



## **Procedure and Privileges Committee**

# *Report on a Person Adversely Referred to in the Legislative Assembly — Mrs Mariana May*

**Report No. 10  
November 2015**

**Legislative Assembly  
Parliament of Western Australia**

## Committee Members

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Deputy Chairman	Hon Michelle Roberts, MLA Member for Midland
Members	Mr Frank Alban, MLA Member for Swan Hills  Ms Wendy Duncan, MLA Member for Kalgoorlie  Mr John Quigley, MLA Member for Butler

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## Procedure and Privileges Committee

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*Report on a Person  
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Mrs Mariana May*

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**Report No. 10**

Presented by

**Ms Wendy Duncan, MLA  
Deputy Speaker of the Legislative Assembly**

Laid on the Table of the Legislative Assembly on 26 November 2015



## Report

The Speaker of the Legislative Assembly referred to the Procedure and Privileges Committee a letter from Mrs Mariana May seeking to use Standing Order 114 to respond to statements made on 21 October 2015 by the Member for Maylands, Ms Lisa Baker, MLA.

The Committee has agreed to recommend the incorporation in *Hansard* of the appended response by Mrs Mariana May.

In accordance with Standing Order 114, the Committee has not considered or judged the truth of any statements made in the Legislative Assembly or in the submission.

### Recommendation

Your Committee recommends –

That a response by Mrs Mariana May, in the terms specified in the Appendix to this report, be incorporated in *Hansard*.



Hon Michael Sutherland, MLA  
Chairman of the Committee  
26 November 2015



## **Appendix One**

Response by Mrs Mariana May

Agreed to by Mrs Mariana May and the Procedure and Privileges  
Committee pursuant to Standing Order 114

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## Response Pursuant to Legislative Assembly Standing Order 114

On 21 October 2015 the Member for Maylands, Ms Lisa Baker, MLA, made a number of references to me during a debate on the RSPCA Committee Inquiry. These references have adversely affected my reputation and invaded my privacy. Ms Baker's adverse references, and my responses to them, are as follows:

***"Eventually, the senior health officer gained access to the house and found it to be in a disgusting state. There were hundreds of cats and other animals inside, and the floor coverings and soft furnishings were destroyed and ordered to be removed."***

Response: This claim is untrue.

***[Ms Mariana May is a:] "very vexatious resident", "vexatious person", "vexatious constituent".***

Response: I am not a vexatious person. I have never met Ms Baker or spoken to her.

***"As a result of that, someone who now appears to be a very vexatious resident took out a restraining order against the neighbour ... The result of the court case that eventuated was a decision in favour of the neighbour and against the vexatious person, who then declared herself bankrupt to avoid the fines."***

Response: I instigated the court case because of the continual complaints from a neighbour regarding a smell coming from my property. The decision was not in favour of the neighbour. Each visit to my property, the City of Bayswater Council advised there was no problem with a smell. This can be supported by a letter from the CEO at the City of Bayswater stating that the Council had spent many hours and weeks investigating the "mysterious smell", but could not find any evidence of it. Only on one occasion was a faint smell detected and this was discovered coming from a back footpath.

***"A man named John Grant purchased one of the properties next to this premises but moved after a few months. He still owns the house but cannot rent it because of the smell and the rats; tenants leave after a few weeks."***

Response: Only in one period during the past 15 years has the property referred to been unoccupied. This was due to personal reasons and was for approximately 4 to 5 weeks from memory. In all these years there have been no complaints of any smell from surrounding neighbours.

***"The lady who lived adjacent to the house in question has had her roof damaged so badly by the pigeons and doves pecking away at the mortar under the ridge cap that she has been forced to pay \$1 400 to repair this—she is a pensioner—and she is also considering selling her house."***

Response: The lady lives on East St, Maylands, not adjacent to me. There are four properties between us.

***“We are talking about someone who has had a longstanding issue to deal with. I am not a psychiatrist, so it would be inappropriate for me to label this person as a hoarder because I do not have the correct medical training. However, when the RSPCA eventually entered that premises a few years ago, there were over 100 cats there ...”***

Response: Ms Baker states I am a hoarder. I have never met Ms Baker. She has never been on my property. As she admits, she has no medical training to give my name, and assess me as a hoarder. I take this comment as a personal offence.

***“It is my impression, having looked at the publicly available transcripts of evidence given to the committee and prepared by Hansard, that clearly there are two cases that this committee of assassins is using to try to undermine the RSPCA. The two cases I refer to are that of the horse shade in Greenough and a cat hoarding case that is particularly close to my heart because it is in my electorate.”***

Response: Approximately 140 submissions have been made to the RSPCA Committee Inquiry.

***“... [a] document was FOI-ed from the Department of Agriculture and Food by the RSPCA’s lawyer. What they found was very interesting. The actual letter received by the chief inspector is different in a very fundamental way from the letter it got back when they FOI-ed. In this letter, a different paragraph is included, and it is quite defamatory and horrendous in my view. The extra paragraph in this mysterious letter, by the way, was FOI-ed by the legal team that is looking after Ms Marianna May and the cats. They got a copy of the letter.”***

Response: Ms Baker states a letter sent to Inspector Swift at the RSPCA, from the Department of Agriculture and Food, was not the correct letter. There were two letters. I can only assume one was a draft. Ms Baker claims that myself and my legal team had some connection with this letter. I had no legal team at the time this letter was written. I had been sent a copy from the FOI Department as it related to my case against the RSPCA.

**Mariana May  
November 2015**

## Appendix Two

### Committee's Functions and Powers

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Legislative Assembly Standing Order No. 284 provides the following functions, powers and terms of reference to the Procedure and Privileges Committee —

#### **Procedure and Privileges Committee**

- 284.** (1) A Procedure and Privileges Committee will be appointed at the beginning of each Parliament to —
- (a) examine and report on the procedures of the Assembly; and
  - (b) examine and report on issues of privilege; and
  - (c) wherever necessary, confer with a similar committee of the Council.
- (2) Membership of the committee will consist of the Speaker and four other members as the Assembly appoints.
- (3) Standing Order 278 will apply except that where possible any report of the committee will be presented by the Deputy Speaker.
- (4) When consideration of a report from the committee is set down as an order of the day it will be considered using the consideration in detail procedure.