

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

Dr Liz Walker, Chief Executive Officer,

Mr Bernie Delaney, Chairman, and

Ms Sophie Buchanan, Head of Prevention, RSPCA Victoria.

The CHAIR — The committee today is hearing evidence in relation to the inquiry into the RSPCA Victoria, and the evidence is being recorded.

Firstly, welcome to the public hearings of the economy and infrastructure committee. All evidence taken 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.

Could I ask you to begin by, for the record, stating your name, position and organisation, and the suburb or town in which your based, and then go into a five or 10-minute opening statement, and we will then open it to questions. Thank you.

Mr DELANEY — Thank you, Chairman. I am Bernie Delaney. I am the chairman of the board of RSPCA Victoria.

Dr WALKER — My name is Liz Walker, and I am CEO of RSPCA Victoria.

Ms BUCHANAN — My name is Sophie Buchanan. I am head of prevention at RSPCA Victoria.

Mr DELANEY — We have tabled our opening statements. I am not proposing to read verbatim through mine, but I would rather just like to make a few points — three or four — on the broad perspective of RSPCA Victoria. Firstly, I was recruited in February 2016 — last year — through an external recruitment process. I had not had any previous involvement with RSPCA Victoria beyond a commitment of our family to animal welfare. I am also a board member of RSPCA Australia, but I am one of 11 on that board and I am the representative of RSPCA Victoria.

I might just say here that that organisation operates like any federation, and I think we are all familiar with how federations operate, including in the COAG process. We believe that all organisations, particularly those that receive any money from taxpayers or have delegated powers, must be transparent and accountable, so we are here, and that is good.

I think we are all familiar with the terms of reference, but I would just like to make a point that, as our written submission illustrates, every cent that we receive from government, from the taxpayer, goes on inspectorate activity, not on anything else. I am sure we will have a discussion about advocacy and activism in a bit, so we can maybe park that until we get to that. But I will just say that prosecutions that we lodge as outcomes of inspectorate work are based on merit and they are not influenced by other things we might be doing at any point in time. The use of taxpayer funding is overseen by our board audit risk and finance committee quarterly and acquitted to the government annually, and the use of powers conferred by the minister under the POCTAA is reported to the department every quarter.

A little bit about the history and philosophy. As the previous witnesses stated, we are on about animal welfare, the promotion of animal welfare and the prevention of cruelty to animals. What we are not about is preaching or promoting an end to animal use or animal consumption by people, but rather we are more interested in the proposition that all animals should live a good life and die a humane death.

Obviously across history and as an organisation that has been around as long as we have in Victoria, we evolve over time. Since my appointment last year we have embarked on a significant program of refocusing our strategy and transforming the way we operate. Dr Walker will say more about that in a minute.

I would just like to draw a couple of points out of the independent review of the inspectorate that Mr Comrie, the former Chief Commissioner of Police, conducted in the second part of last year. Why did we do that? The board and the CEO came to the view that the Victorian community regards the expertise of that inspectorate highly, and Mr Comrie found that in his findings. There were some issues at the time, and from my long experience in the corporate world, we need to have a commitment to continuous improvement in what we do. That is basically the core of why we did this thing; it was to get somebody highly regarded and independent to do this work.

The review highlighted expertise in animal welfare and investigating animal cruelty that our inspectorate has, and it also noted that this expertise is highly valued and respected. However, it also noted, in amongst the 22 recommendations and two findings, that there are improvement opportunities around efficiency and

effectiveness, the welfare and morale of our people, the inspectorate's use of data and, critically, the way inspectors engage with — let us call them clients — those who report cruelty and those who are being investigated. In other words, that is about the conduct and behaviour of inspectors. For me, with my sort of background, that is really, really important.

We have recruited as a result of all of that a very experienced inspectorate leader and five new inspectors through a very thorough recruitment centre process that amongst other things — technical skills — also looks closely at the way people behave and the way people conduct themselves.

I am sure we will get to this. Recommendation 21 of Mr Comrie's report talks about while continuing our legitimate advocacy role in support of our policies and based on science and evidence, we discontinue what some might regard as public activist campaigning against the existing laws of the state. I am sure we can talk some more about that in a bit. I would just like to comment that all sorts of organisations engage and advocate for improvements in the law, in legislation and in regulation, even government enforcement agencies do that. For me it is a question of how it is done rather than the fact that it is being done. We can talk some more about that.

We are very aware — acutely aware, in fact — of the responsibility we have in employing inspectors who are vested with significant power, which they are, and people who are at the frontline of keeping animals safe in our community.

A final comment from me, and then I will hand over to Dr Walker, is about relationships and relationships with other organisations. My long career tells me that in seeking engagement and cooperation based on facts, evidence and science you are not always going to agree on everything every time. The world does not work like that. There will always be disagreement, but a sensible approach is more likely to deliver positive outcomes than throwing rocks and shouting at people at 100 paces.

What does that mean in practice? It means that the board supports the CEO. The CEO has had a key performance indicator, if you like, or a goal since September of last year about external engagement with other organisations with the objective of achieving progress and positive outcomes in animal welfare. That is all from me. My written statement is there. I will hand over to Dr Walker.

