

TRANSCRIPT

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

Inquiry into the RSPCA Victoria

Melbourne — 31 May 2017

Members

Mr Bernie Finn — Chair

Mr Khalil Eideh — Deputy Chair

Mr Jeff Bourman

Mr Nazih Elasmr

Ms Colleen Hartland

Mr Shaun Leane

Mr Craig Ondarchie

Mr Luke O'Sullivan

Participating members

Mr Greg Barber

Ms Samantha Dunn

Mr Cesar Melhem

Mr Gordon Rich-Phillips

Witnesses

Mr David Laird, Hunting Development Manager, and

Ms Caitlin Pearson, Marketing and Communications Manager, Sporting Shooters Association of Australia (Victoria).

The CHAIR — Good afternoon and welcome. Just before we begin, Mr Bourman has something to tell us.

Mr BOURMAN — I just want to make sure it is on record that I am a member of the Sporting Shooters Association of Australia, but I had nothing to do with their submission or anything like that.

The CHAIR — Welcome to the hearing in relation to the inquiry into the RSPCA Victoria. The evidence that you are about to give is being recorded. All evidence given at this hearing is protected by parliamentary privilege. Therefore you are protected against any action for what you say here today, but if you go outside and repeat the same things, those comments may not be protected by this privilege. I ask you to begin by stating your name, your position, your organisation and the suburb or town in which you are based for the record. Then we will go to a 5 to 10-minute opening statement and take questions after that. Over to you.

Mr LAIRD — My name is David Laird. I am the hunting development manager with the Sporting Shooters Association of Australia (Victoria).

Ms PEARSON — And I am Caitlin Pearson, the marketing and communications manager of SSAA Victoria.

Mr LAIRD — And our office is located in Ellingworth Parade in Box Hill. Thank you very much for the opportunity to address the committee today in support of our written submission. The Sporting Shooters Association of Australia (Victoria) is a public company with 36 000 members. Our mission is to promote shooting sports and to protect shooters' interests. This includes advocating to government, regulatory bodies and the general public.

Ms PEARSON — About 80 per cent of our members are hunters, so that is 28 800 people. They are involved in feral pest control on public and private land and hunting of game species during open season. As hunters, SSAA Victoria members are directly affected by RSPCA Victoria's anti-hunting activities. They are concerned about the irreconcilable conflict of interest between RSPCA's anti-hunting policies and its regulatory powers. If the RSPCA was just another animal activist group and charity, we would not be here today. RSPCA holds a unique and privileged position in Victoria as the only non-government charitable organisation with law enforcement powers, and with that privileged position comes great responsibility.

RSPCA no longer has the credibility to maintain that position. Its evolution into an animal activist group shows a clear conflict of interest between its law enforcement duties and its aims, activities and objectives. That is the reason our association has put in a submission to this inquiry.

Mr LAIRD — This inquiry seeks to inquire into, consider and report on the RSPCA in relation to:

1. the appropriateness and use of its powers pursuant to the Prevention of Cruelty to Animals Act 1986, including in the context of its other objectives and activities;
2. the appropriateness and use of funding provided by the Victorian government, including in the context of its other objectives and activities; and
3. any other consequential matters the committee may deem appropriate.

In relation to term of reference 1, RSPCA has moved away from solely genuine animal welfare concerns into animal rights and activism. Consequently it has an unresolvable conflict of interest between ideology and enforcement. The organisation is now regularly publicly campaigning using misleading and inaccurate messages against activities that are in fact endorsed by the Victorian government.

Ms PEARSON — In October last year RSPCA Victoria promoted its anti-hunting campaign on its website. The 'Stop the slaughter' campaign, which we have provided for you in the manila folder, encouraged people to push for an end to duck season. The emotive language paints a picture of a bloodbath, a senseless killing, during duck season. In reality the season is about gathering fresh, free-range, organic food for the family, getting outdoors and passing on traditions.

Mr LAIRD — RSPCA's stance on hunting is our main concern. However, the RSPCA website shows numerous campaigns against other currently legal and regulated industries. Dairy cows, greyhounds, layer hens, live exports, meat chickens, pig farming and whips in racing, amongst others, all get a mention. These

campaigns vividly highlight the fact that RSPCA has in reality become an animal rights and activist organisation, pushing well past mere welfare issues.

