue Ellery: I do that. I recognise that.

Hon NIGEL HALLETT: Yes; so when we look at the RSPCA's spending, we have to ask whether it has been wasteful. We have seen the RSPCA involved in tit-for-tat campaigns with the farming community. The sad part is that the agriculture community has lost faith in the RSPCA group, which is something they did not want to happen. We have seen the ad depicting trophy hunters, but nothing is a trophy in taking out a feral pest; it is a job that has to be done. If we look at the facts, let us remember the 11 000-odd animals a year involved in cruelty complaints, which is an average about 30 a day. That is not a good reflection indictment on society. When we consider there has been a 21 per cent increase in the number of animal care days at the Malaga shelter, the RSPCA's education program is certainly in need of an overhaul. The RSPCA's message is not getting through to the community, and that is an area it can focus much more on.

Education across the board is always a good place to start. This debate is about the prevention of cruelty to animals. The RSPCA can now be deemed a lobby group rather than the emergency response unit that it should be. Rather than preventing cruelty to animals through education and informing animal owners, the RSPCA can either lobby public opinion or try to cope with the influx of poorly treated animals. With a reported 20 000 calls to the cruelty

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line last year, it appears the RSPCA's message is not getting through and is certainly on the back foot on that. The RSPCA's WA education unit was described by the former president Mr Ball as virtually dissolved. The question has to be asked—why? Why has the RSPCA gone that way? It is concerning when we consider the memorandum of understanding between the RSPCA and the Department of Agriculture and Food, which lists public education promotion of responsible companion animal ownership as its number one point. I believe that prevention is a far more cost-effective unit than cure, and the best outcome for the RSPCA is a by-product of education so the fewer cases of cruelty the charity deals with the better business model it has. This is where a select committee could assist with reinvigorating the educational sector of the RSPCA and refocusing the organisation's efforts on the objective that is in keeping with the RSPCA's original memorandum of understanding.

When we look at the farming area, I think the role of the current president of the RSPCA in becoming very close to the animal rights issue was a point that took a lot of community support away from the RSPCA. The former RSPCA president's statement that the RSPCA's culture of care and compassion has been replaced by one of provocation and punishment summed up very accurately where it sits today. People in the United Kingdom and in other states around Australia have spoken of their concerns with the RSPCA's direction. In New South Wales this debate has taken place in recent times and, generally, was on a similar course as the agricultural community. In July last year graziers at the NSW Farmers' conference expressed a loss of faith in the RSPCA's ability to carry out its duty of policing animal welfare in an unbiased manner and went as far as to push for the charity's constable status to be removed for commercial livestock. In response to that, Steve Coleman, the CEO of RSPCA New South Wales, acknowledged the disconnect between the RSPCA and agriculture in New South Wales, which is very similar to what has happened in Western Australia. He blamed extreme animal rights activists for the strain in the relationship between farmers and the charity. He said —

“I don't think there's any doubt—the waters have been muddied between welfare and rights,” ...

Mr Coleman stated that the RSPCA's strengths grew from working effectively and cooperatively with farmers. This is where we need to be heading. I would like to remind my fellow members of the RSPCA's mission statement, which reads —

To improve the welfare of animals through leadership, collaboration with stakeholders and the provision of quality services.

That is a very good mission statement—it has been lost. The key words are “collaboration with stakeholders”. Animal welfare stands the best chance of working if farmers and the RSPCA work together. The only way to renew this important relationship is first to clearly outline the RSPCA's role, boundaries and rules of prosecution; secondly, to clarify what its objectives are; and then let us work together to achieve this. If this relationship continues to fail, the effects will be detrimental to all involved in the animal welfare industry. Once again, in the words of Steve Coleman of RSPCA New South Wales —

“If ever you wanted to increase the level of animal activism, get rid of the RSPCA.”

We do not want this, but we do need clarity on the RSPCA's role within the community, and especially the agricultural community.

I will give members an example of this. A chap by the name of Robert Rose, a third-generation farmer at Grass Vale, which is between Williams and Darkan, was originally charged for not taking reasonable steps to euthanase a merino hogget with a broken hind leg before mistakenly sending it to Hillside Abattoirs at Narrogin in 2013. Any member who has carted sheep will know that it is fairly easy for an animal to do that; it only has to jump the wrong way et cetera. After a 22-month wait, the magistrate ruled that there was no case to answer and acquitted Mr Rose. Those are the sorts of issues we are dealing with. I think all members have been touched by a case similar to that of Mr Rose. A quote from Mr Rose's lawyer, according to my notes, reads —

The department wanted a trophy on the wall to satisfy the RSPCA and animal liberationists.

This, rightly or wrongly, summarises the farming community's confidence in the RSPCA in Western Australia. We know that agriculture has an important place in Western Australia. Agriculture wants to work with the organisation and move forward, but the animal rights activist organisations are a very different beast from that of the RSPCA. Two of the leading animal activist groups in Australia, Animal Liberation Australia and People for the Ethical Treatment of Animals—known as PETA—have different agendas from the RSPCA and have very different approaches. However, these lines have been blurred. The messages have got mixed up and the public could be forgiven for being confused.

I return to the live export issue, which is a very contentious issue in society in Western Australia. Western Australia is predominantly the major export state of all the Australian states. As farmers, we are very passionate about retaining that market, but we are also just as passionate about the livelihoods of our animals. None of us brings up an animal to be mistreated. The exporter supply chain audit system—ESCAS—established by the previous federal government has certainly been a big plus. But I also have to say to members that there

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will be incidents as new markets develop in some of the poorer countries that are emerging. Those countries do not have the same standards as Australia, and it will take a generation to change them. We have to accept some of that, but we also have to educate those people and put some of these standards in place. I think by doing that, we can all work together. That industry—I call it the dining industry—is worth some \$1.8 billion to the Australian economy. Meat Livestock Australia estimates that the industry employs around 13 000 people across rural and regional Australia. For these reasons, we have to push forward, get all parties on message and develop this industry—that includes the RSPCA.