Dr WALKER — Thank you, Chair and committee members, for your time. As I think you know, my name is Dr Liz Walker, and I am the CEO of RSPCA Victoria. Just to set the context for our work, RSPCA Victoria employs around 460 staff and we are supported in that with around 3100 active volunteers who perform a range of roles in our organisation. RSPCA Victoria is a member of the RSPCA federation in Australia. Each state and territory member society is a member, and the federal body is RSPCA Australia. Importantly, all RSPCA policy is developed by that federal body, and it is only adopted once all members agree unanimously.

Some other activities are conducted collaboratively as well, such as our annual fundraising event, the Million Paws Walk and Cupcake Day. Other activities, such as education or advocacy campaigns or the operation of each inspectorate, are generally planned and delivered autonomously by a member society or the national body, although of course we do share knowledge and support within the federation. In most cases RSPCA Australia focuses on advocacy and campaigns in the national sphere or on issues governed by federal legislation or policy, while each state and territory member society focuses on issues particular to their own jurisdiction.

Last year RSPCA Victoria's board and the senior management team worked together to develop a new vision for the organisation: ending cruelty to all animals. We agreed on an organisational purpose statement: with the community achieve outstanding animal welfare through education, advocacy and animal care and protection. We developed a set of values to underpin the organisation's culture and set clear expectations for how we will engage internally and with stakeholders and community members. They are: respect and consideration, clarity and accountability, and expertise and collaboration.

We have also agreed on five strategic goals, which are: focusing our effort to reduce animal cruelty, reducing the number of surrendered and homeless animals in Victoria, achieving the best welfare outcome for every animal in our care, supporting our people to do their best work, and managing costs efficiently and growing reliable revenue streams. All of our operational activity, including the running of the inspectorate, is aligned with one of these five goals.

In our written submission we provided an overview of our annual activity levels and a brief explanation of our powers. Last financial year we received around 12 000 cruelty reports. This year the number looks similar, and we are on track to complete 100 prosecutions. As the detailed funding and expenditure breakdown in our submission outlines, running the inspectorate accounts for every single dollar provided by the government on behalf of taxpayers. All other activities, as well as the \$1.275 million shortfall in running the inspectorate last financial year, are funded by incredibly generous community donations and bequests and by revenue raised through our adoption, vet clinic, retail and pound contract activities.

We are very aware that some of the submissions you have received raise concerns about the extent of our inspectorate powers; the conduct of individual inspectors; the effectiveness of our efforts to investigate, prosecute and resolve issues of cruelty; and our level of accountability to the government and to the community. Many of the concerns expressed in these submissions were considered as part of the independent inspectorate review last year, and our action in response to the recommendations received is already starting to bear fruit. For example, our new triage model means that between 15 and 20 per cent of cruelty reports we receive are now being managed by our intake and referral team rather than inspectors in the field.

The change in team structure and associated allocation of caseloads has enabled us to finalise our investigations more efficiently, cutting the number of investigations open at any one time by two-thirds, from 1550 a year ago to around 540 now. Prosecutions for all cases investigated before January 2017 will be listed at court or finalised by 30 June this year, and we expect to complete around about 100 prosecutions this year compared with 59 in the 2015–16 financial year. We have recruited five new inspectors, who commenced training earlier this month.

In line with recommendation 21 we have shifted the emphasis of both our advocacy activity and our community engagement. In terms of advocacy, we are focusing on working with our stakeholders to achieve change. Our advocacy framework mandates direct engagement with stakeholders who decide on or influence policy, law and practice as it relates to animals. It relies on building trust and the use of evidence rather than strong emotion to achieve change. By contrast, our community engagement will focus on educating individuals to improve animal welfare directly — desexing their animals, buying animals from high-welfare breeders, choosing humane food options and better meeting their animals' health and welfare needs.

So to be clear, we are not stepping away from our desire to achieve change in legislation, policy or individual behaviour. Improving animal welfare is required of us in our constitution. Rather, we are focusing on using the right approaches with the right groups in ways that build trust and collaboration. Our submission spells out a number of issues that we believe are worthy of the committee's consideration, and we believe that these would immediately improve the enforcement of animal cruelty laws by our inspectorate.

In the meantime we look forward to answering questions that you may have for us now. I would like to make sure that we do address your questions as thoroughly and correctly as possible, and so I may just take a moment to consider my answer before I actually respond.

Bernie has just asked me to add that in terms of what we do, RSPCA Victoria enforces Victoria's animal cruelty laws and advocates for laws and standards that protect and advance animal welfare. That is our responsibility, not just under our own constitution but also to this Parliament in line with the RSPCA Victoria Act 1968.

The CHAIR — Thank you very much. I will just start with a few questions and then I will throw it to my colleagues. It has been described to this committee today that an evolution has taken place within the RSPCA over the last decade or so from one that was solidly animal welfare oriented to one with animal rights activist leanings. Do you accept that, and if so, is that evolution continuing? And how far do you intend it to go?

