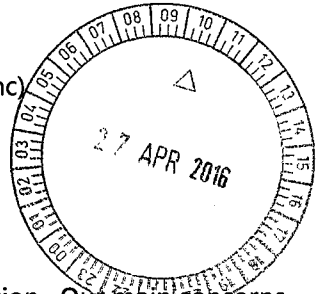


## Select Committee into the Operations of the RSPCA WA (Inc)

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**From:** Rabbit Run <enquiries@rabbitrun.com.au>  
**Sent:** Wednesday, 27 April 2016 10:34 AM  
**To:** Select Committee into the Operations of the RSPCA WA (Inc)  
**Subject:** RSPCA inquiry  
**Attachments:** WA Enquiry.docx



Hi Samantha,

As a welfare organisation we have concerns regarding the enquiry into the RSPCA investigation. Our main concerns are stated in the attached document. We would appreciate if you would consider our concerns in this process.

Sincerely,

Bryce Inglis

Vice President: Rabbit Run-Away Orphanage  
Co-Chapter Manger: House Rabbit Society Australian Chapter

### Rabbit Run-Away Orphanage

- \* Rescue and Rehoming
- \* Bunny Dates
- \* Information & Referral

### House Rabbit Society *Australian Chapter*

- \* Education
- \* Shelter support
- \* Information & Referral

### Rabbit Run

*Caring for Natures Creatures*

- \* Bunny Minding
- \* Information & Referral Service

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"The greatness of a nation and its moral progress can be judged by the way its animals are treated."

— Mahatma Gandhi



26/4/2016

### **RE: Enquiry into RSPCA Western Australia**

I would like to bring to the attention of this committee concerns we have as an animal welfare organisation, regarding this investigation. Our main concerns are listed below.

1. Government funding is proven to be well spent according to Audited RSPCA reports.
2. The objectives of the RSPCA have been proven over 100 years.
3. The use of its powers are limited in prosecution according to available funding
4. Argument suggesting the RSPCA has lost public support due to falling rates of members is incorrect.
5. Argument for the RSPCA to abandon the principle of 5 Freedoms in favour of a proposal from a commercial animal industry is unacceptable.
6. Political attitudes in general in Australia toward animal welfare are poor.
7. The actions of this inquiry is increasing mental stress amongst animal workers, methods to reduce this stress are ignored and this enquiry adds to stress levels.

#### **1. Government funding is proven to be well spent according to Audited RSPCA reports**

Charities depend on public goodwill and support and a reputable charity guards its image that donated money is spent in accordance to the aims of the public. This is achieved by a voluntary process to satisfy this need including annual audits above statutory periods. This process is purposely designed to be transparent. An audited report has been sent to this committee showing that Government funding is covering about 20% of prosecution costs, saving the Government 80% in costs which are made up from public donation.

#### **2. The objectives of the RSPCA have been proven over 100 years**

The RSPCA started due to concerns regarding the cruelty of vivisection when it was normal to use animals for teaching medical students surgery procedures, anaesthesia was not used as it was deemed to affect results.

Others working independently, including myself may have had a life experience with animal welfare, whilst the RSPCA has passed on its learning over generations. The RSPCA know what can be achieved and what can't within animal welfare and have been doing this for a long time, increasing animal welfare according to their means, reflecting prevailing public attitudes at the time.

Animal welfare has been accelerating over the past few decades due to information or exposure bringing social change due to the internet. The suggestion that the RSPCA takes the advice of more radical groups with less experience is false. The RSPCA is regarded as too conservative by radicals who wish change (often impractical) and is often ego driven by individual inexperienced thought.

The RSPCA's drive to ban sports shooting and live export is reflected by a world change in attitude, for instance New Zealand and several other countries recognising that animals have sentience (the

ability to think and feel) reflected into law. As a result New Zealand has banned sports shooting as one of the steps in the process of redefining the "owning of animals" to one of "guardianship".

### 3. The use of the powers of the RSPCA is limited in prosecution according to available funding

In common with other charities the RSPCA is under resourced with funds and manpower.

It is obvious that RSPCA inspectorate performance is affected by costs of prosecution and quite simply they cannot afford to lose a case as the RSPCA perform this service at around 20% of the actual costs needed to provide this service in WA. The table below show in Tasmania where the cost of prosecution is fully funded the prosecution rate is the highest and the rate of prosecution decreases according to Government funding per head of population.

In Tasmania the state pays the RSPCA \$1.13 per head of population each year resulting in a prosecution rate of one person in approximately 17,645 persons, at the other end of the scale in Queensland the state pays a token \$0.05 per head of population each year resulting in a prosecution rate of one in 225,150 persons.

