

**Submission
No 1**

**INQUIRY INTO THE RSPCA RAID ON THE WATERWAYS
WILDLIFE PARK**

Name: Mr Stan Heuston

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Director
General Purpose Standing Committee
No 5
Parliament House
Macquarie St
Sydney 2000

Dear Director

Submission: Gunnedah Waterways Koala Removal

1. I submit on the point I made in the *Northern Daily Leader* of April 15 2010 that the RSPCA has acted culpably in for ever obscuring the question of whether the koalas' health justified their removal.

2. The opportunity for clarifying this question was readily available to the RSPCA by examination of the animals in the presence of the park proprietors and if necessary one of the Gunnedah town veterinarians at the animals' removal on Feb 3 2010.

3. This opportunity was not taken as it appears because the RSPCA wished to stage a dramatic rescue of the animals for the benefit of a television crew they had invited. Having the separate motive of television coverage for removing the animals, the RSPCA's claims of other reasons justifying the removal are irreparably compromised ("the organization could not 'buy' the vital exposure for its work that the Channel Seven show provided" RSPCA CEO Steve Coleman, *Namoi Valley Independent*, Feb 23 2010).

4. The RSPCA then kept the animals in secretive isolation for weeks, despite that organisation's needing above all to establish that the animals were sick enough to require removal, so that as at my letter of April 15 no means, other than possibly television footage of February 3, existed of proving that point one way or the other.

5. The television footage of February 3, which I assume the Inquiry will view, is of suspect credibility in establishing that the koalas were sufficiently sick because "*RSPCA Animal Rescue*" is clearly a dependent client of the RSPCA, film editing techniques are sophisticated and routine, and the film was not brought forward months ago, to vindicate the RSPCA, by its media client, and because rights to the film are owned by a private company which would not have the public responsibilities of a public body. While for these reasons alleged proof positive of the animals' illness from the film would need to be viewed with suspicion, the failure of the film to show evidence of their serious illness would appear to establish that there was no such

illness. The idea of a television show about animals' rescue which did not provide visual proof of the need to rescue them seems improbable.

6. In the *Namoi Valley Independent* of May 25, 2010, with a predictability you could set your watch by, it is reported that another arm of the bureaucracy, the Port Macquarie Koala Hospital, has entered the picture to support the RSPCA actions of February 3, on the long since imponderable, and thus irrelevant, question of the koalas' health. It appears at a glance that the Port Macquarie Koala Hospital might well be a dependent client of the RSPCA.

7. Ms Flanagan of the Koala Hospital talks of the truth really needing to come out without explanation of how this is possible in June or why the opportunity for this to happen in February was not taken. Acceptance for whatever reason of the good faith of the Koala Hospital, like acceptance for whatever reason of the good faith of the RSPCA, brings us not one millimetre closer to knowing whether the animals were sick enough to warrant removal. Both the RSPCA and the Koala Hospital appear to take people for idiots in imagining they would accept belief formed in June based on the institutions' good faith in place of proof in February as an adequate standard of public accountability. It is hard to see how anyone would have time to bother with accountability where belief in good faith substitutes for proof, especially belief in the organisation which created the need for such substitution. The Inquiry's invitation of the Koala Hospital's submission is, considering its apparent irrelevance, puzzling. Acceptance of good faith raises the question of the point of an Inquiry.

8. That Ms Flanagan makes public comment as though with credibility, at the same time refusing to disclose what the koalas were being treated for at their removal -- suggesting she still needs to get her story straight with the RSPCA -- is as extraordinary as the RSPCA sending out an anonymous report on the animals' health weeks after the event, a report evidently so dubious it took them further weeks to find somebody who would sign one.

9. In summary, not only do the interconnected RSPCA and Koala Hospital (and TV show) lack credibility on the animals' condition at removal, but the RSPCA neglected the opportunity which existed for perhaps a full week after February 3, 2010 to publicly clear up the question. CEO Coleman's claim that "the second (RSPCA) side of the story ... is unable to be told [at this point]" (*NVI* Feb 23 2010) appears false in that any side of any story can be told at any time, either to the court or the media. You just speak. Or at least, resign. In forever obscuring as it appears the facts the RSPCA failed in its duty of fairness to the Smalls to satisfy them as to the reasons for the animals' removal, and of public accountability. It evidently did this from an improper commitment to sensational mass media coercion in place of the localised, transparent, consultative approach appropriate to its public duty.



Stan Heuston
2/6/10

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