

*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 22 June on the following motion moved by Hon Sue Ellery —

That the report be noted.

Hon SALLY TALBOT: I want to make a few comments and I will not take up too much of the chamber's time. As a member who served on the Select Committee into the Operations of the Royal Society for the Prevention of Cruelty to Animals Western Australia (Inc) I would like to put on the record a few things, not the least significant of which is to convey my personal thanks—I am pretty sure I speak for all five members of the committee—to the staff who worked with us through many hours. The Attorney General has just caught my eye across the chamber, and I am sure that as I refer to thanking the staff of a committee his mind goes back to a very long inquiry that Hon Michael Mischin and I were a party to some years ago, when I think we totalled up some 147 hours and 50 minutes, which was a long inquiry. I did not get the tally for this select committee's inquiry, but I reckon it would not be very far off that number. Those who followed the public hearings, of which there were a significant number, and those who followed the debate both in this chamber and in the media during the proceedings of this committee inquiry would know that it was quite tense and emotional, and of course in those situations we rely on the sound, consistent and very experienced advice of staff to keep the committee focused. I must say that Niamh Corbett, as our principal adviser, did an outstanding job in providing the committee with that service, as did Samantha Parsons, who was also on board the entire year that we were engaged in the inquiry. I also pay tribute to the raft of legal advisers we had without naming them, but Niamh and Sam really earned their stripes on this committee. I hope I conveyed my personal thanks to them at the time, but I just wanted to put that on the record in Parliament.

The Clerk has just handed me the statistics for the inquiry. There were 138 submissions, 34 witnesses, 14 public hearings, four private hearings, and three by way of summons. The committee met 35 times and the grand total of hours was 118.75. Indeed it was a significant expenditure of effort and energy.

Members will recall that the establishment of this committee was the subject of extensive debate in this place and was opposed vigorously at every point by members of the Labor Party. I thank Hon Sue Ellery, the Leader of the Opposition in this place, for the work she put in during that extended period, because we were debating the matter for months before the committee was established, and for the effort and energy she put into mounting the opposition's argument for not establishing the select committee. Our reasons to my mind were vindicated by the outcome of the majority report. I, of course, put my name to the minority report, as did Hon Lynn MacLaren. I think it is quite unusual to have a minority and a majority report, which as members would know is now published in one comprehensive document, whereby most of the minority recommendations begin by saying that no evidence was produced to demonstrate X, Y and Z wherein X, Y and Z are the claims in the majority report.

One does not really have to delve beyond the couple of hundred pages of the majority and minority reports to get a full sense of the arguments put forward. I maintain as strongly today as I did a couple of months ago when I put my name to the minority report that the Royal Society for the Prevention of Cruelty to Animals has emerged from this inquiry with impeccable credentials that are as strong today as they ever have been in the history of this state. That is something of which the RSPCA should be immensely proud.

One reason Labor opposed the establishment of this select committee is that it is a major challenge to an organisation to be subject to this kind of scrutiny. I am not one who maintains that we could take the perfect organisation and spend enough money on investigating it and come up with something that was wrong. I do not believe that is the case. I believe that if an organisation or institution is working in an open and transparent way, we could spend any amount of money and devote an infinite number of resources to an investigation of that organisation and we would not come up with anything to challenge the reputation of that organisation or institution. That is what we maintain we were able to demonstrate with the RSPCA—that its credentials remain impeccable.

The reason we opposed the establishment of this select committee and maintain our opposition to exercises of this kind being undertaken in the future is that it is an enormous impost on an organisation to respond to an inquiry with the statutory powers and the resources that a select committee can bring to bear. The amount of compliance that the RSPCA showed in its work with the committee was absolutely faultless. It devoted hundreds of hours to prepare its original submission and then responded over a long period to requests by the committee for further information. This is a charity. The Parliament should be big enough to admit that this was not its finest hour when it agreed to establish this select committee. As I have said, Labor opposed the establishment of the committee vigorously and I think that our opposition was vindicated by the outcome, which is encapsulated in the report. However, the Liberal government gave in to the pressure that was being brought to bear by some of the extremists in its own party and by the National Party, that does not really know who it is and by the fact that it regards itself as being beholden in some way to the sole member of the Shooters, Fishers and Farmers Party in

this chamber. The Premier, having said on a number of occasions that he would not support the establishment of the select committee, eventually caved in and gave the committee its inquiry. The interesting thing is that since this report was tabled, the government has lost its only member on that committee because Hon Nigel Hallett jumped across the chamber.