Mr DELANEY — I can only speak for my time, which is 15 months or so. For me it is about advocacy, as described in our opening presentations. It is not about ideology, it is not about high degrees of emotion, but it is rather about progressing animal welfare based on fact, science, evidence et cetera. So I cannot speak for what went on before, all I can do is speak for where we are today and where I believe as an organisation we are heading in Victoria.

Dr WALKER — That is right. We are definitely an organisation that is focused on improving animal welfare in the community through, as I said, using education, advocacy, animal care and protection. I think it is fair to say that we understand our past campaigns on some issues may have hindered our ability to engage

constructively with stakeholders. The Comrie review highlighted that. We accepted that. Our organisation now focuses on directly caring for and protecting Victorian animals, enforcing the Prevention of Cruelty to Animals Act, preventing cruelty by supporting and educating the community so owners can take better care of their animals, and working with government, industry and other key influencers to improve animal welfare.

The CHAIR — I should declare my interest here because I have got a cat and a dog and they are wonderful. One is from Lort Smith and the other is from the Lost Dogs Home. I am just wondering if that, as it has been described to us today, abrasive nature that you have adopted over a period of time has alienated organisations that perhaps you should be working very closely with. Has any decision been made to change your attitude toward those organisations?

Dr WALKER — Our approach to advocacy involves working with and influencing those whose policy decisions impact on animals' lives such as government, regulators and industry as well as those who can influence policy decision-makers. We are absolutely crystal clear that this relies on building and maintaining strong, trusting relationships.

We are guided by the following principles: being fully informed, leading with policy and evidence, making sure we have got a clear position, knowing the risks and the downsides of our position, respecting and valuing our relationships, and maintaining our integrity and independence. We have developed an engagement strategy, and we are increasingly using that over the past year. We developed that and we are working with many groups such as the VFF, Dogs Victoria, Harness Racing Victoria, Racing Victoria — working with them, building relationships and working together to make a difference to animal welfare.

The CHAIR — Does it concern you that some of the organisations that have given evidence today have told us that they have little, if any, respect for the RSPCA?

Dr WALKER — I cannot comment on how other people feel.

The CHAIR — I am not asking you to do that. Does it concern you?

Dr WALKER — I think it is important to us that whatever we do is going to make a difference to animal welfare in the future. All we can talk about right here and right now is the impact that we want to have on animal welfare, and I have explained our animal welfare advocacy approach.

What I can say is over the past two years we have built much stronger relationships with a range of groups. There is evidence of the impact we have had, and we hope that that will improve and increase with time. These include our relationship with Racing Victoria, Greyhound Racing Victoria, Harness Racing Victoria and the Game Management Authority. In each of these cases our advocacy and engagement has led directly to the identification of possible solutions where we can improve animal welfare without creating any threat to the industry itself.

The CHAIR — Maybe you are sitting on the wrong side of the table. But anyway, one last question from me. There has been an accusation made this afternoon that the RSPCA has been involved in false advertising campaigns. What is your response to that? We have seen them here. I have a number of them here, one in particular which is not in Victoria but indeed Western Australia and others that have been on the RSPCA website. Given that the RSPCA is regarded as a very responsible and solid organisation, what is your response to accusations of running misleading and false advertising campaigns?

Dr WALKER — I can only comment for RSPCA Victoria, and I am not aware of any such campaigns or any allegations that have been made. If there is anything you would like us to respond to and revert to the committee, we would be more than happy to do so.

The CHAIR — Mr Delaney, as a member of the federal council — it was the federal council of the RSPCA, was it not?

Mr DELANEY — Federation board.

The CHAIR — The federation board of the RSPCA. Do you have a view on that?

Mr DELANEY — In my time I am not aware of any.

The CHAIR — You are not aware of any?

Mr DELANEY — Not in my time.

Mr O'SULLIVAN — It seems to me that there has probably been a bit of a change in terms of the RSPCA in the last little bit, Mr Delaney, under your leadership as the chair, which might be bringing a bit of balance back to the RSPCA in comparison to some of the evidence that we have heard today. There are probably three little issues that I want to touch on. In terms of the issues that you decide will form your advocacy role, how do you choose which actual issues you will take up? I guess you look at duck shooting as one of those that you have decided to take up. I am not certain as to whether you are doing that from an ideological point of view or actually a prevention of cruelty perspective.

Dr WALKER — The way in which we determine the issues that we will advocate on as a priority is now contained within our advocacy and prevention framework. Our focus on that is really determined by the number of animals who we believe we can actually impact through making a change and the willingness or the likelihood for that change to be actually followed through. We are quite strategic about how we do that.

Mr O'SULLIVAN — And is the prevention of cruelty your number one box, if you like, to tick in terms of going down that path?

Dr WALKER — Improving animal welfare is how we think about it. If we think there are things that can be changed in the way humans behave towards animals so that animals can have a better standard of life or a more humane death, then that is what guides our decisions.