**Table 1:** Presents information on funding from evidence presented to this enquiry by DAFWA and prosecutions numbers from the RSPCA.

RSPCA Prosecution rates showing the relationship with Government funding affecting prosecutions per head of population.				
State	Population	Real Prosecutions	Gov funding per head of Population	Prosecutions per head of Population
QLD	4,503,000	20	\$0.05	1 in 225,150 persons
NSW	7,247,700	67	\$0.07	1 in 108,175 persons
VIC	5,574,500	69	\$0.18	1 in 80,790 persons
WA	2,387,200	27	\$0.21	1 in 88,415 persons
SA	1,645,000	53	\$0.48	1 in 31,038 persons
TAS	511,700	29	\$1.13	1 in 17,645 persons

Unfortunately this table is only indicative as the costs and prosecutions were from different years in 2011 and 2014 as I have limited resources to RSPCA and Government. Data for the above was obtained through evidence presented to the enquiry. To get a true picture I feel that 5 years of data would need to be averaged.

I feel that no matter which agency (private or government) is used for the prosecution of Animal Welfare issues, it needs to be fully funded. The most experience organisation in animal prosecution is the RSPCA yet it is inhibited by lack of funds.

If a body is funded at a cut rate price then this obviously can lead to mistakes in the management of cases. The lack of resources can lead to actioning cases that are easily won at the expense of harder cases being ignored or the investigation of less serious issues.

I can understand an enquiry into a well resourced organisation that is deemed to be failing in its commitments but not by a smaller partner such as government which supplies token resources.

#### 4. Argument suggesting the RSPCA has lost public support due to falling rates of members.

Whilst this committee is trying to prove that falling donations and membership are inclusive to the RSPCA and an indication of falling support of their policies, this view is incorrect. This problem is widespread across all charities.

A News Corp Australia analysis of new data from the ATO shows that support for all charities has fallen from 38% to 35.3% over the last 5 years. World Vision Australia CEO Tim Collins said "reckless" comments from both sides of politics had caused people to think they were struggling financially, when in reality Australia remained one of the world's richest nations." That negative talk has given a leave pass to Australians to say 'we are hurting and we don't have to give back'.

#### 5. Argument for the RSPCA to drop the principle of 5 Freedoms in favour of a proposal from a commercial animal industry.

The inquiry has questioned the RSPCA for using the principal of 5 Freedoms. This is not a philosophy of the RSPCA and originated from a separate body in the UK. It has been adopted internationally as the standard of welfare for all animal welfare organisations including the RSPCA.

To denigrate the 5 Freedoms in favour of an industry based proposal is a joke. It reminds me of industry based proposals touted by the tobacco lobby extolling the health benefits of smoking last century.

The Egg industry (the originators of this alternate proposal) has shown its true colours by redefining the definition of free range chickens by reducing the area from a CSIRO voluntary code of practice definition of one chicken per 6.67 square metres to one chicken per one square meter.

This change goes against the wishes of the public who are willing to pay a premium for their perception of free range and is not in the interest of animal welfare or satisfying the desires of the consumers. It is in the interest of maximising profit by the egg industry, to capitalise on an emerging market, even though it undermines the wishes of the consumers.

Why this committee even considered this industry biased proposal for welfare change shows a lack of regard and understanding of animal welfare.

#### 6. Political attitudes in general in Australia toward animal welfare are poor

Animal Welfare reform is lagging behind in Australia whilst several countries embrace the rights of Animals in law, they are not even mentioned in the Australian Constitution and this is reflected by Federal Politicians attitudes towards Animal Welfare as it's not in their job description, making Australia internationally a poor performer in this area.

Politicians have an anthropocentric view that human needs come before anything else, and this is in opposition to an ecocentric view which considers nature (plants and animals) as having intrinsic worth within its own existence. Animal welfare advocates regard animals as having intrinsic worth therefore take an ecocentric view. Politicians who support animal welfare are scarce and are viewed as odd by their anthropocentric contemporaries who are focussing on economic governance.

Politicians who present changes in animal welfare issues generally do so in a reaction to public outrage due to media reporting and their knee jerk reactions are generally wrong. Their solutions

are often framed to pacify the public and are not well thought through. Changes made are often simplistic without regard to the complexity of the problem or without thought of side effects caused.

The speed of change in animal welfare is accelerating partly due to social media bringing awareness to the public. Whilst there is a clamour for improvement and sharing of ideas and causes on the internet, politicians seem to be unaware of the growing scale in the numbers of people concerned by the treatment of animals, or are ignoring the growing number of requests for change. There will be a point in time of their realisation, that politician's acceptance and action in animal welfare will give them a human face and is an influence to increase their votes.