Ms PEARSON — And this push is being driven from the very top of the organisation. CEO Dr Liz Walker stated in the 2015 annual report, and I quote:

The horrors of greyhound racing, jumps racing, duck hunting, puppy factories and the degradation of animals for commercial gain are still very much with us. Government and industry are yet to provide a reasonable response. The need for change could not be more obvious and the time for debate is long over.

There is nothing impartial or unbiased about this statement. It is also typical of the type of emotive language used in RSPCA campaigns.

Mr LAIRD — Hunting actually contributes \$439 million to the Victorian economy every year, much of this in regional and rural areas. Successive state governments have supported hunting as a legitimate and sustainable activity. In fact in December last year the government outlined its long-term vision for hunting in the *Sustainable Hunting Action Plan*. Duck hunting was included in that plan. The government has committed to introducing a scientific model to determine season lengths and bag limits, which will take the emotion out of the decision-making. So they are going back to a science-based model. However, RSPCA is still working against this effort. In December 2016 RSPCA called for the 2017 duck season to be cancelled in an unsolicited submission to the Game Management Authority.

Ms PEARSON — The RSPCA's information paper on recreational hunting and animal welfare states unequivocally that it opposes hunting. Policy E04.2, 'Hunting of wild animals', says, and I quote:

RSPCA Australia is opposed to the hunting of any animal for sport.

Of course SSAA Victoria opposes deliberate cruelty to any animal and fully supports workable animal welfare legislation. The Victorian government's Code of Practice for the Welfare of Animals in Hunting (revision no. 1) legally binds hunters to a set of standards of behaviour to prevent cruelty. Animal welfare enforcement activities must be carried out in an unbiased manner. Given RSPCA's position on hunting we believe enforcement of hunting issues should be carried out by government departments with the expertise on the issue being dealt with. So the Game Management Authority has the expertise and skills to enforce hunting welfare standards. Agriculture Victoria has similar capacity in dealing with livestock issues. Stakeholders can then have the confidence that those employees would be subject to suitable oversight.

Mr LAIRD — In relation to term of reference 2, it is SSAA's position that government funding for RSPCA Victoria should be withdrawn. We feel it is totally inappropriate to fund a society that is running emotive, inaccurate and misleading anti-hunting campaigns when hunting is a lawful and legitimate recreational and pest management activity in the state. RSPCA has run extensive and expensive ad campaigns in Western Australia as well as Victoria opposing hunting. We will refer back to the Western Australian experience in a minute.

It is also our view that any educational programs delivered by the RSPCA and funded by government should be independently reviewed to ensure appropriate and factual content. If this committee finds that RSPCA funding should be continued, we feel that rigorous reporting criteria should be applied to ensure those funds are spent appropriately and not used to fund any campaigns that seek to undermine legal activities that are currently endorsed by government.

In relation to term of reference 3, it is our contention that RSPCA must be held accountable for the claims it makes in advertising, campaigning and all fundraising. We feel that claims must be true, accurate, not misleading and verifiable. It would benefit this inquiry to examine the outcomes of the Western Australian parliamentary inquiry into RSPCA in that state. While we acknowledge the legislative framework is different, many of the issues are the same. The RSPCA website states that RSPCA policies are national policies. This national framework of RSPCA makes the Western Australian experience very relevant to Victoria.

Ms PEARSON — Just one of the issues raised in that WA inquiry was the anti-hunting print media campaign, which is also in the manila folder on two separate pieces of paper. Both images are confronting and show dead animals side by side with the text 'This is not a trophy'. Communications manager of RSPCA WA, Natasha Farrell, admitted at the time that that image was digitally altered for effect. When looking at the hare, the blood was photoshopped onto the animal. In fact that is not even an Australian pest but an image of an

overseas animal. The deer hanging in the tree is a roe deer. It is not from Australia and would not be considered a trophy by a hunter. A hunter would hang a deer in a tree in preparation for the table, not to show off a trophy. In assessing all the evidence including RSPCA WA's advertising campaigns, the WA inquiry found:

... that some previous advertising by RSPCA WA could be perceived as misleading to potential donors and members of the public it is seeking to influence.

It also found that the RSPCA had been careless in its accuracy in some of its advertising, and I will quote again:

... no matter how noble the cause, it is important that material is factual and accurate.