With respect to duck shooting, I think that is a really interesting example. Our policy is that duck shooting should be discontinued because of the needless pain and fear and distress that it can cause to birds involved, especially those that are not killed outright. However, while it is legal, we will work with the government and regulators and participants to identify ways to reduce wounding rates so that fewer birds die slowly and in pain. What we have done is that we have suggested the introduction of compulsory shotgun education and skills testing for hunters, and that could significantly improve the wounding rates. The research indicates that poor accuracy and also judgement on shooting distances can contribute to that wounding rate. This year we made a submission to the Game Management Authority and met with GMA several times. Our chief operating officer and an authorised inspector also accepted an invitation from GMA to accompany their authorised officers during the opening weekend of the 2017 season to observe the key activity on the wetlands.

Mr O'SULLIVAN — Thank you, and I encourage the path that you are taking in terms of consultation with other groups. I think that is a really big step in terms of bridging a gap that has developed over a number of years. I encourage you to continue to do that.

In terms of the prosecution numbers, you are looking at 100 this year out of 12 000 reports. Is that a success or a massive failure? I am not quite sure how I would canvass that. That is a genuine question. The fact that it is only 100 could be seen as a massive success or 100 out of 12 000 could be seen as a massive failure. I am interested to hear your answer.

Dr WALKER — Sure. Many of the reports that we receive are found not to be substantiated. In other cases we certainly provide a lot of advice and education or we provide notices to comply and we work with the owner or the person in charge of the animal to resolve the issue. Many comply voluntarily. We do not aim to mount a whole lot of prosecutions, but where we do choose to prosecute we have a 95 per cent success rate. I think it is of interest to note that we actually issued 35 warrants last year, issued over 500 notices to comply and we took in over 800 seized animals or surrendered animals with regard to the work of the inspectorate as well.

Mr O'SULLIVAN — We have heard from earlier contributors today that the RSPCA probably should contain their activities to companion animals and non-production animals and that you have a genuine role to play in that space and that in some of the other areas outside of that category, in terms of production animals and so forth, there are other organisations within the government's sphere that cover that, whether that is the Game Management Authority, the new Victorian Fisheries Authority, Agriculture Victoria and so forth. Do you think there is a chance that the RSPCA has gone beyond its remit into other areas, which has diluted its core function, and that perhaps it might be an opportune time to separate the organisation and concentrate on the things where everyone believes and everyone supports the legitimate activity that you undertake?

Dr WALKER — I am assuming you are talking about the work of the inspectorate. At present our MOU with the department identifies that we are responsible for investigating reports that involve dogs, cats, other domestic pets, horses, as well as livestock in herds of less than 10. Any change to that arrangement would be a matter for government. The Comrie review indicated that we are well qualified to do what we are currently asked to do under the MOU.

Mr O'SULLIVAN — One thing that I would like you to do is Mr Finn's cat gets treated very cruelly just about every Saturday down at the MCG.

The CHAIR — Not this week.

Mr O'SULLIVAN — Can the RSPCA step in and stop the cruelty — —

Dr WALKER — If you would like to make a complaint to the inspectorate, pop on the website or I can give you the phone number later.

The CHAIR — No, the cat stays well out of the way when Richmond loses.

Ms HARTLAND — Can I follow up from what you were just discussing then. So what you were saying is that your remit of what you can do in terms of livestock is limited to herds of under 10?

Dr WALKER — In terms of the inspectorate activity and what our authorised officers do, our MOU with the Department of Economic Development, Jobs, Transport and Resources identifies that we are responsible for dogs, cats, other pets, horses and livestock in quantities of less than 10.

Ms HARTLAND — This morning we had evidence from the farmers' federation basically complaining that RSPCA was actually coming on to people's farms uninvited. Am I right in thinking that you actually do not do those inspections because that is not within your remit? Have I got that right?

Dr WALKER — Yes.

Ms BUCHANAN — Yes

Dr WALKER — In terms of our powers, our inspectors are allowed to enter a property if they believe that an animal is at risk. I am not aware of any complaints or reports regarding an inappropriate activity of an inspector entering a property in that regard, and I am happy to follow anything up if there are specific examples.

Ms HARTLAND — That would be really helpful, because I felt there was a complaint being made from the farmers federation that RSPCA was going willy-nilly onto people's land. I kept on trying to understand what was the legislation and who had the responsibility, so it would be good if you could give us even some details about how many inspections you have done in the last six months on farms and for what reason, obviously no identifying information but just a bit of a summary. If you take it on notice, that would be excellent.

Mr DELANEY — Sure, happy to do that

Dr WALKER — Certainly.

Ms HARTLAND — The other thing that came up in that submission was the issue of cage eggs. I am not sure whether our secretariat has a copy of the letter in terms of correspondence with farmers who are producing cage eggs, wanting them to — I think the expression was —

The CHAIR — Phase that out.

Ms HARTLAND — phase out of the business. How do you see that as part of your work?

Dr WALKER — RSPCA Australia is a federated model, as I have mentioned before. The national body focuses on the national issues as covered by federal laws or national standards. Each state or territory member focuses on issues relating to state laws or state standards and local practice. That distinction has existed since RSPCA Australia was formed in the 1980s.

Ms HARTLAND — So this is from your federal body?

