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Dear Mr Cohen MLC,

Inquiry into the RSPCA raid at Waterways Wildlife Park

Thank you for your letter. I would like to address the two issues that you raised.

Firstly, regarding footage of the raid. We are not in a position to grant consent to any "publication" and do not wish to do so. Having said that we do not see that we have a right to prevent the Committee from referring to the footage or to the Committee making footage available to interested parties for viewing upon request at Parliament House. We do not know what else "publication" entails, but if it does not entail publication via the internet or in any widely available manner that allows access to copies of the footage, then we do not have an issue with it. If however publication by the Committee would allow others to get access to a copy of any part of the footage (or to take copies of it) then we would have serious concerns about that, since there would be no ability to prevent those other parties from misusing that footage and putting it on the internet. We are sensitive to this. Previously, sections of our written report were uploaded onto the Parliamentary website without our permission and contravening our agreement with the Inquiry, before we complained and the material was withdrawn.

Secondly, thanks for the opportunity to reply to matters regarding the issue of consent for filming. I have spoken to our producer Catherine Ledingham who was there on the day and she says standard procedures were followed during the raid. As our film crew followed the RSPCA officers onto the property, Catherine approached Mrs Small. Catherine said she and the crew were working for the programme "Animal Rescue" and asked for permission to film. Mrs Small was agreeable and said, "Yes, I have nothing to hide". This verbal exchange occurred near the start of the visit at the earliest reasonable opportunity, and before the consent forms were discussed and signed. Mrs Small appears to have overlooked this exchange in her evidence.

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Catherine later asked Mrs Small if she would agree to appear on camera and be interviewed. She said yes and was asked to sign an individual release form and a location release form. Catherine advised Mrs Small that no material shot on her premises could go to air without these forms being signed. Mrs Small provided her address and other details to enable Catherine to complete these forms before Mrs Small signed them.

In her interview at the Parliamentary Inquiry, Mrs Small asserts that she was told by our producer that the cameras would keep rolling regardless of being granted permission or not. Catherine Ledingham strongly denies this.

From our perspective Mrs Small willingly consented to our filming and we sought and obtained this consent verbally and in writing. Mrs Small happily signed the consent forms and we strongly disagree with the suggestion that we misled Mrs Small.

I hope this clarifies matters. Please let me know if you require more information.

Regards,

Ross Wilson
Series Producer
Animal Rescue Series 4.