

## INAUGURAL SPEECH OF THE HONOURABLE MARK PEARSON

**The DEPUTY-PRESIDENT (The Hon. Trevor Khan):** I call the Hon. Mark Pearson. I remind members that this is the honourable member's inaugural speech. I ask them to extend to him the usual courtesies for such a speech.

**The Hon. MARK PEARSON** [4.31 p.m.] (Inaugural Speech): I support the motion by the Leader of the Government to adopt the Speech yesterday by the Governor of New South Wales. It is indeed a privilege and honour to be the first member of Parliament elected by the people of New South Wales on the platform of animal protection, animal wellbeing and animal welfare. This is the second country in the world that has elected a member of Parliament on this platform. The first country was Holland where, four years ago, Marianne Thieme of the Dutch Party for the Animals was elected to the Dutch Parliament. Since then, two others have joined her. New South Wales is the third jurisdiction in the world to have elected people to Parliament on the basis of animal protection and animal wellbeing. Last year the European Union elected two people, one from Germany and one from Holland, to the European Parliament on the platform of animal protection and wellbeing.

I am extremely privileged and honoured that Australia, together with those other countries, is leading the world in electing somebody to the halls of Parliament to be a voice for the wellbeing of vulnerable and voiceless beings who cannot request help themselves. On three occasions yesterday the Governor referred to this as being an important function and a necessity for a government to embrace. There are political parties relating to animal welfare in 12 other countries of the world. As well as in Australia, they exist in Holland, Britain, Portugal, Spain, Germany, Sweden, Cyprus, Turkey, France, the United States and, very recently, Finland. Moves are afoot to bring animal protection—a shield and a sword for animals—to Singapore, Vietnam and China as well as the Middle East where they will soon be having their first conference about the protection of animals, supported and arranged by Princess Alia of Jordan. This is a new era, a new chapter of a very important, fundamental and ethical shift in the consciousness of people about the wellbeing of those who cannot speak for themselves.

It is interesting that 193 years ago, in 1822 in England, the first legislation for animal protection came about through the Cruel Treatment of Cattle Act. Richard Martin fought for five years in the House of Lords—over and over and over again—to bring this first legislation in the world to protect animals. They coined the name "Humanity Dick" for Richard Martin but he fought very hard. It is interesting that the legislation that was brought in was not about cute fluffy dogs or the majestic and wonderful whales of the world, but about cattle. One of the reasons Richard Martin fought so vigorously was because of the horrors he experienced in seeing horses flogged to death in the streets of London; the horrors of bear-baiting—and baiting has become well-known to us in this State and this country just recently—and because of dog fighting. These were the issues in his heart and on his mind and about which he was concerned.

It is helpful and constructive for us to understand that Richard Martin finally succeeded in getting the legislation through with the help of a wonderful philosopher, Jeremy Bentham. Bentham was ahead of his time. The argument he used was: It is not a matter as to whether an animal can think or reason; it is a matter of whether an animal can suffer. This compelling argument is what achieved the majority vote in the first parliament in the world to protect animals. In 1824, two years later, Richard Martin helped to form the first prevention of cruelty to animals organisation, which was soon thereafter sanctioned by the Queen and named the Royal Society for the Prevention of Cruelty to Animals. Richard Martin drew upon the principles of slavery, claiming similar rights for animals in relation to wellbeing, liberty and their freedom from being kept in a situation where they were at one's mercy and subject to one's beck and call or cruelty. Those principles helped bring prevention of cruelty to animals forward.

It is interesting to note that the legislation to protect animals was endorsed and enacted before legislation to protect children. It was drawn upon by the House of Lords in order to say that if there was legislation to protect animals, it was only right and proper to extrapolate that to the protection of children. It is of note that Queen Victoria, I think every year, was given the opportunity to pardon a prisoner. It is of particular import that where the prisoner presented had committed heinous acts of cruelty to animals, Queen Victoria never pardoned the prisoner. She struck the chord, set the tone of the profound importance of protecting those who are vulnerable, those who cannot protect themselves from us when they are at our mercy. I may be incorrect, but I think I am the first person to be elected a member of Parliament in New South Wales, under the sovereignty of the Queen, who has as his or her principal platform the protection of animals. I think that is quite historic and I enjoy being part of that historic movement.