The general question asked a lot by growers et cetera in the industry is, “Can we have a president of the RSPCA who is impartial leading the RSPCA today?” If this inquiry is to be established, should the president step down while the inquiry takes place to bring all those in the industry back together? That is something for the organisation itself to decide. However, I believe that her stance on marching with PETA and Animals Australia quite clearly demonstrates that she is not impartial in these events. There are public concerns about the RSPCA inspectors wielding police-like powers and with all this happening, members can understand why the rural sector has stepped back from its support for the RSPCA.

Hon Rick Mazza is to be commended for the debate he has started. It is not a witch-hunt. We do not want the RSPCA to fail, but with all the criticism and the clarity required on some issues that have come out—I am sure further issues will come out—this inquiry must take place.

To finish, I will coin a phrase from last week’s *The Sunday Times*, which is that the RSPCA has lost its way and we want to help it get back on track.

HON LYNN MacLAREN (South Metropolitan) [1.26 pm]: Having an opportunity to contribute to the debate after a few members have spoken means that my comments can be focused. I note that Hon Nigel Hallett, who just spoke before me, drew attention to the lack of focus and to perhaps confusion. Hopefully, after my remarks, members will be back on track to see in clear focus the matters that are before us in this motion.

I can also reflect on those matters that have been raised in the media, as the public is obviously very interested in this attack on the reputation of a well-loved and much-lauded organisation—RSPCA WA. In fact, voices from farming communities and the animal rights movement have sought to weigh in on this debate on the operations of the RSPCA. However, it is my view that neither one can lay claim to control an organisation that is founded and focused on animal welfare. Is it reasonable that RSPCA WA be held accountable for its actions? Yes, it is. What are the current accountability measures? The RSPCA, as we have heard, is an incorporated not-for-profit organisation, and it is independently audited and accountable to a wide range of existing legislation that is relevant to not-for-profit organisations. These include, but are not limited to, the following acts: Associations Incorporation Act; Charitable Collections Act; Equal Opportunity Act; Freedom of Information Act; Gaming and Wagering Commission Act; commonwealth Income Tax Assessment Act; Industrial Relations Act; Minimum Conditions of Employment Act; Occupational Safety and Health Act; Occupiers’ Liability Act; as well as the Salaries and Allowances Act. The main governing body of the WA RSPCA is, as we have heard, its board. The board comprises 12 members; seven are elected and five are appointed if it is determined through rule 12 of the RSPC WA incorporated rules that they may advance the purpose of the RSPCA.

I commend Hon Darren West for his very relevant contribution to this debate. He has already outlined that the RSPCA has a skilled and diverse board. Hon Nigel Hallett mentioned that as well. The board members are individuals who have significant experience across farming, state and local government authorities, the legal profession, the financial profession, the general livestock industry, marketing and commercial development. The board, led by the president, meets regularly to review its progress. It determines strategic ways forward, develops state and local-level policy, and prepares input for the national RSPCA’s policy and procedure. All board members must act in accordance with a code of conduct. As the RSPCA is a registered association in Western Australia and is covered by the Associations Incorporation Act, if members have complaints about associations, they may be made to the Consumer Protection Division within the Department of Commerce. A six-page complaint form is available online by emailing notforprofitcomplaints@commerce.wa.gov.au. I have that information with me, and if members are concerned about matters concerning incorporated associations, they can use that form to complain about record keeping and accessing information, the annual general meeting, financial record keeping, alterations to the rules—which some members have raised concerns about—conflicts of interest and activities of the association, which as we clearly heard just now seems to be of some concern. Members, there is a complaints mechanism to deal with that.

As a branch of the Australian RSPCA, RSPCA WA is also a registered charity under the Australian Charities and Not-for-profits Commission. RSPCA WA meets the criteria as a registered charity and, as I will detail later, that entails certain obligations. The RSPCA publishes an annual report—we get that in the mail—and those financial statements are certificated by the chief executive officer and an auditor. In fact, the cost of that

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independent audit is \$20 000. It is a serious and very professional audit, and the annual cost is something that the RSPCA has to bear.

Finally, all prosecutions and applications for forfeiture of animals are presided over by magistrates, and anyone unhappy with the decision of a magistrate can apply to a higher court. What better mechanism is there to ensure that the RSPCA is doing its job well than the courts? We have heard, and will hear, that the RSPCA has been particularly successful in every one of its prosecutions. We heard yesterday that there have been 28 prosecutions, although the annual report says 23. All prosecutions have been successful, so that must mean it knows pretty well what it is doing.

The question we have been asked is: does the public have the right to know how the RSPCA spends government grants? I would say, yes. Not only is that documented in the annual report that we all receive, but also the government goes one step further by negotiating a memorandum of understanding as part of the provision of \$500 000 to that organisation. The RSPCA receives that funding subject to the terms and conditions of a funding grant administered by the Western Australian Department of Agriculture and Food. The RSPCA has outlined that within 40 business days of the end of each reporting period, it provides DAFWA with a “completed and signed annual report” on the project which includes, firstly, the financial statement of income and expenditure, which consists of an expenditure statement detailing the budgeted expenses in accordance with the approved purpose of the grant and the actual expenditure on the project described to the request in the grant; secondly, a detailed report that outlines an overview of the organisational activity and any significant steps taken to improve processes in the regulatory arena, and details of inspector training undertaken, including the names of the inspector and the specific training undertaken; thirdly, it includes evidence of public education and the promotion of responsible companion animal ownership, such as press releases, news articles and publications; and, finally, the report also includes detail of the relevant stakeholder engagement activities undertaken.

DAFWA should be in no doubt whatsoever exactly what the RSPCA is getting up to as it reports specifically and relevantly on every one of these details. As we all know, many organisations that receive money from government have similar contracts that require that the organisation reports on exactly how those funds are used. In the case of the RSPCA, a contract is particularly important because, as members have mentioned, the government has decided that the RSPCA is very well placed to deliver some of the services that our laws require that the government undertakes—that is, those laws covered by the Animal Welfare Act. In fact, the government has decided to administer the act by working collaboratively with the RSPCA. In effect, the government is outsourcing in much the same way as it outsources to the community services sector on homelessness programs. Given that the government has indicated that it intends to support the motion for an inquiry, I would like to know which other non-profit service organisations that also exercise their rights to advocate—for example, to end homelessness, domestic violence or drug addiction—are in the government’s sights to monitor with a high-level parliamentary select committee. I ask: does the government really intend to hold government inquiries into Anglicare, the Salvation Army, UnitingCare West or any of the refuge networks? People are crying out for homelessness to be solved, but we have yet to inquire into that. Perhaps that is because it falls outside the policy compendium of the Shooters and Fishers Party. So far the Shooters and Fishers have earned the government’s favour through its calls to expand hunting and now to bring the RSPCA into ill repute.

