

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

Establishment — Motion

HON RICK MAZZA (Agricultural) [2.45 pm]: I move —

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.

We all know the very important role that the RSPCA plays in animal welfare management in this state. The reason I bring this motion to the house is that there has been a fair bit of criticism of the RSPCA by different industry groups, members of the public and also ex-staff members of the RSPCA. The RSPCA is in the very unique situation whereby, as a non-government body, it is empowered to lay criminal charges against people who breach the Animal Welfare Act. At this point, there is no government scrutiny of the RSPCA's actions in undertaking that inspectorate function. As most members are aware, the Animal Welfare Act is administered by the Department of Agriculture and Food, which in turn appoints inspectors of the RSPCA to undertake animal welfare functions. The problem that we seem to be up against is that there are a lot of allegations against the RSPCA that maybe it is transitioning into an animal rights group. In fact, there has been quite a bit of media of late about that. Recently, there was some media surrounding some sheep and the depiction in this photograph by the People for the Ethical Treatment of Animals of a very small sheep that had been shorn—I have never seen one that small in a shearing shed—which ended up being a dummy; it was not a real lamb. There is some sort of hipster guy from a group called I Killed the Prom Queen in the photo, so I think that explains where he comes from. There is a push from animal rights groups to end the wool industry in Australia, amongst other things.

Hon Darren West: What does the RSPCA think?

Hon RICK MAZZA: I will get to that if Hon Darren West is patient enough to listen over the next few minutes.

Hon Nick Goiran: That would require patience and listening!

Hon RICK MAZZA: Yes; it is a multi-tasking skill.

In response to the advertisement put out by PETA, the federal Minister for Agriculture, Barnaby Joyce, described as a pack of lies a video campaign by animal rights group PETA that attacked the wool industry. The comments came after PETA released the video in which Weinhofen, which is the name of this fellow, described the very cruel treatment of animals by shearers and the mistreatment of lambs through controversial mulesing practices. I have been to a lot of shearing sheds over the years and seen shearers in action and I have never seen a sheep come out of the shed looking like that. Most of the shearers I have witnessed, who are predominantly farmers doing their own shearing, do a good job with the animals. One young fellow who was deeply offended by the allegation retaliated with a photograph showing him with a sheep that he had just shorn, which is in perfect health. In fact, sheep need to be shorn so they do not end up fly-blown. The animal rights issue is controversial and causes some angst within the industry. Hon Lynn MacLaren, in a debate we had 18 months ago, is reported in *Hansard* as saying —

I want to talk a bit about animal welfare versus animal rights. I think it is great to have animal rights people; they speak up for the animals when no-one also will. There is a place for them in our society. They are not to be disdained and spoken about negatively. Lyn White is a hero to many people in Western Australia, including me. One of the basic tenets of animals rights is that humans do not have the right to use non-human animals for their own purposes, including food, clothing, entertainment and vivisection. That is based on the rejection of speciesism and the knowledge that animals are sentient beings. May I say that Australian ethicist Peter Singer, who is regarded as one of the world's finest, was

the father of the animal liberation movement. His name should be revered, not spoken of as though he is some lower-class citizen. He has a chair at Princeton University. He is an ethicist of immense respect.

A book titled *Animalscam: The Beastly Abuse of Human Rights* by Kathleen Marquardt mentions Peter Singer. In chapter 1 the author states that the modern animal rights movement traces its philosophical origins to the 1975 book *Animal Liberation* by Peter Singer, a philosopher of bioethics in Australia who later authored the article on ethics for *Encyclopaedia Britannica*. In *Animal Liberation*, Mr Singer wrote that there will be some non-human animals whose lives, by any standards, are more valuable than the lives of humans. I find it very difficult to reconcile myself to a statement that some non-human animals are more valuable than humans, but this seems to be the ethos of animal rights groups and in this case the father of animal rights ethicism in Australia. Further to that, I looked through some of People for the Ethical Treatment of Animal's information. It calls for people to feed their animals a vegan diet. I am talking about dogs and cats! I have a number of references, in addition to the RSPCA paper.