Hon Liz Behjat: He's not missing. We know where he is.

Hon SALLY TALBOT: Presumably, he is out of the chamber on urgent parliamentary business. The Liberal Party does not have a member left on that committee now. I know that the Premier did not seem to be particularly upset or unduly distressed about the loss of one of his members for the South West. I would like to suggest that one of the reasons the Premier might have been quietly rejoicing that he had lost Hon Nigel Hallett is that the Liberal Party is now —

Hon Michael Mischin: What has this got to do with the report?

Hon SALLY TALBOT: I am talking about the report.

Hon Peter Collier: You're passing a personal slur.

Hon SALLY TALBOT: This is no personal slur.

The CHAIR: Order, members! I just remind members that we are dealing with the RSPCA report.

Hon SALLY TALBOT: I realise that this is an intensely uncomfortable subject for the Liberal Party. It is making members of the Liberal Party in this chamber very uncomfortable but I am giving them a lifeline.

Point of Order

Hon MICHAEL MISCHIN: Hon Sally Talbot just cannot help herself. She is supposed to be addressing the report.

Several members interjected.

The CHAIR (Hon Adele Farina): Order, members! I am taking a point of order from the Attorney General.

Hon MICHAEL MISCHIN: She is supposed to be addressing the report. She has descended into assailing one of her fellow members of the committee. She has made imputations regarding that member and the party here. None of it is relevant, and even though you did take up that point with her, Madam Chair, she just continues. It is like an illness with her.

Hon Sue Ellery: And that's not an imputation? For heaven's sake!

Hon MICHAEL MISCHIN: At least it is relevant.

The CHAIR: Order, members! I remind members that we are dealing with the RSPCA select committee report.

Debate Resumed

Hon SALLY TALBOT: Madam Chair, I have no doubt that after the election, when Hon Michael Mischin is no longer a minister, he can put up his hand to take over your job.

Hon Michael Mischin: Where's the relevance?

Hon SALLY TALBOT: Then he can have his say over whether these things are relevant.

Several members interjected.

Hon SALLY TALBOT: I ask members to just contain themselves for another four seconds because I am about to say that the loss of Hon Nigel Hallett, which members of the Liberal Party clearly feel much more sad about than the Premier, offers them an opportunity to distance themselves from this majority report of the select committee. They are now free to do what the Premier signalled he wanted to do two years ago, which is to make it clear that the government views the nonsense coming from the Shooters and Fishers Party as the rubbish that it truly is. It was a sad day when, through an act of sheer political opportunism, we ended up with that kind of compost bin going around, being fed by unsubtle dog whistle politics and those semi-cogent arguments that relied on all sorts of imputations and innuendo and ended up spending hundreds of thousands of dollars investigating a charity that emerged from that inquiry with its reputation completely and utterly intact.

As honourable members who have taken the chance to read the report would know, when I say that the credentials of the RSPCA remain impeccable, the committee devoted considerable energy to looking at three particular aspects of the RSPCA, including its governance. The RSPCA, like many not-for-profit organisations in the western world, has reformed its governance mechanisms in the last couple of years. That has inevitably upset some people who are perhaps of an older school or who have a different view about how organisations in the charitable sector should operate. This was all examined in great detail by the committee and no impropriety

was identified. In fact, I would go further than that, as the minority report does, and say that the RSPCA should be encouraged down that path towards modernisation that it has set itself. The reality is that most organisations operating in the not-for-profit sector are not member-based organisations; they rely on donors and supporters. I think there is probably a lesson in that for some elements of political organisations as well as for the charitable not-for-profit sector.

The committee also considered the fundraising activities of the RSPCA and, again, found that although they were robust—the last eight weeks has given us a little object lesson in robust advertising—everything was within the bounds of propriety, and that is exactly what the majority as well as the minority report make clear.