Like many charities and non-government organisations, I acknowledge that the RSPCA has undergone a restructure. Members have raised what have been characterised as “concerning allegations” about the organisational restructure made by former employees and past president Eric Ball. These were hinted at in *The Sunday Times* of 3 May, which mentioned complaints to the Australian Fair Work Commission about the current CEO personalising a fundraising letter and using his experience of a disturbing incident of abuse of a kelpie in New South Wales. Members, is this worthy of a parliamentary inquiry or related in any way to the \$500 000 grant? No evidence has been presented that would argue that, and I would argue, no, and that mountains and molehills come to my mind.

Hon Michael Mischin: What about its behaviour in the disposal of that animal that had been fostered, and its puppies? If that shows there is an organisational problem, that it is insensitive to the people who are looking after animals and care about them, ought that not be dealt with at the appropriate time?

Hon LYNN MacLAREN: The Attorney General has raised one of the many incidents that has come out in the public arena in relation to complaints about whether or not the RSPCA should take somebody’s pets away or how quickly it does it. I have just outlined a dozen acts that the RSPCA has to operate under and pointed out that there is a board and a CEO who guides its operations, not to mention the professionalism of every single officer employed by the RSPCA who is bound by their obligation to be a good employee and to have performance reviews. I cannot see how that issue of looking after puppies, especially coming from the Attorney General, merits a parliamentary inquiry! I really do not. Existing mechanisms such as industrial relations protections under the Fair Work Commission and the competent oversight by an experienced and skilled governance board are appropriate accountability measures for this kind of thing. Indeed, organisational restructures have been

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commonplace. The Attorney General is also the Minister for Commerce and he should know full well that many organisations underwent restructure in 2012 when there was an amendment to federal legislation governing charities. There was a similar amendment to WA's Associations Incorporation Act, and the Attorney General, who is also the Minister for Commerce, would know full well what that entailed—that is, charities that want to access commonwealth charity tax concessions, such as deductible gift recipient status, income tax exemption and other benefits, need to register with the Australian Charities and Not-for-profits Commission.

Hon Michael Mischin interjected.

Hon LYNN MacLAREN: Please let me continue my points and then the Attorney General can seek the call. It would be delightful to have the Attorney General weigh in on this matter, but his continual interrupting only reflects poorly on his ability to listen well.

Hon Michael Mischin interjected.

The PRESIDENT: Order! Let us try to understand by listening first.

Hon LYNN MacLAREN: Thank you, Mr President. To be registered, which the RSPCA most certainly is, a charity must meet the requirements set out in section 25(5) of the federal Australian Charities and Not-for-profits Commission Act 2012. I will call it the ACNC act if I have to mention it again. What are those requirements? To meet the legal meaning of a charity, it has to be a not-for-profit entity, and it has to comply with the governance standards that are in part 3–1 of the ACNC act. All this information is in the public domain; there does not need to be a parliamentary inquiry to dig it out. The commissioner's policy statement on the ACNC Australian government website clearly sets out the policy framework. Need I remind members, yet again, I will, at the risk of being repetitive, say that the RSPCA is a registered charity, and therefore it meets these criteria. Some of those criteria involve governance. I am just going to summarise it, because I know that time is limited and many members want to continue their remarks, I am sure, but under chapter 3 of the "Responsibilities of registered entities", "Governance standards and external conduct standards", there is a brief statement in plain English—so everyone can understand; it is not too confusing—that states —

The object of the system setting up the standards is to provide a minimum level of confidence that registered entities will promote the effective and efficient use of their resources, will meet community expectations about managing their affairs and the use of public money, volunteer time and donations, and will minimise the risk of mismanagement and misappropriation.

As I said, the RSPCA ticks all the boxes and is qualified to do that. The ACNC also details some quick tips for choosing new board members to fill the skills gaps, through either election or appointment. I note that Hon Nigel Hallett has mentioned three gaps that he sees in the board. He feels that there should be a representative of the farming community, the meat and livestock industry, and the transporters. I would disagree with him. He can make that point at an RSPCA meeting. He can join that board or he can write to it and make the point that he feels its board needs to have these people on board. I would put to the member that the Department of Agriculture and Food is looking after those interests very well. The interests of Meat and Livestock Australia, and the interests of the transport industry, in relation to livestock, are well and truly in DAFWA's bailiwick. If the division of responsibilities is looked at, even on DAFWA's own website, one can see that they look after the expansion of those industries well and that the RSPCA is not looking after the expansion of those industries.

Hon Nigel Hallett: Why would you have someone from the petroleum industry all throughout the resources sector?

Hon Darren West: It is governance. It is not about operations; it is about governance.

Hon LYNN MacLAREN: Thank you for driving that point home, Hon Darren West.

I just want to read one of the tips on the ACNC website for choosing a board member, which states —

Consider your current members, and the skills and experience they have. Think about any gaps and what a new member could bring to help your charity achieve its purpose.

Achieve its purpose is the main thing, so what is that purpose of the RSPCA? I am going to get on to that, as members can well imagine. It continues —

You may want to form a sub-committee to manage the process.

All this has happened since 2012, so anyone involved in organisations before 2012 might not have realised that these added accountability measures to make organisations more efficient and effective are there so that we can trust them when we give them our charity dollar. They also have complaints mechanisms within them, so if a person feels that a charity is not meeting its standard, there is a regular review of who qualifies for that list. That regular review will kick out any organisation that does not meet those criteria.