Dr WALKER — Yes, that is correct. That is from RSPCA Australia.

Mr DELANEY — This is not from us.

The CHAIR — So you are disassociating yourself from this?

Dr WALKER — I am just highlighting — —

Mr DELANEY — We are just pointing out that this is something that has come from RSPCA Australia, not from — —

The CHAIR — Do you endorse this or don't you?

Dr WALKER — From a policy position, RSPCA's policy, which is only formed through unanimity across the member societies, is such that we say that battery cages should be phased out. When it comes to the approach from RSPCA Australia in this particular case, we cannot comment on that; these are not our statements that were released. We have explained what we think works in Victoria and our approach to advocacy and engagement.

Ms HARTLAND — I am quite interested in the work you have been doing around the inspectorate. With the 12 000 reported cruelty matters, are a lot of those vexatious, neighbour against neighbour kind of complaints? How do you define what is and is not a cruelty matter?

Ms BUCHANAN — I think one of the things that we continually observe is that community understanding of what constitutes an offence under the Prevention of Cruelty to Animals Act and the reality of the act are quite separate. Community expectations about welfare are quite high, but the threshold for an offence under the act is quite significant. Even though these are summary offences, the level of harm that has to be proven that an animal has suffered makes the threshold for investigation and prosecution quite significant. So rather than vexatious, the majority of unsubstantiated complaints or reports that we receive relate more to people's misunderstanding of what would constitute an offence.

Dr WALKER — The other thing I think is important in that is that when we receive a report, it is assessed according to our triage system. Then it is either referred to another agency — which may be a local council, for instance — closed or sent to our intelligence analysts for an initial assessment, and then it is referred to an inspector for investigation.

Ms HARTLAND — So your triage, that is a phone case management-type system. So people will ring, the triage team will talk it through with the person and then decide whether there is something actually happening.

Dr WALKER — Yes. Our phone calls go through a call centre in Queensland. They can also come in either by phone or through online submissions. They go through Queensland, they are referred to Victoria. We have an intake team of three people who work to put it through the triage process and assess it accordingly.

Ms HARTLAND — How many calls a day do you receive?

Dr WALKER — About 27.

Ms HARTLAND — Just one more, and then I will think of other things I am sure. The evidence we heard from the AVA in terms of the Director of Public Prosecutions, is that something that has ever been considered? I just find it a very interesting idea that, especially in terms of the prosecutions, it may be one of those things where you would be able to do the brief and give the evidence but not actually have to do the prosecutions.

Dr WALKER — One of the recommendations from the Comrie review suggested that we work with Victoria Police to use their resources to undertake prosecutions. Since we have made the submission further conversations with Victoria Police indicate that there may be simpler ways to collaborate with them around efficiency on prosecutions. We remain open to suggestions from the government about how we could proceed in this regard.

Mr BOURMAN — Thank you for your presentation. I am just going to go on to the prosecution thing while it is still in my mind. There was an example given about the New York City police and the animal welfare

association over there where they have actually shifted a lot of their enforcement activities from the association to the police, and it seems to have worked well. Given that it appears, and I am going on previous evidence, that the RSPCA gets around a million dollars a year from the government and spends about \$5.9 million on enforcement — and that is going on their evidence, so you can correct me if I am wrong there — would that sort of situation not actually suit the RSPCA? Because it also reduces, or in fact eliminates, your exposure to costs being awarded against the association. If you got a big one, court costs can sometimes be hideous. It could do the association and the stuff it does do well damage.

Dr WALKER — The truth is we would be happy to consider all models. We have not heard anything specifically from the court or departments or the minister to indicate how that might proceed, but we are happy to have those discussions.

Mr BOURMAN — It might be something that suits you as an organisation is where I am going. I do not know your future plans, but it will cut costs, it will reduce your exposure and still get the job done. I would suggest your inspectors are probably not armed and there are a lot of times when people go into very intense situations where the police would probably be far better suited.

I am going to get to the activism and advocacy thing. I am trying to get my head around what the RSPCA calls advocacy and what is called activism by the rest of us. You see the stuff on the back of buses saying ‘Ban duck hunting’ and all that sort of thing. How does the RSPCA see the individual things? Where does it know to draw the line?

Ms BUCHANAN — Can I just observe that the things on the back of buses are Animals Australia rather than the RSPCA.

Mr BOURMAN — Sorry, yes.

Dr WALKER — I think the best thing I can do is to talk about our approach to advocacy, which I have already indicated is about building relationships and working with people who influence decisions that impact on animal welfare, so focusing on government, industry and regulators as well as those who influence those policymakers and building relationships with the community. It is about talking to the community about what they as individuals can do to care for their animals better, whether it is desexing, whether it is how they actually manage their animals from a husbandry point of view or it might be around selecting humane foods.

Mr BOURMAN — When we get to the anti-hunting, the anti-cage egg thing. Those two areas, just as an example, are outside the general remit of what the RSPCA does, not being cats and dogs and things like that. You said domestic animals, horses and stuff in herds of less than 10, if I remember correctly?

Ms BUCHANAN — Inspectorate.

