

*Select Committee into the operations of The Royal Society for The Prevention of Cruelty to Animals
Western Australia (Inc) — Report — “Select Committee into the Operations of The Royal Society for the
Prevention of Cruelty to Animals Western Australia (Inc)” — Motion*

Resumed from 29 June on the following motion moved by Hon Sue Ellery —

That the report be noted.

Hon RICK MAZZA: I was going to leave my contribution on this report by the Select Committee into the operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc) until after the government’s response next week, but in light of the contributions made by others in this place, as Chair, I feel compelled to speak on this today. Firstly, I would like to thank the committee staff, Niamh Corbett and Samantha Parsons, for their assistance in producing the report. As expected, it was an emotive inquiry, which attracted at times unwarranted criticism and created a stressful environment for Niamh and Samantha, with many late nights and weekends put into wading through a vast amount of information and evidence. At all times, they remained professional and carried out their work without fear or favour. I also thank Sarah Costa and Anne Turner for their expert counsel on legal matters and for demystifying some of the uncertainty surrounding the legal framework and structure of prosecutions and processes. I also acknowledge my committee colleagues who, notwithstanding opposing opinions as evidenced by the minority report, managed to get through the 12 months of this inquiry with respect and relative good humour.

I think an important introduction to this report is item 4 of the executive summary, which states in part —

Public confidence in the administration of publicly funded projects is paramount—therefore securing accountability of government activity is an important role for a parliamentary committee such as this one.

It is disappointing that a campaign against this inquiry was launched by the Royal Society for the Prevention of Cruelty to Animals and the Labor Party in an attempt to discredit not only the inquiry, but also members on the committee. Item 11 of the executive summary states —

The Committee has refrained from responding to the internecine commentary levelled at the Committee ...

From that I have high regard for the restraint exercised by both Hon Paul Brown and Hon Nigel Hallett in the face of some outrageous allegations in not only this chamber, but also the other place. In a debate on a motion moved by the Labor Party in the Legislative Assembly on 21 October last year, that “this house condemns the Liberal, National and Shooters and Fishers Parties for their attacks on the Royal Society for the Prevention of Cruelty to Animals” an appalling lack of respect was shown to the Legislative Council parliamentary inquiry. This inquiry was legitimately formed by this house in response to concerns raised by the community, not the least being a former long-term president of the RSPCA WA, Eric Ball, and off the back of a major exposé by *The Sunday Times*. The member for Maylands, Lisa Baker, described the SELRA committee as a “committee of assassins” yet there were all the Labor ninjas, lined up, shooting their poisonous darts of vitriol trying to hit their mark of discrediting this inquiry and its members. The thing is there was no public outrage and no media storm, so the Labor attack dogs were barking up the wrong tree.

Parliamentary inquiries into the RSPCA are not unique to WA. There have been recent inquiries in both New South Wales and Tasmania and less than two hours ago, the Victorian Parliament passed an upper house motion for an inquiry into the RSPCA in that state, which has a Labor government. It is not unusual for inquiries to be held into the RSPCA. Even in the United Kingdom, the birthplace of the RSPCA, an inquiry is in progress as we speak with similar terms of reference to ours. On 13 May this year, it was reported that a new head of the UK RSPCA had made a dramatic apology. In that article it states —

The new head of the RSPCA has made a dramatic, public apology for the charity’s past mistakes and vowed to be less political and bring fewer prosecutions in the future.

In his first interview since taking over as chief executive, Jeremy Cooper admitted the RSPCA had become “too adversarial” and dragged too many people through the courts under its previous leadership.

It states further on —

The RSPCA has endured a torrent of criticism and negative publicity in recent years, that prompted a parliamentary inquiry and an independent report that recommended sweeping changes to its handling of prosecutions.

Yet Labor and the Greens in this state have sought to take the moral high ground on this inquiry and accuse us of somehow attacking animal welfare. We never made an attack on animal welfare; the inquiry was never

a witch-hunt. The opposition's condescending tone of trying to shame members of the committee and the government has been woeful. The opposition undertook lame stunts in dragging out debates when the committee sought an extension of time, which procedure for the various committees is usually achieved by a rubber stamp. The outrageous waste of time by trying to rule out this inquiry because it was outside its terms of reference was an absolute waste of taxpayers' money. Even more disgraceful was the attack on Eric Ball, an 18-year veteran as former president of the charity. In a 6PR interview on 17 August last, after Mr Ball had given frank evidence to the committee, it was alleged that Mr Ball was aggrieved, that his evidence was not without bias, and was malicious and erroneous, and that he had generalised and made false claims. It was an extraordinary attack on a man who had been not only the state president of the RSPCA, but also a member of the RSPCA National Council until 2006. He received an outstanding service award from the RSPCA. He was a nominee for the Australian of the Year in 2005, was named in the Queen's Honour's List in 2008 for the Order of Australia Medal for his services to animal welfare. I would not think that was someone who would make frivolous claims or whom people should seek to discredit.

The report made a number of very important recommendations. I will not acknowledge the minority report because a cursory read reveals that it is more a political position statement than a report. The findings in the minority report often start with "There was no evidence to support" or "There was no evidence to suggest", so I do not know what room those who prepared the minority report were in when we heard evidence, but I suppose we hear only what we want to hear, I think.

Hon Sally Talbot: We were in the same room as you, but we were listening.

Hon RICK MAZZA: I think I was listening more intently than you.

The government has indicated that it will table its response next week. I hope the government will see the wisdom in adopting, at the very least, the key recommendations of that report, particularly recommendation 8 that Department of Agriculture and Food authorise and oversee all prosecutions. Justice Corboy found that appointed inspectors are agents of DAFWA, and it only follows that an agent would refer to its principal for direction. It is interesting to note that Scotland and Northern Ireland allow animal welfare groups to have the power to investigate cases, but the decision to prosecute lies with the state. The current situation in WA is that the RSPCA has an in-house prosecutions panel, which directs general inspectors using, in the main, private law firms to effect those prosecutions; DAFWA is not involved. My belief is that should be a function of government.

Consideration Postponed

Hon PETER COLLIER: I move —

That further consideration of the report be postponed to the next sitting of the Council.

The government response will be handed down next Tuesday.

Question put and passed.