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The standards of governance and external conduct are also subject to parliamentary scrutiny. At the commonwealth level, these are disallowable. If a person does not like the standards that the charities in Australia are held to, they may, through their federal member, move to disallow or amend them. They are completely accountable. Members would also be acutely aware of the changes currently being debated for an updated Associations Incorporation Act at a state level. This, too, proposes model rules, which are intended to improve efficiency and accountability in organisations. This update has been under consideration for many years in the public domain as a discussion paper and there has been wide consultation on these changes. Through that, organisations have been aligning their operations in readiness for the changes proposed. The RSPCA contracted an external consultant who specialises in governance in 2013. He recommended rule changes that were adopted at the 2013 annual general meeting by members.

I am going on with my questions and I am almost halfway through. Does the government have the right to control what else the RSPCA does to advocate against cruelty to animals? I would argue no. I would strongly argue no, at least in today's democracy.

Hon Michael Mischin: This is a private motion, not a government motion.

Hon LYNN MacLAREN: The motion is that we have a role to play. I do not need to explain this to Hon Michael Mischin. My question is: does the government have a right to control what else the RSPCA does to advocate against cruelty to animals? That has been put by members in this chamber, and I would argue no. In fact, Hon Sue Ellery made that point as well—"at least in today's democracy". What I do agree with is that the enforcement of laws preventing cruelty to animals should be in the strongest spotlight. With almost weekly exposés in the media of wildlife being tortured; dogs and cats starved, maimed or neglected; the live baiting in the greyhound industry, which has occurred in the eastern states and is being investigated as to whether it occurs here; puppy mills being the latest thing in the news; and a range of animals injured or suffering in commercial farming practices, it is clear that Western Australians care deeply about protecting animals from cruelty. What has our government done? In the previous two years, only one prosecution was successful. The Minister for Agriculture and Food was at pains in yesterday's question time to correct an answer to say, "Oh, yeah, but we started two more." The minister may have convinced a couple of prosecutions, but we have had one successful one in all these reports in the media about cruelty to animals. How many investigations have been conducted? We learnt that answer through question time. Thank you to Hon Samantha Rowe for asking these questions. In 2013–14, 131 investigations and zero prosecutions were undertaken in that year. To date this year, there have been 123 investigations, with three prosecutions commenced and only one successful. The arrangement between the RSPCA and the animal welfare section in DAFWA is that the enforcement of the provisions concerning offences against animals is primarily conducted by the RSPCA WA and the livestock compliance unit in DAFWA. In addition, I draw members' attention to the DAFWA website under the section "Animal Welfare Roles and Responsibilities, Roles and Responsibilities of RSPCA, Local Government and WA Police", which clearly states —

The RSPCA's enforcement and compliance responsibilities include:

- receiving and investigating complaints of animal cruelty
- undertaking inspections and other compliance activities for non-commercial livestock and companion animals
- educating members of the public on responsible pet ownership practices
- conducting enforcement activities, including prosecution where appropriate.

In addition, the DAFWA website states —

DAFWA acknowledges that the RSPCA may have or advocate policies that differ from those of the Western Australian Government. However, the RSPCA separates their compliance and enforcement role and policies from their other policies

We do not need a parliamentary inquiry to learn that. We have just learnt that from looking at the Department of Agriculture and Food's website and from talking about it in the chamber. In addition, the RSPCA undertakes other activities that are highly valued by the community, and many members have mentioned them. They include ensuring the enforcement of laws that protect animals from cruelty and promoting animal welfare; taking whatever steps are necessary to educate the community with regard to the humane treatment of animals; sustaining an informed public opinion regarding animal welfare; dispersing information about the care, protection and treatment of animals; and procuring the passage of such amending or new legislation and policy as is necessary for the protection of animals. The RSPCA clearly has a lobbying and advocacy role. Other activities are to conduct, manage, operate or encourage clinics, hospitals, homes or shelters for the care, treatment, maintenance and protection of animals; and, finally, to develop and maintain productive relationships

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with key stakeholders for the benefit of animal welfare. As simply put in the RSPCA's annual report, "The RSPCA rescues, rehabilitates, provides care, educates and seeks justice on behalf of animals."

I have been advised that the overwhelming majority of the work undertaken by the RSPCA WA involves providing guidance, assistance and education to animal owners. The society provides the state's only animal cruelty call service, which operates 24 hours a day, seven days a week in response to all levels of cruelty reports across all species. The large workload is managed by a small team involving 10 inspectors and in-house legal counsel and a team of pro bono law firms. As a member of the RSPCA, I should probably express my appreciation to those pro bono law firms because they are doing a very good job. There is a clear and definite need to expand RSPCA services into regional WA. This need is shared by the WA Regional Capitals Alliance, a group of major local government shires across regional WA. Members will have heard that I have advocated for an RSPCA inspector around Broome and in other areas outside the metropolitan area. The RSPCA WA is of the view that a minimum of 20 animal welfare inspectors are needed to work with communities and to address the significant issues across WA.

I have three more questions, one of which is: why are some members consumed by the question about rights versus welfare? I do not get why that is an issue for members. The RSPCA president has reiterated time and again in the face of this criticism that its mission is, and I quote —

... to improve the welfare of animals through leadership, collaboration with stakeholders and the provision of quality services.

We have more than adequate evidence to testify that that is the case. The RSPCA and the Greens believe that animals deserve the five freedoms. This is where Hon Rick Mazza says the Greens support the RSPCA and many of its policy directions. That is true because our policy is quite similar to the RSPCA's. All animals deserve the five freedoms: freedom from hunger and thirst by ready access to fresh water and a diet to maintain full health and vigour; freedom from discomfort by providing an appropriate environment, including shelter and a comfortable resting area; freedom from pain, injury and disease by prevention through rapid diagnosis and treatment; freedom to express normal behaviour by providing sufficient space, proper facilities and the company of an animal's own kind; and freedom from fear and distress by ensuring conditions and treatment that avoid mental suffering. I ask why a few members are worried about animal rights versus animal welfare. If a puppy is starving and we feed it, does it matter whether we did it because the puppy has the right to be fed or because of its welfare? I do not get the big deal. I do not get why Peter Singer was quoted because, in this debate, that is a distraction from what is really at play here, and that is the farmers' distress about the RSPCA advocating to replace live exports with an export meat industry, and the shooters' outrage that the RSPCA would advertise for the purpose of galvanising opposition to the proposal to set recreational hunters loose in public parks and lands.