Mr DELANEY — That is about the inspectorate.

Mr BOURMAN — Right, so that answers my own question. I want to get down to a specific example with Dr Walker. I am assuming you do not have a game licence and have never had one.

Dr WALKER — Correct.

Mr BOURMAN — Do you not think it would be an erosion of trust when you went into the wetlands to collect that duck or swan or whatever it was whilst the head of an organisation that actually forces the law?

Dr WALKER — At that particular time I was acting as a veterinarian. However — —

Mr BOURMAN — May I interrupt? You have the same problem I do — no matter what I do, I am still an MP. No matter what you do, you are the boss of the RSPCA.

Dr WALKER — I understand that, and I think that it is true to say that that is an example of previous behaviour where taking on that role hindered our relationships with stakeholders. I have explained to you what we did with duck hunting season this year, working with the Game Management Authority, meeting with them a number of times and actually sending our chief operating officer and an authorised inspector onto the wetlands

with game management officers so that we could build an understanding of what the challenges of the opening season were.

Ms BUCHANAN — To clarify that answer, we have not run any public advertisements or any public campaigns on anything other than direct owner care of their animals since March 2016, and certainly none since we accepted the recommendation from the Comrie review against public activist campaigning. We are confident that all of our current communications are entirely in line with the review's recommendation which, to quote it directly, was that we continue our legitimate advocacy role — which we are doing with engagement through the GMA, for example, and in fact the state sporting shooters association — and discontinue our public activist role against the existing laws of this state.

Mr BOURMAN — Just out of curiosity, why did an authorised inspector go onto the wetlands? What was the impetus for that, given that they have no power to do anything?

Mr DELANEY — This year?

Mr BOURMAN — Yes. I am just curious. That one just came up in the answer, so I am just trying to figure out what that was all about.

Dr WALKER — It was by invitation from GMA just to observe the activity on the wetlands, to build an understanding, to see how we could help GMA in any animal welfare improvement initiatives. It is part of building relationships.

Mr BOURMAN — It is all right. I get that.

Dr WALKER — They were not there as an authorised officer, they were there as an observer, but they happened to be an authorised — —

Mr BOURMAN — Asking someone such as yourself or someone else I could get; I just was not sure why an authorised officer. I will keep on duck hunting, which is funny because I am not a duck hunter. You have an opposition to duck hunting as an organisation per se.

Dr WALKER — Yes.

Mr BOURMAN — Why?

Dr WALKER — Our policy is that it should be discontinued because of the needless pain, fear and stress caused to the birds involved, especially to those that are wounded rather than killed outright.

Mr BOURMAN — So if the wounding rate was dropped to, let us say, a hypothetical zero, which is impossible, but let us move on — if the wounding rate was dropped and it was all an instant kill, would that opposition still stay?

Ms BUCHANAN — We as an organisation, as Bernie mentioned in his opening statement, believe in animals living a good life and dying a humane death. RSPCA as an organisation does not have a problem with the killing of animals for consumption, food or fibre.

Mr BOURMAN — As long as it is humane?

Ms BUCHANAN — As long as the death is humane, then we do not have an opposition. Death is an ethical issue; welfare is around suffering.

Mr BOURMAN — Right. I would never suggest mandatory shotgun education shooting, but obviously if there was a lesser wounding rate, there would be less of an issue from the RSPCA's perspective?

Dr WALKER — So we believe that the introduction of compulsory shotgun education and skill testing could significantly improve the wounding rates. The research indicates that the injury rate could be reduced from one in four to about one in 10. If you put that across the duck hunting in the last three seasons' harvest data, that would save around 84 000 birds each year from being wounded rather than being killed outright.

Mr BOURMAN — I have done one of those courses myself, and again whilst I would never make it mandatory, not only was it a lot of fun but I was better by the end of it.

Just getting back to the amount of money the RSPCA spends, you get your million dollars a year, you spend a lot more, which is good value for the government. Has the RSPCA ever approached the government for more money, saying, ‘Look, this is what we give you’ — the old *Oliver Twist* thing, ‘Please, Sir, may I have some more’?

Dr WALKER — Right at the moment we are very, very occupied making the significant advances in implementing those 22 recommendations and two findings from the independent review. We are reassessing our financial and operational requirements and will be discussing these with the department at an appropriate time in the near future.

Mr BOURMAN — What about historically?

Dr WALKER — The funding has been in place since 2007.

Mr BOURMAN — I am just wondering whether you have ever been refused by any government. I am not talking about necessarily this government; I am talking about anything — —

Dr WALKER — I cannot comment on that, I am afraid.

Mr BOURMAN — Okay. One last thing, there has been some concern about the clarity on what happens to seized animals. I am not talking about the seizure itself and whether that is right or wrong, that is a separate issue, but apparently they disappear into the big RSPCA void never to be seen again. I am paraphrasing that. Has that been a previous complaint? Is there anything you are trying to do to improve the communication with people that have had their animals seized?

Ms BUCHANAN — I am not aware that we have ever had a complaint of that nature.

