

27 September 2016

Commissioners Paul Lindwall and Ken Baxter
Productivity Commission
By email: Lisa.Chan@pc.gov.au

Dear Commissioners

Public Inquiry into Regulation of Agriculture

It has been brought to the attention of RSPCA WA that a submission to the above Inquiry by the Western Australian Farmers Federation (WAFF) dated 19 August 2016 contains errors of fact with regard to claims made about animal welfare and the RSPCA.

RSPCA WA believes it is important to provide the Commission with correct information prior to the completion of the final report into the Regulation of Agriculture later this year.

While WAFF's submission contains a great number of unsubstantiated claims, I draw your attention to the following main points:

- The claim at page 9 that RSPCA Australia's criticism of the draft cattle and sheep standards led to delays in their implementation is incorrect. The delays were caused by the cattle and sheep industries deciding to withhold funding of the process until certain conditions were addressed to their satisfaction. This was communicated to the stakeholder reference group by the CEO of Animal Health Australia in October 2010, well before RSPCA Australia made public comment about the deficiencies in the draft standards.
- The claim on page 9 that the RSPCA's "*sudden change of opinion caused uncertainty and suspicious (sic) amongst others involved in this lengthy process*" is also demonstrably false. RSPCA representatives consistently expressed their dissatisfaction with certain aspects of the draft standards on multiple occasions throughout the drafting process. These concerns were clearly communicated to Government and industry representatives at the stakeholder reference group meetings. The basis of RSPCA's public criticism was well known to all stakeholders and would have come as no surprise. RSPCA participates in standards development processes on the basis that such processes actually lead to tangible improvements in animal welfare. It is made clear from the outset that RSPCA participation should not be taken as endorsement of the resulting standards. Further, RSPCA always maintains the right to publicly criticise the standards should they be deficient with regard to key animal welfare practices.

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- WAFF also made the above false claims in a separate submission to a recent WA Parliamentary Inquiry. Included in their submission was the claim that *“even though the RSPCA had agreed to the S&Gs as noted in the consultation, they chose to derail the process by issuing a media statement claiming the standards did not go far enough.”* As stated above, RSPCA had not at any stage, agreed to the proposed standards and guidelines.
- On page 9 of the submission to the Productivity Commission, WAFF refers to an alleged conflict of interest for animal rights based organisations *“some of which are driven by ulterior motives to drive their own funding requirements in preference to the objective preservation of farm animal welfare standards.”* The submission then goes on to refer to the RSPCA as an animal rights group (page 9) implying the organisation is motivated more by fundraising than animal welfare. This assertion is unsubstantiated and false. RSPCA is not an animal rights group. The RSPCA supports farming of animals for food and fibre, provided those animals are treated humanely during their lives and at point of slaughter. This position has always been clear and has not changed.
- The WAFF submission makes misleading claims regarding the recent WA Parliamentary Inquiry into the Operations of RSPCA WA. The report from that Inquiry was tabled on 19 May 2016. RSPCA WA was of the firm view that the Inquiry was not warranted and was instigated by vested interests, but nevertheless conducted itself in an open and transparent manner. Of the 138 submissions to the Inquiry referred to by the WAFF submission to the Productivity Commission (page 10), the majority were supportive of the work of RSPCA WA.
- The WAFF submission (page 10) has referred to two Parliamentary Select Committee findings concerning advertising and fundraising campaigns. RSPCA WA strongly disagreed with these findings and the evidence relied upon. It is unclear why the WAFF considers these matters relevant to the terms of reference for the Inquiry of the Productivity Commission. WAFF’s submission also failed to note the Select Committee was split in its findings, with two of the five Committee members providing dissenting reports, disagreeing with many of the majority’s findings and instead finding, with respect to fundraising, *“RSPCA WA is a modern professional charity whose fundraising activities are robust, vigorous and effective.”*
- Further on page 10, with respect to the Parliamentary Committee, the WAFF submission states that the Committee *“noted membership of the RSPCA is decreasing due to disillusionment of [sic] their current policies including their position on live export”*. This assertion appears to be based on the Committee Report. However, the statement is not only completely without foundation, it also is not found anywhere in the commentary, findings or recommendations contained in the Committee Report and is an erroneous submission by the WAFF to the Productivity Commission.


RSPCA WA notes and supports Draft Recommendation 5.2 of the Productivity Commission Draft Report (page 210) which refers to the issue of the separation of policy from enforcement functions.

We also note that the WAFF submission at page 12 says this recommendation is *“nonsensical.”*

WAFF's position on separation of policy from enforcement is at odds with recommendations from recent reviews and Inquiries that have examined the issue in depth and with objectivity. These include the Productivity Commission's Public Inquiry into Regulation of Agriculture, the 2015 "Easton" Review of the investment in and administration of the *Animal Welfare Act 2002* in Western Australia and the Minority Report of the Select Committee Inquiry into the Operations of RSPCA WA. In fact, both the Majority and Minority Select Committee Reports considered this issue and made recommendations to address conflicts of interest within the Department of Agriculture and Food, Western Australia.

I thank the Commission for considering these issues and request that this letter be included as a submission to the Inquiry and placed on the Commission's website. Should you have any queries regarding the information above, please do not hesitate to contact myself or David van Ooran, RSPCA WA Chief Executive Officer.

Yours sincerely

 **Lynne Bradshaw**
President