



The Commercial Egg Producers'
Association of Western Australia (Inc)

Associated with The WA Farmers Federation (Inc)
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**Select Committee into the operations of
The Royal Society for the Prevention of Cruelty to Animals
Western Australia (Inc)**

Due: 3 July 2015

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Submitted to:

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Select Committee into the Operations of The Royal Society for the Prevention of Cruelty to Animals
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BACKGROUND

About The Commercial Egg Producers Association of WA (Inc)

The Commercial Egg Producers Association of Western Australia (Inc) (CEPA) is the leading representative body for Western Australian commercial egg producers. CEPA members produce approximately 85 per cent of eggs in Western Australia using caged, barn and free range production methods. Majority of commercial egg producers in the State are members of CEPA.

The Objectives of CEPA are to:

1. To proactively represent and promote the best interests of Commercial Egg Producers in dealings with Government, non-government bodies and their representatives.
2. To secure uniformity of action on matters affecting the common interest of Commercial Egg Producers.
3. To promote and uphold industry codes of practice for animal welfare, quality assurance, bio-security, environmental, labelling and transport of live poultry.
4. To promote the consumption of Western Australian laid eggs.

CEPA is a member of:

- WA's leading State farm lobby group The Western Australian Farmers Federation.
- Egg Industry national peak body Egg Farmers of Australia Inc.
- Egg industry Research, Development and Marketing Company, The Australian Egg Corporation Ltd.

Egg Production in Western Australia

There are 186 registered businesses in Western Australia (WA) that produce eggs. Only 30 produce eggs as their primary business which represents 99% of total WA egg supply. The WA egg industry only supplies 66% of eggs sold in WA meaning 34% of eggs are supplied from interstate.

Background to the submission

On Wednesday, 13 May 2015, The Legislative Council ordered that a select committee be established to inquire into the operations of The Royal Society for the Prevention of Cruelty to Animals Western Australia (Inc), including an examination of:

- (a) its funding from the government;
- (b) its objectives; and
- (c) the use of its powers.

The select committee is to report to the Council by no later than Thursday, 3 December 2015.

The following comments follow the Sections as outlined in the terms of reference.

1 RSPCA WA funding from the State government

RSPCA WA depends on public donations, funds from providing services as well as State Government Contributions. Of the \$8,000,000 operating costs, \$500,000 (6.25%) is contributed by the State Government of Western Australia. ¹ RSPCA claims that the State Government funds are only used for inspectorate and educational activities. It is unclear as to whether that is the case.

As a body that receives State Government funds, the RSPCA should be audited by the State Government in line with other organisations that receive State funding.

2 RSPCA WA's Objectives

According to the RSPCA Website, the objectives of the organisation are to:

- ✓ Prevent cruelty to animals by enforcing the existing law
- ✓ Establishing further legislation to protect animals
- ✓ Educate the public in reasonable animal care

CEPA supports the above mentioned objectives of the RSPCA. However, CEPA does not support activities that the RSPCA partakes in on a regular basis that are not in line with the objectives of the organisation. Over the years, the RSPCA appears to have been making a transition from a body which undertakes the above objectives to an animal activist organisation. There is little regard by the RSPCA to the legal methods of farming animals. In the egg industry there are three methods of egg production being: caged, barn and free range. All three production methods are legal and used by producers across Australia. Two examples of activities the Association believes are not activities under the objectives of the RSPCA are as follows:

Example 1: Set a sister free campaign

This is a national RSPCA campaign. When RSPCA in WA was approached and asked why it was participating in this activity at a state level considering the fact that the egg industry and RSPCA were working well together on animal welfare matters, the response was "it's a national campaign so as a state organisation we just go with it".

<http://www.hensdeservebetter.org.au/the-details/news/rspca-launches-set-a-sister-free.html>

Example 2: Humane Food Region in the Swan Valley

Another campaign that RSPCA has been an instigator of is the Humane Food Region in the Swan Valley, an initiative of the RSPCA to promote "humane" food.

http://www.swanvalley.com.au/About_Swan_Valley/Food_Wine/Humane_Food_Region

If RSPCA does not approve current production methods then it should "establish further legislation to protect animals" as stipulated in their objectives. Until such time that there is different state legislation, the RSPCA should "prevent cruelty to animals by enforcing the existing law". RSPCA is fully aware that industry is working within acceptable legislation, yet behaves as if the egg industry was doing something that was against the law. This activist activity is, in our view, outside of its jurisdiction.

RSPCA mission is to "improve the welfare of animals through leadership, collaboration with stakeholders and the provision of quality services." Nowhere does it say that the RSPCA should campaign against known and approved by veterinarians industry practices used in agriculture.

Similar concerns are being raised in the United Kingdom against its RSPCA (appendix 1)

The Association understands that the RSPCA Constitution rules were changed in 2013. A number of changes were made which in our view move the organisation further away from its objectives and appropriate corporate accountability as follows:

- Reduction in the number of board members means that 3 board members constitute a majority vote
- Removal of provision to appoint the Commissioner of Police (or his nominee) to the Board
- Removal of provision to appoint the Chief Executive of the state government department (in this instance it would be the Department of Agriculture and Food)
- Removal of provision to appoint a veterinarian

3 RSPCA WA's use of its powers

The Association has had a good working relationship with RSPCA with regards to the Animal Welfare Act 2002 currently under review. Additionally, we worked with RSPCA on the The Western Australian Layer Poultry Welfare Reference Group and they supported the introduction of legislation to underpin the full ARMCANZ 2000 decision by way of Regulations under the Animal Welfare Act 2002. However, RSPCA continue to campaign against cage method of production at a consumer level.