Mr BOURMAN — You cannot know everything, I understand that. If you are not aware — —

Dr WALKER — I am certainly not aware that any seized animals have gone missing. There have never been any complaints in that regard.

Mr BOURMAN — Not necessarily missing — the pre-owner, whatever you want to call them, just does not know what has happened to them and cannot find out; I would assume the RSPCA knows what happens to them. Anyway, thank you. I think I am done for the moment.

Mr LEANE — I could be wrong, but I think every witness we have had has complimented the RSPCA on the work that you have done and do do around the prevention of animal cruelty and your endeavours in that area. I am taking on board your initial statements. There are other groups that get funding from government — like community legal centres and community health centres — that also run campaigns to advocate for changes in policy and legislation. Being a government member on this committee today and sometimes in Parliament being accused of being part of a communist regime by some of the other committee members here, does the government provide the funding that you get — I know the funding that you get does not fully fund your activities, but does the government provide that money on the proviso that you are not critical of our greatness and you only get that million dollars if you do not criticise our current policies and acts?

Dr WALKER — The funding is provided so that we can run our inspectorate function, and we use every single penny —

Mr DELANEY — For that, plus more.

Dr WALKER — for that, and a substantial amount in addition to that.

Mr LEANE — But there are no riders in there that you cannot be critical of the government of the day? There are no conditions?

Dr WALKER — No.

Mr BOURMAN — Are you looking for them to say something bad about you, Shaun?

The CHAIR — You wouldn't have to go that far — I'm sitting here.

Mr LEANE — I just think it needs to be clear that if funding is provided, people are, in a free society, free to criticise policies of the government of the day.

The CHAIR — Tell that to your backbench.

Mr LEANE — They are not my backbench. One day.

The CHAIR — Here we go, the challenge is on.

Mr LEANE — I am interested in the referral team. Where do people get referred to in the new system that you have embraced in recent times? What sort of organisations will they get referred to?

Dr WALKER — The terms of our MOU are clear. We are responsible for investigating reports, like I said, for dogs and cats and domestic pets and horses and livestock in herds of less than 10. DELWP focuses on wildlife. DEDJTR focuses on livestock in commercial quantities. A local government will address numbers of animals, noisy animals et cetera.

Mr LEANE — Right. So that is where you can get the triage where you can sort of — —

Dr WALKER — They are the main areas of triage.

Mr DELANEY — Where it belongs.

Mr LEANE — Where you get left with where you believe you need to concentrate on. It is a greater social issue I think for all of us, but we did have a conversation with one of the witnesses before around mental health and how that may affect the work that you do. Have there been discussions with other authorities and other departments around working in together and getting some sort of assistance, like two-way assistance, in that area?

Dr WALKER — Our inspectorate work very closely with Victoria Police, especially around some of the more challenging cases. We have a MOU with Victoria Police. We also have an intelligence person, a Victoria Police member, embedded in our inspectorate. There have definitely been cases in recent history where with people who are treating their animals in an allegedly cruel way we have engaged through the police with Human Services to make sure they have the right support and help to help themselves.

Mr LEANE — Do you find there has been over recent years more and more awareness around it, that there are causal effects that leave you dealing with some of the things you are dealing with?

Dr WALKER — I am just looking at Sophie in terms of data that we may have or whether it is just anecdotal.

Ms BUCHANAN — There is a huge amount of complexity. As soon as you start to deal with any psychosocial issues as part of any criminal matter, it does not matter whether it is Victoria Police or any other enforcement agency, the complexity increases exponentially. One of the things that we are endeavouring to do around our prevention activity is to have a look at some of the drivers of cruelty.

We know that essentially there are five drivers of animal cruelty in the community. Ignorance is a very big one, and it is one that our inspectorate deals with daily. Apathy is a significant one — people who know exactly what they should be doing and they fail to do it. You have got people who are unable. It could be mental health issues, it could be poverty, it could be homelessness, so that is a strong driver for animal welfare outcomes. Those are the three that in many ways it is easiest for us to act in a preventative sense against. Then you have got cruelty for commercial gain. That might include, for example, some of the horrific things that have happened with greyhounds in recent years, or even things like animal fighting underground.

Then you have got malicious intent, which is pure and simple a pretty significant psychiatric disorder which truthfully is never going to be amenable to the sort of prevention activity that we can deliver. There is a whole community need to deal with a whole lot of the things that drive animal cruelty because they also drive violence

against humans and violence against property. They are underlying social issues that truthfully we are both poorly resourced but also truthfully not expert in dealing with. So for those reasons, ignorance, apathy and inability are the areas where, when we are working with individuals in the community, we are putting our prevention effort.

Mr LEANE — I suppose with those other two categories — the ones where you said that you are poorly resourced and not equipped, I suppose is a better description — what sort of discussions do you have with government around where government can assist you to pick up that concerned area? Have there been conversations, or are there ongoing conversations? Would you like to see something come out this report recommending that that needs to be looked at?