Hon Jim Chown: That would be a crime, wouldn't it?

Hon RICK MAZZA: I would think so, but in this case there is extensive literature on producing a vegan diet for feeding pets—dogs and cats. When I went to school, dogs and cats were carnivorous, but this paper is saying that dogs and cats are omnivorous! I think that someone should go into the pastoral region and the rangelands and explain to some of the wild dogs there that they can stop killing our sheep and start grazing on grass because they do not need to eat our sheep. This is the extent to which the animal rights movement has descended.

In answer to Hon Darren West's question about the RSPCA, that organisation claims it is not an animal rights group but an animal welfare group. However, a number of quarters in industry are saying that the RSPCA is transitioning, if you like, into animal rights. In fact, a group has been formed out Narrogin way, in a feedlot, that calls itself a coalition against animal activists, or something like—I cannot remember its acronym. This organisation is very concerned that animal rights ethos is starting to creep into the RSPCA. They are so motivated and aggrieved by that, they have formed a group to try to push back on that.

The other issue with the RSPCA is that it claims it is not an animal rights group, which we have to take into consideration. Animals Australia is a well-known animal rights group, and all members would acknowledge that. During the 2014 Victorian election, there was a full-page advertisement in the local newspapers about banning duck hunting. One corner of that full page ad credits Animals Australia and on the other side the RSPCA, so they are working in concert on that issue. The connection between the RSPCA and known animal rights groups is in no doubt. I hope that answers Hon Darren West's question: there is some connection between the two.

The agricultural industry has been very concerned too, with articles from the Australian Livestock Exporters' Council in regard to the RSPCA; in fact, today, Alison Penfold accused RSPCA Australia of using selective statistics. Ms Penfold stated that the RSPCA should stick to caring for dogs and cats. She said that they do not understand livestock production in the country nor the demands of the industry's customers. She said their approach was to shrink the red meat sector causing untold damage and pain to producers and rural communities across Australia. She said there is higher growth globally in non-processed food than in processed food. In another article, ALEC slammed the RSPCA over a shallow and misguided campaign. ALEC stated that the mainstream animal welfare organisation has been accused of using misleading tactics more commonly associated with the extreme animal rights groups in a new campaign against the live export trade. A number of quarters are making allegations about the RSPCA that it may be transitioning into an animal rights group.

One of the main points of this motion is that Western Australia should have an accountability mechanism in place. If we are going to outsource the animal welfare inspectorate to a non-government group, that inspectorate should have oversight by the government. Other departments outsource different functions. I know that the Department for Child Protection and Family Support outsources to organisations such as Anglicare and other charities, but I am sure there is a strong oversight mechanism in place. It would appear that the RSPCA does not have the best of relationships with the Department of Agriculture and Food and, on occasions, has been known to snub DAFWA in some prosecutions. In fact, in a member's statement in May last year, Hon Paul Brown brought an issue to the house about the Greenough Equine Centre. Hon Paul Brown stated —

This is what the RSPCA has created by being belligerent and vengeful. I think they are the appropriate words here. It has been out-and-out vengeful in its regard for the Greenough Equine Centre, and also completely disrespectful of the Department of Agriculture and Food and the minister. The RSPCA has been asked to rescind the section 40 direction —

I believe it gave the wrong direction to these people —

and issue a section 47 direction, and it has said, “No. We think we know what’s better.” It thinks it knows better than the agriculture department or the four veterinarians, and it will determine the outcome for these horses.

The outsourcing of the inspectorate for animal welfare by DAFWA appears to have somewhat strained its relationship with the RSPCA. In my mind, if DAFWA is the custodian of the Animal Welfare Act and it is outsourcing the inspectorate, it should be maintaining the inspectorate and making sure that oversight mechanisms are in place. I suppose that the RSPCA is an agent for DAFWA.