Hon Rick Mazza interjected.

Hon LYNN MacLAREN: I will address that question.

I cannot quite identify a constituency that is upset with the RSPCA for prosecuting people for animal cruelty. These disgruntled critics have remained cloaked in secrecy.

Hon Rick Mazza has challenged me to defend Peter Singer's animal liberation views. As I said, that has nothing to do with this debate. I am on the record as respecting Peter Singer's views. Big deal! In this debate we are talking about the RSPCA and whether it is achieving its goal of animal welfare in this state and being accountable to the memorandum of understanding it has with the government. This has nothing to do with notions of animal rights, which I do, of course, support. In fact, I thank Hon Rick Mazza for quoting me in his original comments.

Hon Michael Mischin: Can you clarify these five freedoms? Do you believe in them and support them outright?

Hon LYNN MacLAREN: Yes.

Hon Michael Mischin: Where does that fit with the Greens' policy about the eradication of non-native predators on native animals?

Hon LYNN MacLAREN: It is a very complex matter.

Hon Michael Mischin: Thank you!

Hon LYNN MacLAREN: If the Attorney General is genuinely interested—I can clearly see the Attorney General is not; his question is merely to try to put me off my game—and he wants to know about animal rights and animal welfare, I will sit down with him.

Visitors — Dunsborough Primary School

The PRESIDENT: Order, members! Let us get to the substance of the debate.

Hon Nigel Hallett; Hon Lynn MacLaren; Hon James Chown; Hon Sue Ellery; Hon Ken Baston; Hon Paul Brown

While I have your attention, I welcome to the gallery the students and staff from Dunsborough Primary School. It is very close to where I live at Yallingup. Welcome to Parliament House. I hope you enjoy the Legislative Council and I look forward to seeing you down in the beautiful corner of Western Australia that we live in.

With that small interruption, we will return to the question before the house.

Debate Resumed

Hon LYNN MacLAREN: Thank you, Mr President. I, too, welcome the students from Yallingup. It is great to see them here and I hope they learn a lot from today's debate.

We are talking about the RSPCA, not Peter Singer's animal liberation views. The Attorney General is also the Minister for Commerce and therefore has a role in associated incorporations and accountability therein. I want to respond to some degree to allay his concerns because he is very concerned about the Greens' views. It is also a good opportunity for me to put them across. The Greens support humane methods of population management in non-native species. For example, if we were trying to control the population of foxes in an area where predation is particularly cruel to our native animals, we would advocate for the most humane method of controlling that population. That might be the subject of another debate soon when we talk about the updates to the Wildlife Conservation Act. I want to talk about—I will try not to be distracted by the Attorney General, who seems keen to interject—whether members have been fair and accurate in their criticisms thus far.

Recent allegations of the RSPCA mispending its grant or being off target with its policy are not only irresponsible by those who make these spurious claims, but also damaging to the organisation and the reputation of its board members. These claims must be withdrawn in the public domain as a matter of justice. The community expects the RSPCA to speak up on key animal welfare issues. They expect it to lead the debate and provide a voice for animals; it is doing this. It is a registered charity with a 100 per cent animal welfare focus. If it chooses to build a shelter for rescued animals and to advertise to promote animal welfare or to educate against animal cruelty, I commend it. The RSPCA not only manages the impacts, but also is working to prevent the causes.

We can read details in the RSPCA's annual report about how much income it receives. The government grant is just a small part of that. More than 90 per cent is raised by supporters and how it is spent is documented here. As for the work it does in return for the \$500 000, I would say that we get more than value for money, with 28 successful prosecutions for animal cruelty compared with the government's shameful one prosecution. I would say that the RSPCA is doing great work. Several critics have said that the government policy of working with offenders to curb their cruel practices is more appropriate than bringing prosecutions. Has the RSPCA acted improperly by prosecuting people for cruelty offences? Here are some quick facts from the annual report highlighting the amount of work undertaken by the RSPCA in just one financial year. The report states —

Our Inspectors investigated more than 6,100 cruelty complaints involving 11,100 animals, providing guidance, advice and directions to thousands of animal owners.

There were 23 successful prosecutions which saw 28 people convicted of animal cruelty—a 160% increase on the previous year.

At our Malaga shelter, the team looked after an average of 292 sick, abused and neglected animals every day of the year. This equates to 129,000 animal care days, a 21% increase when compared to the previous year. Our small veterinary clinic carried out just over 5,000 clinical procedures as well as 4,700 routine veterinary treatments such as flea and worm treatments.

It is important to recognise the scale of the problem in Western Australia. The annual report states —

In the six months from November to April there was an alarming increase in the number of reports of deliberate and malicious animal beatings, up 105% from the previous period. Inspectors report reasons for this appear varied and include anger management issues, mental health issues and a lack of compassion and empathy.

The Department of Agriculture and Food describes on its website its working relationship as follows —

The Royal Society for the Prevention of Cruelty to Animals, Western Australia (RSPCA) general inspectors work collaboratively with the Department in the area of compliance and enforcement. The RSPCA takes the lead in the area of companion animal welfare. The Western Australian Government supports the RSPCA in its work pursuing companion animal welfare compliance and responsible pet ownership through a funding grant.

The government, the community, and industry all have a role to play in the welfare of animals and it is by working together that we will achieve significant improvements to animal welfare in Western Australia.

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I have one final question: are animal cruelty laws being enforced? In 2014, the Minister for Agriculture and Food announced a review of the investment in, and the administration of, animal welfare. Seeking details on 18 March this year—several months later—I asked a question without notice of the minister, to no avail. In fact, he could not even reveal who was conducting the review at that time. However, last week, during the minister’s contribution to this debate, we finally got some details. Is the department conducting a public review, for which submissions are invited? No; instead, it is an internal panel, the membership of which has changed suddenly, as we were advised yesterday during question time, with the resignation of the RSPCA past president, Eric Ball, OAM. Mr Ball is also the chair of the minister’s Animal Welfare Advisory Committee, whose advice seems not to have been valued or sought by ministers past and present. People have questioned whether the Department of Agriculture and Food, whose primary objective is to “drive the economic development of the agriculture and food sector in WA, with a focus on export-led growth”, is the most appropriate arm of the government to administer the Animal Welfare Act, especially in light of its single successful prosecution, and its seemingly disparate objectives. DAFWA’s website states —

The Department of Agriculture and Food, Western Australia’s (DAFWA) supply chain support, research and development and rigorous biosecurity systems underpin the economic success of Western Australia’s (WA) livestock industries.