Returning to the Victorian situation, RSPCA Victoria's 2013 campaign before you depicts a young boy holding a shotgun at an isolated wetland with the text 'What's wrong with this picture? Tell our government duck shooting must end'. It is emotive and it is manipulative. It is also a really unrealistic representation of duck hunting. Children must be 12 years old to hold a firearm licence in Victoria; he looks about five. All children must be under direct supervision of a licensed adult, and no child would ever be alone on a wetland with a firearm. We believe that RSPCA Victoria should be held accountable for the accuracy of its advertising.

Mr LAIRD — RSPCA Victoria has already received criticism from politicians — namely, Nationals senator Bridget McKenzie — the media and members of the public, for straying from its roots into animal activism. Following public concern an internal review was conducted by former police chief commissioner Neil Comrie. The Comrie report, released in September 2016, recommended that the board stop actively campaigning against the laws of the state. Comrie highlights a number of examples of RSPCA activism from the 2015 annual report, and these have also been of concern to SSAA. For example, extracts from his reports say:

The heading Campaigning for Change appears at page 9 of the annual report and here it is clear that the RSPCA has been active in campaigning (sometimes in conjunction with other animal activist organisations) against a number of lawful activities such as jumps racing, duck shooting and live exporting. Under the heading of duck shooting are a number of emotive and judgemental comments such as, 'Sadly the 12-week duck shooting season went ahead in March. We witnessed this brutality first hand ... The horrific footage of the hunters in action ...'

Ms PEARSON — The following paragraph from the Comrie report is also particularly relevant. I quote:

While the review understands that RSPCA Australia sets the policy framework within which RSPCA Victoria operates, the reality is that this organisation operates under the laws of the state of Victoria. Where these laws conflict with RSPCA Australia policies, RSPCA Victoria is placed in an untenable position with regard to working with the government that has legislated its authority and empowered it to investigate and prosecute offences of cruelty to animals.

That statement sums up the major reason that SSAA Victoria has concerns with its statutory powers. We see RSPCA as being in a completely untenable position. It has an irreconcilable conflict of interest and can never meet its statutory obligations in an impartial and unbiased fashion while pursuing an animal rights agenda.

Mr LAIRD — There is no doubt that RSPCA has in the past played a valuable role in animal welfare. However, its recent evolution into an animal activist group has meant that it has placed itself in an untenable position. It is totally inappropriate for RSPCA to have any statutory powers relating to animal cruelty in a hunting context. We believe it is certainly time for a change, and we trust that the committee will make the right decision in that area, so thank you for the opportunity to address you today.

The CHAIR — Thank you very much indeed for a very interesting submission. This evolution from being an animal welfare group to an activist group, when did that begin? Where did that all start?

Mr LAIRD — It would be very hard to actually put a time frame on it. It seems to have been evolving over a number of years. We have got here 2013 and we have got that sort of campaign. Specifically speaking we could not say, but it has obviously been much more obvious in the last few years, leading to the internal criticism of RSPCA as well as external criticism, because they have been seen to be going down that activist route.

As far as we are concerned, last duck season, when the CEO of RSPCA and the Animals Australia chief executive — Lyn White, I think it is — were seen arm-in-arm in a duck swamp protesting against duck shooting, that is when we really got some major concerns about the whole thing. Animals Australia, in our

opinion, is an extreme animal activist group, and to see the RSPCA closely aligned with them is a major concern for us.

The CHAIR — My next question — a beautiful segue — do you have evidence? I mean, you have already just given some. But do you have further evidence that links the RSPCA with extremist animal activists?

Mr LAIRD — Not directly, no. There are certainly plenty of anecdotal stories out there, but I cannot produce anything that actually says they are hand in hand. Media images. We did have a quote from —

Ms PEARSON — I think that is a really good one. In our research we found an article where Liz Walker was quoted, before she came on board with RSPCA, as saying that she idolised Lyn White from Animals Australia. We found that she probably came into the position with this desire to connect with Animals Australia and sort of merge and work with her. That is something that we originally had in our presentation but of course, trying to keep it down, we did not leave it in there. But it is our opinion that she has had a desire to connect, and they have obviously had their recent campaigns against duck hunting together.

The CHAIR — Yes.

Mr LAIRD — I have not got it handy, but I can certainly provide that to you if you would like.

The CHAIR — That would be wonderful if you could do that. That would be very, very helpful indeed. You have also made a point about what you have regarded as false advertising from the RSPCA. Have you lodged any complaints about that advertising?

Ms PEARSON — Our national body has, yes.

The CHAIR — What has been the resolution there, if any?