There are other allegations that have come forward, and contact from the community and from different people who have raised concerns with me about the RSPCA, including from ex-RSPCA employees. I have received a number of emails, and I will try to avoid revealing their names because I want them to remain anonymous. One email advised me that over the past eight months there had been an inspector, dismissed for gross misconduct, who took their case to the Fair Work Ombudsman and had won a payout; a chief inspector who had been dismissed, whose case was with Fair Work and who was expecting a hush payout, and who may have received it because he had “gone quiet”; and a senior executive who had been bullied out until she resigned and who also had a case with Fair Work. It goes on; there are quite a number of people who left the RSPCA during that period. I received another email from someone who also wanted to remain anonymous. They informed me that the RSPCA WA education unit was no longer functioning as it had been. It had been agreed that the government grant funding would be used for education and the inspectorate, but as far as my informant was aware no money had been utilised for educational purposes other than possibly for paying staff. I was advised that at its peak, the education team had three education officers, a manager and an administration officer. Staff were being constantly told by executive management that more staff would be hired once other jobs had been filled and completed. Apparently this never occurred, and the team was instead made redundant. Saving Pets also had a blog on that issue, reporting that up to a dozen people had lost their jobs at the RSPCA and the education unit, so there has been some controversy within the RSPCA, and one of the long-term ex-members has written a quite extensive precis of his concerns about the RSPCA.

Hon Lynn MacLaren made reference, last time we debated this issue in the house —

Hon Jim Chown: Is it worth repeating?

Hon RICK MAZZA: Yes, I think it is worth repeating. Hon Stephen Dawson had explained that there were some pretty expert people sitting on the board, people whom he respected and who were making decisions about the strategic direction the RSPCA was taking on an annual basis.

I bring this matter up because one of the major concerns of the person who wrote that precis is that there were some major changes to the constitution in December 2013 that removed the requirement for a veterinary surgeon to be on the board. The changes also removed the requirement for a representative of the Commissioner of Police and a representative from the Department of Agriculture and Food to be on the board, so it would seem that quite a bit of expertise has been removed from that board. There is also no longer the requirement of having been a member of the RSPCA for 12 months before becoming a member of the board; there are seven elected members, and those elected members can appoint a further five members. Some quite substantial governance changes have taken place.

Hon Ken Travers: How many other community organisations have board structures like that?

Hon RICK MAZZA: Probably quite a few have board structures like that, but I do not know of any other community organisation that has the power to pursue criminal charges against people. The point we have to make here is that if we have an organisation that has the exceptional power of being able to prosecute criminal charges on the community, then surely the government has an obligation to make sure that that organisation is scrutinised by Parliament. I do not know who is being employed by the RSPCA; Hon Ken Travers does not know who is being employed by the RSPCA. We do not know what their ideologies are. There are a lot of allegations that it is transitioning into animal rights, which could cause some issues for people. Those people could become involved with the RSPCA and work for it and prosecutions could be made. Even if those charges are unsuccessful in a court, there is a stigma attached to being charged with mistreating an animal. Whether one wins or does not win in court, a stigma is attached to that. It is a very serious charge. I think we owe it to the Western Australian people that if the inspectorate is going to be outsourced to a non-government department, it should be oversighted by the government to make sure that it stays on point as to doing the right thing and making sure that people in the community are dealt with fairly.

There are other things we should be concerned about if the RSPCA is transitioning towards animal rights. The animal rights movement does not believe in guide dogs; it believes that to be slavery. I was at the Wagin Woolorama a couple of months ago and while I was there a gentleman walked past who was obviously disabled and had a lovely German short-haired pointer with a harness around it and quite a stout handle. He was using

that to support him as he walked. He came past our booth and had a bit of a chat to us, so I came out and gave his dog a pat, and it was a pretty happy-looking dog. It was looking up, with its tongue hanging out, looking around the place, and it leant up against my leg. It did not seem like it was in any slavery position, but it was very, very useful for that bloke, and the relationship between the dog and that disabled person was very close—yet animal rights groups are against using guide dogs, spinal injury dogs or any other use of animals in any way; they call it animal slavery.