The third area that the committee looked at was the whole area of education, compliance and enforcement. I put them in that order because one of the allegations that was made about the RSPCA was that it was in some sense trigger happy and its members got a bit of a kick out of walking around in uniforms prosecuting people who should have been more appropriately dealt with by being educated about their activities or being informed about what the law required of them. Again, there was not one shred of evidence that that was the case. I just mention those three areas of activity and go into that small bit of detail to demonstrate what I mean when I say that the credentials of the RSPCA remain impeccable.

There was some discussion, both when setting up the committee and again when writing the final report, about this tension that we have, not just in Western Australia but certainly Australia-wide and right across the West, and it surfaces periodically in different contexts. The one that upsets the right of the conservative party tends to be the arguments about live exports, which is a subject of current interest to people because of our export activities to Vietnam and the lack of compliance with the rules. At one end of the extreme, we have animal liberationists who would argue that animals should not be “used” by humans for any purpose whatsoever and, at the other end of that extreme, we have people such as those in the Shooters and Fishers Party who clearly have a diametrically opposing set of views about which I will say nothing further at the moment because I do not want to speak for more than another couple of minutes.

The imputation that was raised at several points during this inquiry and during the debate that preceded the establishment of the inquiry was that the RSPCA has somehow tipped over into becoming an extreme animal liberationist operation. That is patently and obviously not true. The RSPCA’s submissions addressed the point from several different perspectives, which I found very helpful in trying to get my head around exactly what it was being accused of by the people at the end of the extreme that is represented by the Shooters and Fishers. The RSPCA clearly supports the use of animals—to quote its words—for food and fibre. That is a point that is pure anathema to animal liberationists. That means, of course, that the RSPCA does not tread an easy path. In fact, what it is doing—we should all be cognisant of this fact, because it is something that we, as parliamentarians and leaders in our community, have to do for a great deal of our time—is walking the path between extreme views. The RSPCA does that very successfully. On its left, it has the animal liberationists who would like to see the end of all industrial use of animals. Some animal liberationists would even go so far as to say that we should not keep animals as companions; they would like to see dogs and cats phased out, if members understand my shorthand version of that argument. On the right of the RSPCA are the hardliners like those in the Shooters and Fishers Party—which we now have to refer to as the Shooters, Fishers and Farmers Party, and it had to do that because it now has Hon Nigel Hallett as a member—who, again, have a diametrically opposing set of views. The RSPCA walks that middle road very securely, very professionally and very competently and coherently, but it means of course that it is vulnerable to attacks from both the right and the left. We, as a Parliament representing the members of our constituencies, ought to be backing the activities of the RSPCA, which of course is what we do in every public sense. We all turn out to the Million Paws Walk. The Million Paws Walk had two key speakers this year—one was the Premier and the other was the Leader of the Labor Party. That is exactly as it should be, and I hope very much that whoever has the reins of power at any particular time retains that degree of bipartisanship in our support for the RSPCA.

There was a big issue to arise out of the select committee. I will never say that it was worth having the select committee inquiry in order to arrive at this conclusion, because I honestly think we already knew it, particularly as Hon Ken Baston, when he was Minister for Agriculture and Food, had already done the Easton review into the animal welfare system and the government was already committed to having a review of the Animal Welfare Act. We need to look very seriously at where animal welfare education, compliance and enforcement sit within the bureaucracy. I am far from convinced that the Department of Agriculture and Food Western Australia is either resourced properly or, indeed, competent to do it. At the heart of that is the conflict of interest that we, as parliamentarians, must address; that is, the people who set the regulations also police compliance with those regulations, when they are the licence holders of many of these agreements. I think that is a fundamental problem. Sections of the report deal specifically with that issue, and I commend those sections specifically to the attention of honourable members.

The sooner we can deal with this, the better. I hope the government will swiftly proceed with its review of the Animal Welfare Act. I know there has been some fairly small financial commitment in this year's budget to progressing that review and I hope it happens swiftly. I hope it will end up doing what it should do, which is to reinforce and confirm the role of the RSPCA in animal welfare in this state.

Motion

Hon PETER COLLIER: I move —

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

Question put and passed.