Ms PEARSON — SSAA WA was involved in a parliamentary inquiry over there about the pieces of advertising that we showed you, so they obviously had some great success in the findings of that inquiry. Our national body has been involved in several campaigns. I am not sure how far they have gone, whether they have lodged to government, but they have certainly been trying to encourage all of our members to write to MPs and write to the RSPCA about their opinions.

The CHAIR — The complaints themselves — the national body has lodged an official complaint?

Ms PEARSON — I am not sure whether it has gone to federal Parliament or even Victoria's Parliament or anything like that, but they were certainly involved in the submission to the WA inquiry. Definitely unofficial lobbying — they have been heavily involved in it.

The CHAIR — Okay, thank you.

Mr BOURMAN — Is it fair to say if hunting were actually cruel by nature, every single hunter would be charged by the RSPCA?

Mr LAIRD — They certainly could do that. As hunters we do not see hunting as inherently cruel. At the end of the day something does die, but we do it as humanely and painlessly as we possibly can. RSPCA have a completely different view of cruelty and welfare. That is why we are concerned.

Their traditional role as a welfare advocate, talking about dogs and cats in a domestic situation and people starving them or beating them or kicking them and things like that — fine, we do not have a problem with that. But hunting is as old as mankind. We have always done it. Hopefully we will always continue to do it. Obviously we do it in a humane manner. The Code of Practice for the Welfare of Animals in Hunting (revision no. 1) binds us to that. SSAA has its own code of conduct ensuring that hunters act in a responsible manner. One of the big things that we do is try and educate hunters on those issues, on being humane.

I have only been in this job three months. A big priority of mine over the next 12 to 18 months is to actually introduce more hunter education to make sure that we get that message out even wider. But no, we do not see hunting as inherently cruel. The objective is always to cleanly kill an animal. Whether it is for pest eradication or whether it is meat for the table, that is always the objective.

Mr BOURMAN — Let us stick with the meat for the table theme for the moment. Given that some animals are bred to be meat for the table and some animals are out in the wild and end up in the same situation, which of those two animals — we will just assume there are two — do you think would lead a better lifestyle? I guess I am not talking about whether they go on holidays or anything like that, but which do you think would be probably the best for its actual welfare?

Mr LAIRD — It all depends. The last submission was talking a bit about farming issues. I come from a farming background. If farm animals are treated well, then there is no reason why they cannot have a good life. The advantage of wild animals is that they are not constrained by fences. They can do what they like. They can live out their natural life. They are still subject to predation in many cases, so they have still got to deal with that. They have still got to find adequate food and shelter. I would say as a general rule probably animals in a wild situation would have some better welfare than those on a farm.

Mr BOURMAN — On occasions it has been widely publicised when some hunters have crossed the line and done cruel things. What is the general reaction of the hunting community when this happens?

Mr LAIRD — The legitimate hunters out there and members of our association are always appalled by that. We do not accept it, we do not like to see it and we certainly believe that in those cases the full weight of the law should be brought to bear on those people.

Ms PEARSON — I think, if anything, hunters are more distressed by stories of illegal hunting than the average community because not only does it hurt the animal but it hurts the reputation and puts the future of hunting in general into question.

Mr BOURMAN — Changing subjects now, given the misleading advertising which we have seen — and obviously I agree — what do you think that would do to the credibility of an organisation pumping out that sort of stuff that actually has investigative and prosecutorial powers?

Mr LAIRD — It is a completely untenable situation for them. I mean, how do we put it?

Ms PEARSON — If they acted on every single case of slaughter like they have proposed, they would never, ever, ever get through every single case. Their advertising campaign goes totally against the laws of this state. How are they supposed to enforce it when their ideals are so outrageous? They would need thousands and thousands and thousands of enforcement officers at every single swamp if they believed that this legal activity caused cruelty.

Mr LAIRD — It also affects their credibility with not just hunting organisations but government. I am sure you will read the Comrie report. We were looking through that, and he specifically mentions in some cases that inspectors themselves — RSPCA inspectors — found that there was a conflict of interest between the activism activities and their enforcement powers. They found that the government departments they were working with did not trust them and were not sharing information with them because they were afraid that information would be leaked. So yes, it absolutely destroys their credibility on many levels.

They found the same thing in Western Australia. If the committee has looked at the Western Australian findings, they found exactly the same thing over there, that RSPCA was actually leaking information to the media and state government departments would not work with them because they had no credibility with those organisations.