Why did the Animal Justice Party form? It was because it became clear that thousands of people were outraged by what was happening to our live export animals. We saw thousands and thousands of people gather on the streets of Sydney, as well as in all of the capital cities and smaller cities across Australia, after they witnessed the horrendous treatment of our live export animals—both during their transport on ships and in their handling and slaughter. What compelled us to consider a party for animals was that the people who came together on the street to protest about live exports were cattle producers standing beside butchers, standing beside lawyers, standing beside clergy, standing beside poor and animal rights people in their dreadlocks. These people were standing together, outraged by what was happening to our exported animals. Importantly, we are not talking about cats and dogs and beautiful, majestic whales, which also are important and must be protected; we are talking about sheep, the animals upon which the economy of Australia was built, and cattle. These are farm animals, often not looked upon in the same way as are dogs and cats.

In the Australian Capital Territory many people witnessed the killing of thousands of kangaroos. From where the kangaroos were being herded up and goaded, tranquillised and then shot, one could see in the distance the coat of arms of the Federal Government of Australia. On that coat of arms, as in this Chamber, is the kangaroo. Yet in the Australian

Capital Territory, 300 or 400 metres away, kangaroos—including their joeys—were being rounded up, tranquillised and killed. This caused enormous trauma to a lot of people who were trying to protect them. So it was those two major events—the treatment of live export animals and the trauma that many, many people in the Australian Capital Territory felt—that caused the first meeting here in Sydney to consider the forming of a political party for animals, the Animal Justice Party.

Recently we have seen footage of the live baiting of greyhound. It was extraordinary that across Australia many, many people were outraged by this practice. Very interestingly, the outrage was not only about the cruelty, torment and torture of the animals used in live baiting, but also about the presumption of regularity. The presumption of regularity is often referred to in the courts of Australia when the actions or proposed actions of a government are brought before the court. The court says that we must get over the bar of the presumption of regularity—that the government of the day is looking after the matter and ensuring that the right thing is being done for animals.

The outrage and concern of the public was that people assumed they had elected a government that would look out for the welfare of the animals and ensure that the acts that caused this outrage and concern do not happen. As was exposed through *Four Corners*, the investigations of police and colleagues of mine established that live baiting is a practice that is systemic, that is criminal, that is ongoing and that many who knew about it turned a blind eye to. This expose struck at the trust and assumption in the community that proper regulation and enforcement was in place to ensure against these practices.

It is very interesting that police at very high levels are now taking the issue of animal cruelty very seriously indeed. It is called the cycle of violence—that wherever harm is inflicted on animals, whether in a home or other situation, it is likely, and very often the case, that there will be, if not at the time, domestic abuse, child abuse and maybe worse. From a study of the history of serial killers, it is clear that they started with harming, tormenting and torturing animals. So the police are taking very seriously indications that animal abuse is a marker for human abuse. It is important that we grasp and understand this; and it is very important that, now the people of New South Wales have voted into Parliament somebody to press this issue, we need to address animal suffering as a clear measure of the civilisation of our society.

There is before the Parliament various legislation, I think called biosecurity legislation, that is similar to legislation proposed in South Australia. One term for it is "ag-gag" legislation. It is currently before a Federal committee of inquiry. Many parts of that legislation are about restraining and stopping whistleblowers—people who have gone to properties, or worked in places, and have documented evidence of animal cruelty. Rather than legislation being put in place to try to find the perpetrators of cruelty, or install mandatory CCTV cameras, et cetera, to document cruelty to animals and address this cruelty in a proactive and positive way, those pieces of legislation—one before the Federal Parliament and one which will soon be before this Parliament—are about punishing, and punishing very severely, the people who have had the courage, on many occasions risking their personal liberties, to document and record what is often systemic cruelty to animals in abattoirs, factory farms or intensive farms, et cetera.

This legislation is draconian and extremely serious, and we need to grapple with it in an ethical and sensible way. Recently we saw and were outraged by the cruelty to several species as a result of live baiting being used with greyhounds. If this legislation is passed, rather than the perpetrators being properly dealt with according to law, it would be informants, such as the people who put in place the cameras for surveillance, and programs such as ABC's *Four Corners* and those involved would face charges and possible imprisonment. This is an extraordinary situation. This Government must turn its mind to how this sits with freedom of speech, the principles of prevention of cruelty to animals, and the principles of the rights of people to document what might be considered to be cruelty to animals.

I have a colourful background and many of my colleagues here have shared that colourful background with me. I draw the attention of the House to the Prevention of Cruelty to Animals Act. In 1995 we tried hard to stop the tethering of sows in Parkville piggery, which belonged to Paul Keating. Pregnant sows had metal collars around their necks and they were tethered to iron cages. They were confined for most of their lives until they were sent out to slaughter, which would have been the first time they felt the sun on their backs or saw the grass of the fields.