There is nothing about welfare in that quote. In fact, I looked at the website this morning. There is scant reference to welfare. There is a reference to codes of practice, thank you very much, but do members know what? It has to borrow from New South Wales’ codes of practice.

Hon Ken Baston: Does that mean they’re bad?

Hon LYNN MacLAREN: It means that the minister has not done his homework. The Animal Welfare Act was passed in 2002, and we are still relying on codes of practice from New South Wales. What has DAFWA been doing for animal welfare? I can tell the house what the RSPCA has been doing. The minister’s current internal panel review will undoubtedly shed some light on how animal cruelty laws are being enforced. However, if it focuses solely on DAFWA’s collaborative partner, the RSPCA, we will get only half of the picture. The motion, in my view, should be amended to include the operations and effectiveness of DAFWA.

The RSPCA should be accountable for the \$500 000 it receives from the government. In fact, that is why the government negotiated terms and conditions of the funding grant, as well as a memorandum of understanding with the organisation when it was provided with the money. The RSPCA reports to not only the government, as I have detailed, but also all its members and supporters in an annual report. If members want to influence what the RSPCA chooses to do, they should not do it from this chamber. They should join the organisation and run for a position on the board. It is not for this body to influence that. I do not believe it would be fair to drag the RSPCA through a parliamentary inquiry, but the government seems prepared to do that. A great many organisations receive government grants and are accountable through the same mechanisms. So far, there has been no suggestion that these organisations should be subject to parliamentary inquiry. I suspect that the only reason the RSPCA is being targeted is that it advocates against hunting and live exports. The government should not be bullying the RSPCA into silence on either policy, both of which have serious and well-documented welfare concerns, about which it is very appropriate for the RSPCA to speak out. I am moving without notice to amend the motion.

Amendment to Motion

Hon LYNN MacLAREN: I move —

To insert after paragraph (1) —

- (2) That the select committee also inquire into the use of the powers of the Department of Agriculture and Food Western Australia and, in particular, its administration of the Animal Welfare Act 2002.

And that subsequent paragraphs be renumbered accordingly.

The ACTING PRESIDENT: I am advised that Hon Lynn MacLaren has spoken to the amendment in the body of her debate. Hon Lynn MacLaren has four minutes left on her speech on the amendment.

Hon LYNN MacLAREN: It is nice to have an opportunity to speak specifically to this amendment before I conclude my remarks. This amendment would extend the inquiry to include those actions by DAFWA relating to the Animal Welfare Act 2002. If we are going to inquire into the RSPCA and its actions because it works collaboratively with DAFWA, it would not make sense not to include DAFWA in this inquiry. In fact, it is amazing that the motion came to us in its original form without DAFWA included. Clearly, the actions of the RSPCA, the effectiveness of the RSPCA and its duties under the Animal Welfare Act are intricately linked to DAFWA and what it does in its work on animal welfare. I do not really think that it needs to be elaborated on any more than that. It is a logical extension of the inquiry. If the government is going to support the member’s

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motion and if it is genuine about trying to look into whether animal welfare laws are being upheld, it should really support this amendment. It would be irrational not to support this amendment at this point. I am well aware that the minister has his own internal panel looking into this. There is no guarantee that any information that DAFWA might have that is relevant to this inquiry would be included unless we include the specific paragraph that relates to the powers of DAFWA under the Animal Welfare Act.

There is nothing I can really add other than to say that this amendment is worthy of support by all members, both government and opposition. If the government is going to continue with this move to inquire into the actions of the RSPCA, it should also extend that inquiry into the animal welfare actions of DAFWA.

HON JIM CHOWN (Agricultural — Parliamentary Secretary) [2.12 pm]: I believe that this amendment is superfluous. It is covered in paragraph 1(c) of the substantive motion, “the use of its powers”. The RSPCA has no powers other than those in the legislation it works under, in conjunction with the relevant departments. Obviously, any powers of relevant bodies under the legislation that are in doubt is a two-way street with regard to the department they deal with, the administration and the oversight of that legislation and also the body that is operating on behalf of the department through that particular act. Hon Lynn MacLaren’s amendment to the motion is unnecessary because it is embraced in paragraph (1)(c) of the motion that we are debating today.

HON SUE ELLERY (South Metropolitan — Leader of the Opposition) [2.13 pm]: I rise to indicate that we will not be supporting the amendment, but for different reasons from those outlined by Hon Jim Chown. We think that the case has not been made at all for the Parliament to carry out an inquiry into the RSPCA and the three elements in the motion moved by Hon Rick Mazza. The government has already indicated that it is undertaking its own inquiry into the broader issue of animal welfare and how Western Australian taxpayers’ money is spent on those issues. We think that the substantive motion itself is a waste of time when we know that the minister has already told the house that he expects to have something back from his ministerial review in August.

Point of Order

Hon JIM CHOWN: We are debating an amendment. We have spent two and a half hours debating the motion. Hon Sue Ellery is now delving into the substantive motion, not the amendment.

The ACTING PRESIDENT: There is no point of order.

Debate Resumed

Hon SUE ELLERY: As I was saying, the reason we will not support the amendment is that we think there is no point trying to fix something that is beyond fixing, essentially. We do not think there is a need for the substantive motion. We do not see a need to amend it to include something else.

I disagree with the argument put by Hon Jim Chown as to why the amendment should be opposed. He says that the substantive motion already includes the terms that are in the amendment put by Hon Lynn MacLaren with respect to the legislative powers exercised by the RSPCA, except that paragraph (1)(c) of the substantive motion does not refer to legislative powers; it refers to powers, which could be anything that the organisation does under its constitution.