Mr LEANE — I just want to understand your members' interaction with RSPCA as far as their regulatory role goes. I suppose the easiest example is, say, the first weekend of duck season. What sort of regulatory role do they play on that weekend?

Mr LAIRD — They do not seem to have a great role to play in that, it is more the Game Management Authority. What we are finding, though, is the Game Management Authority's enforcement officers are tied up dealing with protesters rather than actually dealing with duck shooters. So when you have got RSPCA members as we had last season — not this one — actually out there protesting in the swamps, that is actually taking away enforcement activities from the Game Management Authority.

Mr LEANE — So the Game Management Authority is the actual authority to regulate — —

Mr LAIRD — They tend to regulate on hunting matters, yes.

Mr LEANE — Yes, if there are issues around — —

Ms PEARSON — And Victoria Police as well. So RSPCA enforcement officers have no presence that we are aware of during duck season.

Mr LEANE — It might be a question for them, but are they supposed to have a role under any legal obligation on them?

Mr LAIRD — Legally if you are hunting under the Code of Practice for the Welfare of Animals in Hunting (revision no. 1), that is a defence against animal cruelty legislation, so ideally RSPCA inspectors should have nothing to do with hunters. We just have not got the confidence that with their conflict of interest that is not going to occur, because obviously their organisation is pushing a very animal rights activism campaign, and we are not confident that they are not going to go down that path.

Mr LEANE — So in practice RSPCA regulators — I am trying to think of a better word — as you said, they do not have anything to do with hunters as far as policing hunting?

Mr LAIRD — Generally not. I certainly had some anecdotal stories which really are not appropriate because I cannot back them up, but I have certainly heard instances of hunters coming into contact with RSPCA inspectors, but it has all been second-hand information, so I really cannot give any details on that.

Mr LEANE — I am trying to work out their conflict of interest as far as you are concerned, because if they are not actually physically regulating what you do, then the conflict of them actually not being happy with what you do, because of whatever their beliefs are — I kind of cannot see it there.

Ms PEARSON — I guess I might be able to help you with what our position is. While, yes, they are not actively out in the swamps or in national parks getting our people into trouble, what they are doing is they are attempting to sway public opinion and attempting to restrict laws on our members, so that is a huge issue for us, and then of course that will cycle down and eventually we will not be able to do what we want to do.

Mr LEANE — I understand where you are coming from, I just wanted to understand that regulatory role, whatever they do play there.

Ms PEARSON — And, look, if they did enforce the current laws, that would support GMA and that would support Victoria Police and we would probably find ourselves in a much more comfortable position where we do not have to defend any issues of cruelty because more eyes are on hunters making sure they are doing the right thing. As far as we can see they are not there on the swamps, they are not seeing for themselves, they are not enforcing the law, so therefore all they are doing is working against us in a marketing sense.

Mr LEANE — So taking up what you said about more eyes on hunters, I would imagine not every hunter is a member of yours — you would like them to be, no doubt — so not every hunter is getting the information that you are sending out.

The CHAIR — No ticket, no shoot perhaps.

Mr LEANE — That would be nice. Anyway, so you would prefer that everyone follows the codes — your own codes and different codes — but that is something that is not in your control because not everyone is your member.

Mr LAIRD — There is a code of practice that is the government code of practice, and hunters have to abide by that. That is the Code of Practice for the Welfare of Animals in Hunting (revision no. 1).

Mr LEANE — Have you had any instances where you have expelled members because they have been found to do clearly the wrong thing, as in cruelty to animals?

Ms PEARSON — We certainly are willing to do that, but in the short-term history we have not been able to. One of the major issues that we have is that we will hear a case of illegal hunting but of course you cannot name someone until they face court, and then there are issues with privacy with us trying to get those names from the

agencies involved in the case. So we need names and official evidence in order to expel someone from our organisation, but they would be in breach of our code of conduct.

Mr LAIRD — Just on that, though, like I said, I have been in this job for three months, I am building relationships at the moment and I have been having a fair bit to do with the Game Management Authority and talking to them, and that is an issue. I have been having conversations with them. Any prosecutions that they put through, I have asked them to actually pass details on to us so we can crosscheck and make sure they are not our members, or if they are, we can take appropriate action.

Mr LEANE — That is good. I suppose forming some sort of working relationship with RSPCA for yourselves you would find very difficult because you seem to have — —

Ms PEARSON — Actually our national body has met with national RSPCA quite recently in Canberra, so it is something that we are really working on. It will be challenging at a state level particularly because of the passion — —

Mr LAIRD — Given their activism and their completely anti-hunting policies and position, yes.