4 General Comments for consideration

4.1 Members have no say on policy matters

Members of RSPCA have no input into the policies of the organisation. RSPCA policies are agreed to at the RSPCA Australia Board level which then binds the State RSPCA office. There is no mechanism in place for the general membership of the RSPCA to drive the policies in the area of animal welfare. There is also very little consultation with industry at a state level on any policy area that may be under review. The process which is undertaken is outlined in the following link.

<file:///C:/Users/Lucy/Downloads/PP%20I1%20Internal%20process%20for%20RSPCA%20policy%20documents.pdf>

4.2 Research

RSPCA appear to ignore the latest scientific research undertaken on laying hens and are concerned only with the outdated "five freedoms".

4.3 Inspectorate

The Association believes that RSPCA should undertake the inspectorate role for dogs, cats and horses and the remaining livestock industries should be handled by the Department of Agriculture and Food WA.

5 CONCLUSION

We wish to be added to any state reference lists for further consultation on this or other animal welfare matters. Reference:

¹ RSPCA Annual Report 2014

<http://www.dailymail.co.uk/news/article-3141855/RSPCA-faces-grilling-MPs-animal-rights-fanatics-compare-farming-holocaust-want-people-test-getting-pet-hijack-key-posts.html#comments>

RSPCA faces grilling by MPs after animal rights fanatics who compare farming to the holocaust and want people to take a test before getting a pet hijack key posts

- **Fears that election of two hard-liners will tip the balance on ruling council**
- **MPs worry it will shift focus from animal welfare to aggressive campaigns**
- **Already under fire after former boss's campaigning and bullying tactics**
- **RSPCA hasn't appointed new chief and MPs say it needs new governance**

By VALERIE ELLIOTT FOR MAIL ON SUNDAY

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RSPCA chiefs face a grilling by MPs over the way animal rights zealots have gained a stronghold on the charity's ruling council. The Mail on Sunday learned of the move following the election last week of two hardline animal activists to the RSPCA's ruling council. Peta Watson-Smith, a vegan from Market Rasen, Lincolnshire, has compared farming with the Nazi Holocaust while Dan Lyons, an academic from Sheffield, wants people to pass an exam before being allowed to own a pet.

MPs fear their appointments have shifted the balance on the charity's 23-man council and that the RSPCA will now step up contentious political campaigns instead of concentrating on its traditional role rescuing neglected and sick animals from cruel owners. Neil Parish, Conservative MP and new chairman of the Commons Environment, Food and Rural Affairs Select committee, said he believed the RSPCA needed new governance procedures. He said: 'There appears to be a power struggle between the factions inside the organisation. 'I would like to hold an inquiry into the charity and the way it is run and will discuss the feasibility of such an investigation when the committee meets for the first time in two weeks.'

He added: 'A lot of people give money to the charity for genuine animal welfare work. But it is the management and lack of governance that is letting the charity down.' The make-up of the committee is to be finalised this week and if MPs support his wish to investigate the charity, Mr Parish said he would summon RSPCA chiefs to be quizzed in public to find out how it is run and what improvements can be made. MPs are especially anxious over the failure of the charity to appoint a new chief executive.

The former incumbent, Gavin Grant, left 18 months ago, due to ill-health. During his tenure he presided over high-profile campaigns against hunting, the badger cull and the Grand National. But what were seen as aggressive campaigning and bullying tactics in bringing prosecutions for animal cruelty provoked a public backlash. RSPCA donations dropped by £7 million, the charity was forced to make redundancies and, for the first time in its history, had to arrange an overdraft facility. Morale among RSPCA staff is said to be low, with many being forced to accept short-term rolling contracts.

A number of experienced people interested in the chief executive post have been put off by in-fighting between moderates and radicals on the council, plus its resistance to any change to the way members are elected. For example, Dr Richard Ryder, regarded as the father of the modern animal rights movement, has served on the council since 1972, while the norm for charity council or board members these days is to serve a maximum three-year terms. An indication of the influence of the hardliners running the RSPCA will be evident on Wednesday when the new council meets for the first time to elect a chairman.

Mike Tomlinson, the current chairman, a moderate, who has also been acting chief executive, has decided to step down from the role. David Canavan, a barrister and considered moderate, is a favourite for the post. But a number of animal welfare experts fear the post could go to a hardliner who would then influence the appointment of the new chief executive. The make-up of the council roughly comprises ten moderates, ten hardliners and three who could vote for either side. One charity chief said: 'If there are absentees, the vote is wide open. A lot of us are very worried that the charity could be at risk.'

A Government animal welfare adviser added: 'The problem is, people are on the council for their ideology and not for their competence.' An RSPCA insider said: 'We've had more than 100 applicants for the post of chief executive and interviews are still being held.' A Charity Commission spokeswoman said it was monitoring the RSPCA and in dialogue with its trustees but legally could not interfere with governance arrangements of charities.