Hon Jim Chown: So it covers everything. So it’s a good clause.

Hon SUE ELLERY: I am not sure why Hon Jim Chown is terribly excited about this issue. I am trying, in a reasonable and calm way, to say that we will not be supporting the amendment, neither will we be supporting the substantive motion. I have already said that. With those words, I conclude my remarks on why we will not be supporting the amendment.

HON KEN BASTON (Mining and Pastoral — Minister for Agriculture and Food) [2.15 pm]: It is no surprise that we will not be supporting this motion. We are already doing a review, which I announced and which Hon Sue Ellery just alluded to. I wanted to correct one thing; that is, Hon Lynn MacLaren said there will be no opportunity for the public to make submissions. During my speech the other day, I said there would be a chance for the public to make submissions. Everyone will definitely have the opportunity to have their say and to see the benefits of this act. I must admit that I read the 2002 act the other day for something to do while I was travelling back to my electorate. I think our inquiry will bring some things out. We already have an inquiry; we do not need another motion.

Amendment put and negated.

Motion Resumed

HON PAUL BROWN (Agricultural) [2.18 pm]: I thank Hon Rick Mazza for bringing this motion to the house. I look forward to making a small contribution to the motion. By way of background, prior to entering Parliament, I still am but, for the sake of argument, I was the owner of a livestock company and also the owner of an export livestock feedlot in Port Hedland. As part of my role in the agricultural and live export industry for some

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27 years, I have been a Department of Agriculture and Food Western Australia stock inspector. I have also run livestock animal welfare courses and written manuals on behalf of LiveCorp. After the 2011 suspension of trade to Indonesia by the then federal Labor government, I was contracted, not as an expert but as someone with animal welfare knowledge given my long history with the industry. I was one of the few who went up to Indonesia during the suspension of trade to provide advice and to carry out assessments of the abattoirs for Meat and Livestock Australia and the federal government. I therefore believe that I have as good, if not better, knowledge of animal welfare as most members of this house, and an understanding of what is required to bring about animal welfare and some, if not all, of the five freedoms Hon Lynn MacLaren has spoken about. I also have staff at my livestock company who work with animals and the welfare of livestock on a daily basis, and that again affords me a heightened understanding of what animal welfare requires on a daily basis.

I have stood in this place and been quite vocal on a number of occasions in highlighting some of the inadequacies of the RSPCA. I stood here some 12 months ago to speak about the actions of RSPCA inspectors with regard to the Greenough Equine Veterinary Centre. A number of vets, including Dr Matt Carrick and Dr Ina Carrick were, in my view, unfairly targeted by the RSPCA in what the RSPCA believed to be a very serious animal welfare issue. It subsequently turned out to be a not very serious issue at all and had been blown out of all proportion, probably through a lack of communication and a lack of training and education in the case of a particular RSPCA inspector. I met with the chief executive officer of the RSPCA, David van Ooran, on a number of occasions to work through that matter and I was given an undertaking that new training had been confirmed for RSPCA inspectors, including communication and situational awareness; conflict management training; and a two-week certificate IV in investigations. I was advised that the program had been confirmed and that the two-week course was tailored for WA-based general inspectors working under the Animal Welfare Act. The CEO in his undertaking said a few other things, but I am very cognisant of the fact that other members want to speak to this motion.

On Friday night at the Muresk dinner I flagged with the director general of the Department of Agriculture and Food, Rob Delane, my belief that DAFWA is specially positioned to offer animal welfare inspections and coverage for livestock and commercial animals. DAFWA has its livestock compliance unit, which works in tandem with or alongside, shall we say, the RSPCA, so that what we have is a duplication of services. The RSPCA receives government funding to offer its services and education, but we have heard during the course of this debate that the education component is no longer being offered. In fact, the former WA president of the RSPCA, Eric Ball, highlighted in an article that appeared in last Sunday's *The Sunday Times* that the education program is no longer being offered, contrary to the funding requirement.

I briefly mentioned the livestock compliance unit. I have a working relationship with members of that unit, having worked alongside them and having had a number of discussions with them, both positive and negative. I believe that that unit is well placed to provide services to the agricultural and livestock sector with regard to commercial animals. That would allow the RSPCA to focus on the traditional area in which its social licence truly lies, which is with companion animals, such as dogs, cats and others. The RSPCA provides a generally outstanding service in its advocacy for those animals, even though, as we also saw in *The Sunday Times* on Sunday, there is sometimes wayward misrepresentation. The Attorney General spoke earlier about the—I will not say the B-word—the female dog that had —

Hon Sue Ellery: You can say it in that context.

Hon PAUL BROWN: That is okay; I just did not feel like saying it. It felt inappropriate.

The Attorney General spoke about the outcome for that female dog and her puppies, and that came about through the miscommunication, shall we say, between the CEO, the foster carer and the other vets—the husband of Catherine and the friend, Dr Piper, who is another vet who had inspected the puppies, looking to buy one. In the examples we have seen at the Greenough Equine Veterinarian Centre and now with these puppies and the female dog, there are other vets giving advice who have concerns about the actions of RSPCA inspectors and the body itself, so why would we not want to have a look at the RSPCA and its roles and responsibilities? Given that it is an organisation that receives government funding and is the only regulatory body in WA that has prosecutorial powers outside government, we have a very unique opportunity to have a look at its roles and responsibilities.

We have seen a lot in the media lately about the People for the Ethical Treatment of Animals' advertisement campaign—featuring Jona Weinhofen holding a foam lamb, purported to be a shorn lamb—that has received public condemnation from all quarters. There was a report last week in the *Farm Weekly* by Rachael Oxborrow about the RSPCA's recent campaign. Anyone who goes into Google images can see the original photo of the hare that was used in that campaign, and can quite clearly see that there is no gunshot wound and no blood in the photo. The RSPCA is now doctoring photographs in a similar way to PETA in its campaigns, which are based on fallacious statements. I do not want to see the RSPCA having to compete with PETA in the same space using falsehoods, lies and these sorts of tactics to gain public trust. The RSPCA already has a good social licence, misguided as it may be

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on some occasions, but it is now entering into the realm of competing with these very, very radical, extreme organisations that do not have the best interests of our society at heart. They are dogmatic and ideological vandals and I do not want to see the RSPCA enter into that debate and into competition with them for funding. As Hon Nigel Hallett said earlier, we have seen what Animals Australia has done to the Australian livestock industry and to pastoralists in the north, all supported by the federal Labor government and its colleagues.