The CHAIR — So each state branch of the RSPCA has a different policy on these things?

Mr LAIRD — They are bound by national, but is probably like any organisation. We are a national organisation but we are a separate entity in Victoria. Our other associations in Queensland, Western Australia and South Australia are all similar but not exactly the same. I think probably a bit of it comes from who is driving it at the top. As we quoted before, when the CEO is making statements like that and driving that sort of agenda we probably have trouble working cooperatively with somebody holding those views.

Ms HARTLAND — I have got a couple of questions. It would seem to me from your evidence that you think the RSPCA in terms of their activism are completely in the wrong and are actively working against your organisation. Have I got that right?

Mr LAIRD — Against all hunting.

Ms HARTLAND — All right. But would you also say that they are negligent in their duties around the issues of animal cruelty? Do you think that they are not prosecuting people for animal cruelty? Are they not doing their job?

Ms PEARSON — It is not something that we have covered in our submission. Anecdotally and on a personal level, absolutely, but that is not something we have researched for our submission.

Ms HARTLAND — So this is really because you have a political disagreement. You are not actually talking about whether they are capable of fulfilling their statutory duty.

Mr LAIRD — We probably do not have a political disagreement, we have an ideological — —

Ms HARTLAND — Well, it is the same thing.

Mr LAIRD — Yes. Their ideology is completely opposed to ours. Their definition of cruelty is obviously way beyond our definition. Our issue is, though, that they are in the unique position of having enforcement powers. They are the only charity and organisation apart from government authorities to have that, and we just see that with the way they are going with their activism and the agendas they are running that it is not appropriate for them to have them anymore.

Ms HARTLAND — Appropriate not to have what anymore?

Mr LAIRD — Have their statutory powers.

Ms HARTLAND — So you are saying that they should be wound up?

Mr LAIRD — In that respect. We are probably happy enough for them to keep cats and dogs and deal with their traditional issues in a domestic situation. That is probably where their expertise is. For hunting and

agriculture there are appropriate government departments with the expertise to deal with those issues in our opinion.

Ms HARTLAND — So what are those appropriate government departments?

Mr LAIRD — You have the Game Management Authority that can deal with game and you have got Agriculture Victoria that can deal with agricultural issues.

Ms HARTLAND — And are you also saying that there has never, ever been an incident of cruelty — that during, say, duck hunting season there are no protected birds ever being shot? You talked about duck hunting season in terms of animals being collected for food. Has there ever been a situation, to your knowledge, where protected birds were shot or ducks that were shot were left behind in the field?

Mr LAIRD — Certainly.

Ms PEARSON — Yes, but I would argue that shooting a protected duck does not necessarily mean animal cruelty. The same with leaving a bird behind if it is dead — that is not necessarily animal cruelty.

Ms HARTLAND — But you said the purpose of duck season was to shoot ducks for the table, but it is my understanding that quite large numbers of ducks are left behind and quite large numbers of protected species are left behind, so are you suggesting that the RSPCA should not act on those kinds of actions, especially around the issues of protected animals?

Mr LAIRD — That is not RSPCA's responsibility anyway. The Game Management Authority should be dealing with that, and this is another area on which we have been having extensive consultation with them. SSAA are not happy with some of the issues that went on with duck season this year, and as we have been pointing out to a lot of people, hunters are a very diverse group of people. We seem to get put into one little box; we are a lot more than that, and like all sections of society we have some people who do not do the right thing or have different attitudes to the majority. We are very keen to see GMA start to prosecute that, but we see that as a Game Management Authority issue, not an RSPCA issue.

Ms HARTLAND — So you are saying that they do not have the statutory authority to do those prosecutions.

Mr LAIRD — They can deal with cruelty issues, but with protected species I do not believe that they have the authority to do that.

Ms HARTLAND — We will need to get that clarified. The other thing is, if we could go back to the issue, are you saying there has never, ever been an issue of a hunter being involved in cruelty that should have been prosecuted?

Mr LAIRD — I could not say that categorically. I am not aware of any prosecutions, but that does not mean that it has not happened.

Ms HARTLAND — If that was to occur, who should be prosecuting that person?

Mr LAIRD — There are a heap of options. You have got Victoria Police. You have got the Game Management Authority if it is a game animal. There is Agriculture Victoria. There are plenty of other people who can run those prosecutions.