The Animal Justice Party is a relatively new political party solely campaigning for a single issue of animal welfare and rights. Our local representative Jenifer McAdams achieved 2.7% of the primary vote in her first November 2014 Victorian election campaign. The AJP gained a Seat in the NSW parliament in the March 2015 Election with Steve Garlic in the upper house. As a new emerging one issue political party with limited public awareness and advertising budget this is a significant achievement and reflecting the emergent importance people are placing on animals and welfare.

In Victoria we have the Catchment and Land Protection Act which governs feral pests administered under DEWLP. I am unaware of any prosecutions for the dumping of domestic rabbits by individuals into the wild thus creating a feral problem. This is prohibited by section 75A of CLPA incurring a fine of 480 penalty points (2015 value \$\$72,801.60). I am unaware of any enforcement in the last 15 years with this matter.

An example occurred recently, Christopher Pyne, Liberal MP was a guest on the national TV show "The Project" on Thursday 10 March. About halfway thru the show he talked about his pet rabbit. His statements indicated that he is an irresponsible pet owner, failing to provide adequate shelter endangering the health and safety of an animal in his care and has damaged the educational efforts of shelters and animal welfare organisations in regard to keeping pet rabbits.

it is very clear from the video that his un-desexed rabbit Phoebe has been able to free roam the area in the suburb of Wattle Park SA., Pyne stated that he let her out of her hutch to become a free range rabbit and that his yard is not secure enough to keep her in nor secure enough to keep dogs and foxes out (which Pyne stated that he fully expected would kill her before long). Later Phoebe became pregnant to a wild rabbit and delivered a litter. He was laughing as he told his tale.

The Natural Resources Management Act 2004 in SA covers the control of rabbits and I believe that Pyne's statements show breaches under section 8 of this Act which has maximum penalties of \$100,000 and 12 months imprisonment. Also under the Animal Welfare Act 1985, Pyne may be in breach of part 3:13:b in his duty toward animals. This Act has penalties of \$50,000 and 4 years imprisonment.

## **7. This enquiry action is increasing mental stress amongst animal workers and methods to reduce this are ignored by Government**

This enquiry has taken a further step backwards with animal welfare by attacking a respected entity due to a minority view or commercial interests. This action has caused an increase in stress levels for all animal welfare workers.

For years veterinarians, shelters and others working with animals have pleaded with Governments to introduce laws to reduce overpopulation/killing of animals, usually meeting indifference from politicians. Experienced animal welfare staff and management feel that Government is not concerned with protecting their health and are often isolated from help as there is no point in complaining.

"The first ever mental health survey for veterinarians revealed that one in six of them have contemplated suicide. A recent study by the American Journal of Preventive Medicine reveals that animal rescue workers have a suicide rate of 5.3 in 1 million workers. This is the highest suicide rate among American workers; a rate shared only by firefighters and police officers. The national suicide average for American workers is 1.5 per 1 million". Source: Humane Society United States.

Thousands of people charged with performing animal euthanasia in the United States are at risk for a variety of psychological, emotional, and physical ailments such as high blood pressure, ulcers, unresolved grief, depression, substance abuse, and suicide. According to researchers at Purdue and Bowling Green universities, three out of four animal shelter workers exhibit signs of euthanasia-related stress.

The high suicide rate by itself should trigger alarm bells as an indication of mental health issues caused by stress though working in a toxic environment. Stressors can be reduced with a tougher legal stance on desexing, breeding, impulse buying and providing public education. In the USA some 50 years ago a tougher legal stance to address overpopulation of animals caused kill rates in shelters to reduce by approximately 70%.

There are types of stress conditions; the "Killing Caring Paradox" where those that work in the industry do so because they care about animals and yet are killing them due to overpopulation and lack of funding. The second is "Compassion Fatigue", also known as "Secondary-Traumatic Stress Disorder" (STSD). The symptoms of STSD are similar to Post Traumatic Stress Disorder. As with PTSD, compassion fatigue can lead to depression and thoughts of suicide.

In other industries such as Defence, Police, and Paramedics this is emerging as a serious Occupational Health Safety issue but is ignored when it concerns workers in the Animal Welfare Industry. This human factor of OHS can be addressed by government passing through adequate laws to reduce the overpopulation of animals, and breaking the present cycle of breeder to pet shop, to impulse buyer to animal surrender/dumping and then death.