Ms BUCHANAN — If we as a community made a genuine investment in prevention of cruelty — community education and support for those people who need it — I think that there is every possibility that the resource impost on our inspectorate and our incapacity to manage the demand based on the resources that we receive from the taxpayer would be significantly diminished. There are very, very, very many preventable cases of cruelty that we see that a little bit of education or a little bit of support would go a long way to resolving.

Mr LEANE — So what regime does that fall under — what authority, what department, what ministry? Is that something you want to come back to us on?

Ms BUCHANAN — You will forgive me if my understanding of the machinery of government is not all that it could be.

Ms HARTLAND — Don't worry, we have trouble.

Mr LEANE — I just think it is an interesting conversation and maybe an important one out of this.

Ms HARTLAND — I think it is the family violence money in particular that is around and that concern about, as we discussed before, it is quite obvious that family violence and animal cruelty are very interlinked. Sorry, Shaun, I cut across you there.

Mr LEANE — No, you keep going because I am finished.

Ms HARTLAND — In terms of training of your inspectorate, because of mental health, family violence and general crooks you have got a significant cohort of people who are going to be extremely difficult to deal with. What levels of training do you give your staff to manage that?

Dr WALKER — Training was actually a key focus of the independent review. We have completed a training needs analysis and used those findings to create a whole new training program. The first five recruits are currently going through that now, and we are going to review that as soon as their probation periods conclude, because we recognise that that is an enormously important part of what we do.

Ms HARTLAND — When will that training finish?

Ms BUCHANAN — Six months they have.

Ms HARTLAND — Right. Okay. It is probably outside the scope of the time; I would have been quite interested to hear. You may even want to write to the committee. The report will already be done, but I think it would be really interesting.

The other question I had is in terms of the danger that your inspectors face, often I would think on a daily basis. How do you deal with that? What protections are there?

Dr WALKER — The welfare of our inspectors is absolutely first and foremost in our minds, so we have training for them, we have personal protective equipment for them and we have developed some very clear policies and procedures. It is our number one priority. Further to that, as part of the Comrie independent review we have adjusted our triage process. That has included putting in a Victoria Police intelligence analyst embedded in our team so that when those cases come through the assessment team will go through the intelligence person to assess them on a risk-based system so that if there are significant dangers, if it is a red light, then they cannot attend without Victoria Police.

Ms HARTLAND — Are you able to check to see whether there is a history of either family violence or property violence involved with that person before you do this?

Dr WALKER — RSPCA inspectorate personnel per se are not able to that, but because we have the Victoria Police intelligence analyst embedded in our team — they are employed by Victoria Police and they have access to Victoria Police databases — they can tell us at the very least how we stay safe and they can then trigger further contact with Victoria Police so that we can work through that.

Mr BOURMAN — I have got a couple of last questions. How long have you had that analyst within the RSPCA?

Dr WALKER — Since April, it is very new.

Mr BOURMAN — So it is very new.

Dr WALKER — It was one of the recommendations from the independent review.

Mr BOURMAN — Has it helped you yet? I know it is very early days.

Dr WALKER — It seems to be. It is very promising.

Mr BOURMAN — I would suggest, knowing what has gone on at those addresses is very rarely just a one-off, it would be helpful. You mentioned personal protective equipment. I heard an anecdotal story about an RSPCA inspector up in the north of the state somewhere that had capsicum spray and a baton. I have not been able to find any other evidence of that, but is that the sort of thing they would have?

Dr WALKER — Our inspectors are authorised to carry batons, and they undertake baton training. We do not carry capsicum spray.

Mr BOURMAN — Okay, so it is just a baton.

Ms BUCHANAN — The PPE really relates more to their own personal protection. It is vests with body cameras which are continually recording. Truthfully, that is for the benefit both of the community in terms of any disagreements that might arise in the future but also in terms of the protection of the inspector.

Mr BOURMAN — It is for everyone's benefit. One last, last question. The Comrie review has been out for a little while. You guys are obviously plodding along getting it done. Are there ongoing reviews, or is there going to be a time frame that you are supposed to have it done so you can sit back and say, 'We have done X number of recommendations' and then plan forward?

Mr DELANEY — Our board audit committee — audit, risk and finance to give it its full name — receives a report quarterly and engages with the chief operating officer and the head of the inspectorate on a quarterly basis to do that. We anticipate implementation of all of the recommendations by the end of this calendar year, and there will be an ongoing review process to ensure that we are doing what we should be doing.

Ms HARTLAND — One last question. With the Comrie review, the organisation actually asked for that review itself?

Mr DELANEY — Yes, we did.

Ms HARTLAND — You recognised that you needed to have a look at it, so this was something that you did.

Mr DELANEY — Yes.

Ms HARTLAND — It was not something that government told you to do.

Mr DELANEY — No. We commissioned it ourselves on our own initiative.

The CHAIR — Thank you so much for coming in this afternoon. In a relatively short period of time you will receive a transcript of the proceedings here today. Please proofread it; you will not have a problem with

it — I have absolutely no doubt about that at all. I thank you very much for your contribution here today. Thank you indeed. In thanking the committee staff, members and Hansard, I declare this hearing adjourned.

Mr DELANEY — Thank you.

Committee adjourned.