Ms HARTLAND — But you do not believe the RSPCA should be prosecuting animal cruelty in terms of hunting?

Mr LAIRD — In terms of hunting, no.

Mr O'SULLIVAN — Thank you for your presentation. I think it is quite a reasoned, sensible and commonsense presentation you gave us today. One question is quite simple: how many of these pictures or these advertisements were done in Victoria? I understand those two were WA. Were they advertised or published in Victoria as well?

Mr LAIRD — That was strictly WA.

Ms PEARSON — No, they were not. The Stop the Slaughter campaign was on the RSPCA website in Victoria. We have not got examples of it going across other media. This picture of the child was in the *Age*. I am not sure what other media it was in as well, but the evidence we have got was in the *Age*.

Mr O’SULLIVAN — How long ago was it in the *Age*?

Ms PEARSON — In 2013.

Mr LAIRD — That campaign was 2013.

Mr O’SULLIVAN — Why would they doctor the pictures up? Why would they Photoshop them?

Ms PEARSON — ‘For effect’ was the direct quote from the marketing manager.

Mr LAIRD — Especially with the rabbit or the hare or whatever you want to call it. They have actually put blood on the back end of the rabbit. If you were hunting that animal, you would not want to be shooting it there, because that is not a clean kill. That would probably wound the animal and cause it pain. You would be going either for a heart shot or a head shot to kill it instantly, so my assessment of that is to get maximum effect they are showing that that animal has actually been wounded.

Mr O’SULLIVAN — It is disappointing that they are deliberately doing that. In terms of what you were saying before — and over the course of the day I am probably forming that view myself — there is a legitimate role for the RSPCA in addressing matters of cruelty.

Mr LAIRD — We do not disagree with that.

Mr O’SULLIVAN — I do not think anyone would disagree with that, but it appears — and not just from you but from earlier submitters — that over the past 10 years, which was a number that was used, the ideology has changed, where they have gone from genuine animal protection or prevention of cruelty, as their name suggests, to an area of activism and advocacy. I think it is probably fairly well stated that the activist element is a step too far. Should they be in the advocacy role as well if they are going to maintain their regulatory powers? Is that a step too far in your view?

Mr LAIRD — In our opinion, yes. There really needs to be that division of powers. If they are going to be a regulator, then they need to be doing that. If they are going to be advocating, then they need to be doing that. We advocate and we talk on behalf of our members, and that is what we do, but we do not have statutory authority to go and prosecute people.

Mr O’SULLIVAN — In terms of the matter we were just talking about, in terms of there being other agencies that are more qualified and experienced to deal with particular areas — and you have mentioned Agriculture Victoria and the Victorian Farmers Federation — we were talking about the role that they play. You were talking about the Game Management Authority, and Mr Leane’s government has just set up the Victorian Fisheries Authority as well in terms of the fishing sector. Are you of the view that, because we have got these other agencies in place that are more qualified and experienced, the RSPCA charter should be changed to bring them back to just being that regulatory advisory body in relation to domestic animals and non-commercial animals?

Mr LAIRD — That would certainly be our position.

The CHAIR — One last question from me: what does the RSPCA have to do to regain the confidence of sporting shooters?

Mr LAIRD — They would need to stop their activism and stop their anti-hunting campaigns. Probably if they were going to continue on with the regulatory role or an enforcement role, I think that would need to be completely removed from the rest of the association. Whether they form a separate organisation to do that, I think it would need to be seen to be completely separate before the sporting shooters could start to regain any respect for them and have confidence that they were going to be impartial in what they were doing.

Ms PEARSON — They need to recognise that there is a distinction between hunting and cruelty in hunting. Cruelty in hunting no licensed shooter would ever approve of. So if they were to come to the party,

acknowledge that difference and start working with us on that, that would be fantastic. We are constantly advocating for better education of hunters — respect the animal, respect the environment, respect the non-hunter. So, yes, if they recognised that distinction, we could really move forward.

The CHAIR — Wonderful. Thank you very much for your contribution this afternoon. Very soon, within days perhaps, you will get a transcript of today's hearing and if you could proofread that and if there are any mistakes — not that there will be any, I can assure you — could you just let us know. That would be a marvellous thing. I thank you very much for your contribution today.

Ms PEARSON — Thank you.

Mr LAIRD — Thank you very much.

Witnesses withdrew.