## Current Trends in Animal Law

In the last decade progress has been made which has resulted in worldwide campaigns in various areas such as:

1. United Kingdom's ban on using animals for testing products.
2. In Switzerland and other European countries, the classification of vertebrates as non objects, have passed into law. This recognises that animals are sentient beings and have intrinsic value. It also confers protection by the state rather than private bodies.
3. In America there is movement towards banning the selling pets in pet shops unless they are sourced from animal shelters due to the overburdening numbers of animals within animal welfare agencies.
4. The Swiss were the first to recognise that animals are sentient beings and this has been followed by countries such as the UK, Germany and other European nations. Sentience recognises that animals are feeling, thinking creatures that have an ordered existence within their own species.
5. The Animal Welfare Bill passed in New Zealand last year recognising sentience will prosecute people in animal cruelty cases and ban animal research and testing. All hunting and capture of wild animals will be illegal.

"To say that animals are sentient is to state explicitly that they can experience both positive and negative emotions, including pain and distress," said Dr Virginia Williams, chair of the National Animal Ethics Advisory Committee NZ. "The explicitness is what is new and marks another step along the animal welfare journey."

"Expectations on animal welfare have been rapidly changing, and practices that were once commonplace for pets and farm stock are no longer acceptable or tolerated," said Dr. Steve Merchant, President of the New Zealand Veterinary Association. "The bill brings legislation in line with our nation's changing attitude on the status of animals in society."

### Effects of Legal Change

- After the Swiss recognised that animals are sentient beings, with Government paying for costs, the prosecution rate trebled.
- New Zealand has just recognised the sentience of animals as well, joining with other countries such as the UK, Germany and other European nations to declassify animals as property, and a start to recognition that animals have rights to protection in law.
- Countries that recognise sentience of animals also influence change to the definition of animal ownership, with humans viewed as their guardians and not their owners.
- Recognition of the sentience of animals is a starting point for governments to recognise that animals have rights to protection in law and also are responsible for paying for the cost of prosecutions. In Switzerland this has resulted in trebling the rate of prosecutions.

A little over 100 years ago women were considered property without the right to a voice or to vote to determine their future. The current view in Australia is that animals are property and can be treated accordingly as a possession.

Whilst the last social adjustment movement, the change of women's status from owned by males without a choice, right to complain or vote took over a hundred years to mature, due to a fear of change and loss of male dominance, animal sentience will occur with a faster timescale due to dissemination and exposure of the current Information Technology age.

Animal Welfare is viewed by many as the next great social justice issue. As such activism and acceptance of this cause is accelerating worldwide. The improvements in the status and welfare of animals in the last decade have been immense, this trend seems to be growing and has reached a stage where traditionalists are starting to notice.

The speed of change in animal welfare is accelerated due to social media platforms. Reactions to all aspects of animal welfare are disclosed quickly from all over the world. Issues that are seen to be detrimental to animals or offensive to humans can be exposed to millions within a short time frame.

This inquiry is an example of a fear of change. The reality is that markets of any type are under constant change and need to respond and adapt, the market adjusts to new situations as they arise. Those that adapt to change grow economically whilst those who continue making horseshoes using traditional technologies go out of business.

The British Veterinary Association took until the 1970's to recognise that animals felt pain, pet owners, veterinary professionals and others knew that long before. This is an analogy with the current views of politicians.

Australia is considered to be a third rate country with a "C" rating in regards to the welfare of animals. <http://api.worldanimalprotection.org/>

Arguments in the past leading to legal change have been successful when based on anthropocentric reasoning. A valuable resource for those using alternative argument to bring change is "Using Human-Environment Theory to Investigate Human Valuing in Protected Area Management." Dr Judi Inglis, Victoria University, 2008.

An economic balance sheet showing a cost reduction, improved efficiency and economic gain is the most effective argument that can be used with politicians.

This committee should close this matter and allow the RSPCA to continue its important work. The enquiry into the RSPCA is an embarrassment to the Govt internationally, and is causing disruption to the organisation's reputation and work and adversely affecting others in animal welfare. The losers can only be the animals and the reputation internationally of Australia's attitude toward animal welfare.

Some consider a nation can be defined by economic activity but a national identity is defined to its attitudes to areas that are not focussed on economics such as the arts, sport and treatment of animals which determine its social structure.

I have no affiliation with the RSPCA or with any political party but express my opinion as doing something positive to retain my sanity in this toxic industry, whether or not it is taken notice of.

This committee is doing an injustice to animals and its workers.

Regards

Bryce Inglis

Co Chapter Manager: House Rabbit Society (Australia)

Vice President: Rabbit Run-Away Orphanage

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