I support this motion to review the RSPCA, but we should be carrying out this inquiry for a whole range of reasons. Funding is one; its regulatory role is another; but we should also be asking: Where is its direction? Where is its leadership? Why have we got staff, ex-presidents and CEOs now publicly questioning the role of the organisation? There is no better place than this house and its members to undertake a review of the particulars of that funding and the role of the RSPCA. As Hon Jim Chown and others have said, that review will include the Department of Agriculture and Food. The terms of reference have not been written. The motion is broad enough to include DAFWA and its responsibility for the oversight of the RSPCA. This motion offers a unique opportunity to review the RSPCA and I look forward to potentially being part of that select committee. Thank you, Madam Acting President, I will now allow others to speak to the motion.

HON JIM CHOWN (Agricultural — Parliamentary Secretary) [2.30 pm]: On a previous occasion, a previous motion by Hon Rick Mazza on recreational hunting and shooting in national parks, state parks and crown land did not have my support; in fact, I stood in this house and spoke against that motion. It was later referred to the Standing Committee on Public Administration and, quite frankly, I think the minority report of that committee was correct. I hope the Minister for Environment takes notice of both the majority and the minority report and that pragmatism and good reason prevails in the outcome, and the minister supports my speech and the minority report of that committee.

I make this statement for two reasons today. One is that since Hon Rick Mazza put forward this motion on a review or inquiry by this house into the RSPCA, the RSPCA ran a number of advertisements, which members have spoken about already, costing tens of thousands of dollars—donated by the public at large. It is my belief and opinion that those ads had nothing to do with recreational shooting and everything to do with undermining the credibility of Hon Rick Mazza and the motion that we are debating in this place today, and, by association, members of this house. It was a crude attempt to undermine the credibility of the debate taking place currently. The other reason I open with that statement is to give encouragement to every political party in this house that if this motion is supported, they participate in the committee. One of the great things that we do as Legislative Councillors is not only debate legislation but also conduct inquiries through a robust committee system. Most of the operations of our committee system occur in a bipartisan manner.

Several members interjected.

Hon JIM CHOWN: If members opposite would not mind!

The committees that I sat on in the last term of government were mostly conducted on non-political lines and had fantastic outcomes for the community at large. If this select committee gets up, it is absolutely imperative that each political persuasion is represented on that committee.

From what I have heard so far, the real reason that the opposition is against this motion is that the Department of Agriculture and Food is conducting a review along similar lines. That review has been in place for some time; it is contingent upon the \$500 000 that the RSPCA receives from this government. That is fair enough, but there is a growing concern among the public at large and certainly in regional Western Australia that the RSPCA is starting to drift away from its core reason for existence, which is the care and protection of animals, and that it is moving into another field that has been referred to on a number of occasions here by members who have spoken; that is, the political arena. Governments form policies and are representative of communities at large, so I find it a little hard to understand why an organisation such as the RSPCA with its outstanding name—up until the last three years—would start to delve into political policy, when that is the role of state and national governments, regardless of their political persuasion. The live export issue is a very good example of that.

I will remind members why we need a select committee. Members opposite have short memories, and, of course, we all lose our memories at times, but I think they would understand that the powers of a select committee of this house are substantial. A DAFWA review panel has a very limited focus and outcomes, and regardless of what comes out of that review process, it will be at the discretion of the minister whether he tables that report or parts of that report in this house. In contrast, a select or standing committee of this house puts forward to this place a substantial document, which is in the public arena, and its findings and recommendations are given consideration by all of us here.

Hon Darren West: But they are not answerable to Parliament.

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Hon JIM CHOWN: As Hon Darren West would be aware, a select committee has powers far and above any other form of investigation in government. A select committee has the power to subpoena witnesses; it can ask for or subpoena correspondence, papers and financial statements. If a motion to appoint a select committee is put forward and carried by this house, the select committee that is formed can call in a ministerial panel and ask them a few questions as well. It could look at the various acts and see which acts are working, and it can put forward recommendations to amend the acts so they work appropriately in conjunction with the RSPCA's requirements. In my opinion, a select committee at this time in the life of the RSPCA is needed.

The community at large is concerned about a number of issues. We are all pet lovers. We want to see the best outcomes for pets that have suffered at the hands of human beings, but I cannot stand here today and honestly say that the RSPCA is doing the appropriate job in regard to its charter. There is growing concern about the RSPCA in not only regional Western Australia but also urban Perth. As members of Parliament we go to various communities and engage with a great number of people. In the last three weeks I have had total strangers ask unsolicited questions about their concerns with the RSPCA as it operates today. We need to bear in mind a couple of things.

Division

Question put and a division taken, the Acting President (Hon Alanna Clohesy) casting her vote with the noes, with the following result —

Ayes (20)

Hon Martin Aldridge
Hon Ken Baston
Hon Liz Behjat
Hon Jacqui Boydell
Hon Paul Brown

Hon Jim Chown
Hon Peter Collier
Hon Brian Ellis
Hon Nick Goiran
Hon Dave Grills

Hon Nigel Hallett
Hon Alyssa Hayden
Hon Col Holt
Hon Peter Katsambanis
Hon Mark Lewis

Hon Rick Mazza
Hon Robyn McSweeney
Hon Michael Mischin
Hon Helen Morton
Hon Phil Edman (*Teller*)

Noes (11)

Hon Robin Chapple
Hon Alanna Clohesy
Hon Stephen Dawson

Hon Kate Doust
Hon Sue Ellery
Hon Adele Farina

Hon Lynn MacLaren
Hon Martin Pritchard
Hon Sally Talbot

Hon Darren West
Hon Samantha Rowe (*Teller*)

Pairs

Hon Donna Faragher
Hon Simon O'Brien

Hon Ken Travers
Hon Amber-Jade Sanderson

Question thus passed.