Hon Ken Travers: Do you know anyone in the RSPCA who supports that view?

Hon RICK MAZZA: I do not know whether there is anybody in the RSPCA who supports that view. What we have to do is make sure that there are not people in the RSPCA who support that view. Allegations have been made by industry and members of the public that the RSPCA is transitioning towards animal rights, but what mechanisms do we have to ensure that the RSPCA serves the community as the community expects and to make sure that it does not transition to animal rights? There is none.

Hon Ken Travers: I'd expect this from you; I can't wait to see whether the government's going to support this outrageous attack on the RSPCA.

Hon RICK MAZZA: Hon Ken Travers expects it from me? I do not know whether that is an offensive thing or not!

Hon Nick Goiran interjected.

Hon Ken Travers: If you support it, I just might.

Several members interjected.

The ACTING PRESIDENT (Hon Amber-Jade Sanderson): Hon Rick Mazza has the call.

Hon RICK MAZZA: Hon Ken Travers raises an important point. I would hope that there are not members of the RSPCA who think that way, but we have to look at the overwhelming weight of comments being made in the media and by producers in the agricultural region who are concerned about that exact matter: we are moving away from the basic tenets of animal welfare, including food, water, shelter and comfort, towards a humanisation of animals and animal rights concerns.

Another issue is the \$500 000 annual grant from the Department of Agriculture and Food to the RSPCA under a memorandum of understanding. That \$500 000, as I understand from reading the memorandum of understanding, is for the RSPCA to conduct an education unit for companion animals and to set up a 24-hour hotline to report incidents of animal cruelty, amongst other things. We do not really have much scrutiny over where that \$500 000 is going. If it is government money, we should have scrutiny over where that money is going. I am a member of the Standing Committee on Estimates and Financial Operations, as is Hon Ken Travers, and part of our job is to see where moneys are going and whether they have been spent wisely.

Hon Ken Travers: The Auditor General could be inquired of to do that, or we could call them in if you really want.

Hon RICK MAZZA: If Hon Ken Travers wanted to, but it is only one factor.

I think it is important that if these allegations are floating around and there are concerns within the community regarding the RSPCA and its activity, it should welcome an inquiry into the RSPCA's conduct and the use of its funds and powers. If the RSPCA believes it is doing everything it should be doing and doing it to the expectation of the community, the inquiry will flesh that out and make certain recommendations.

Western Australia has not been the only state in which there have been issues. In 2013, Tasmania had an inquiry into its RSPCA. That inquiry mainly surrounded its funding and the fact that it fell into financial difficulty through the mismanagement of its resources. The government of that state had to bail out the RSPCA on a couple of occasions. Some useful recommendations came out of that inquiry that would assist the RSPCA to restructure and continue its work there. When, say, the Department of Agriculture and Food outsources functions to an organisation like the RSPCA, we cannot just say, "There's the money. You are appointed to go and make prosecutions; off you go." I think there is a lot more to it than that. I think the government needs to make sure it oversees the functions of that organisation and also makes sure that guidelines and the expectations of the community are being met. As I said earlier, a charge of animal cruelty is very damning and has a stigma attached to it, and I think the government has a role in ensuring that we maintain a high level of integrity.

An internal ministerial review is underway into the relationship between DAFWA and the RSPCA, but I think a select committee inquiry will go further than that, will be more extensive and will be able to explore other areas that maybe a ministerial review will not. I think if they were to work in tandem that would be a good thing so that we can work out exactly where things are.

This is not only a Western Australian concern. I met with Senator Chris Back earlier in the week. Of course, Senator Back has a bill before the federal Parliament regarding —

Hon Darren West: There's an intellectual powerhouse right there!

Hon RICK MAZZA: That might be the opinion of Hon Darren West, and coming from him it is probably a bit rich, but anyway.

There are concerns at the federal level. I had a look at Senator Back's bill, and he, by the way, is a veterinary surgeon by profession, as is his brother.

Debate adjourned, pursuant to temporary orders.