What happened in that place is a result of section 9 of the Prevention of Cruelty to Animals Act. This legislation is about preventing cruelty to animals. Section 9 is about exercise. A person in charge of an animal must provide that animal with exercise. Section 9 (1) says that person is not guilty of an offence if that animal is of a class of stock animal, or an animal which is usually kept in captivity by means of a cage. This section imposes a positive duty upon a person in charge of an animal to provide it with exercise, yet an exemption is put in place when dealing with thousands or tens of thousands of animals in one place, which is called factory farming.

That day I, with many of my colleagues, went to Parkville piggery and we chained ourselves next to these sows. Despite numerous complaints from people who were working in the piggery and people who were slaughtering the animals in the abattoir, nothing was being done for these animals. As an activist, I participated in this campaign by going to the piggery and chaining myself next to the sows. Something interesting happened that day. As we were being arrested and processed at the police station—and they were the days when one had to put one's finger on ink—the Minister for Agriculture, Richard Amery, announced on the front steps of Parliament House that as of 1996, the next year, the tethering of sows in piggeries would be a specific offence under law.

That is the reason for my colourful past and I have now taken on another colour in this House. It is important that we work hard for these animals because they cannot speak for themselves. I hope to bring to this House a question as to whether it is appropriate that the portfolio of animal welfare or animal protection belongs to the Minister for Primary Industries. The Department of Primary Industries protects primary industries and many of them have animals, and the Minister for Primary Industries has the responsibility to protect

those industries. It is not appropriate to have animal welfare and animal protection in such a portfolio. That portfolio should be placed in a ministry that is completely neutral towards an industry's interests in using animals. I hope that at some stage we can have a debate as to whether the portfolio of animal protection should be moved to the police, who have more powers than the Royal Society for the Prevention of Cruelty to Animals [RSPCA]. They have powers to obtain warrants and to install surveillance to document cruelty to animals.

There are hundreds of dogs and cats at this very moment in pounds and shelters across this State. They are completely healthy animals. They are quite adoptable, but they are unwanted. If they are not adopted within seven days, they are killed. They are healthy animals, capable of being rehabilitated if they have problems. They are not animals that are vicious or dangerous or so diseased and sick that they need to be euthanased. At 5.00 p.m. this Friday veterinarians will go to these pounds and they will kill the cats and dogs.

At the same time, as was exposed by Oscar's law in the paper last Sunday, we have sheds all over this State with thousands of animals that are breeding machines. They are breeding cosmetic, pretty-looking dogs. The bitches in these puppy farms are impregnated and deliver litters over and over again. After several years their bodies are broken. They are rendered worthless and then killed. These animals are being sold in pet shops and, at the same time, we have healthy unwanted animals waiting for adoption that are being killed because we have an industry that is breeding animals. I will ask this House to address this—as the Victorian Government is doing—and whether the puppy farms should be banned, phased out and consigned to the scrap heap of history. It is unconscionable to have animals bred like this because it causes a lot of suffering.

The other important issue is that the RSPCA is a charitable organisation. It receives minimal Government funds and relies on legacies and donations to survive. Yet it has been given the main prosecutorial and investigative powers under the Prevention of Cruelty to Animals Act. The Act is about criminal activity. We would not want childcare centres in every community to be the administrative instrument for the Childcare Protection Act; that would be uncalled for. The RSPCA has a long history of respect and support, and it has a function, but it is time to call into question whether the RSPCA should be the main administrator of the Prevention of Cruelty to Animals Act.

The people of New South Wales have elected me because the protection of animals is important to many, and that importance is continuing to grow nationally and internationally. The Animal Justice Party can be seen as a single issue party—I thought that when I was participating in its formation. Rather, it is a single purpose party with multiple issues. Interestingly, the Party for the Animals in Holland has found that about 80 per cent of issues that come before this House have some impact one way or another on the lives of animals. But even if the issues brought before this House are not directly or indirectly related to animals, the Animal Justice Party will apply the principles of compassion and consideration to any legislation being considered. Our relationship with animals throughout time is extremely important and complex. It is very much a part of our humanity—for example, I

refer to those homeless, broken people in their dirty and torn clothes that we often see in Hyde Park feeding crusts to the pigeons. Clearly they enjoy that experience of interaction.

Many men and women have fallen in war. Messenger pigeons that can brilliantly read the magnetic field around this earth have delivered messages which have stopped the sinking of ships and the killing of thousands of soldiers. Some 130,000 Australian horses were sent to the First World War, not one returned. Not one program was implemented to return even one horse. Yesterday both the Governor and the President spoke about the importance of mateship in war. Many have written about their mate being a horse, a dog or a donkey. The animals with which we share the land, air and water of this country are deeply interwoven with our sense of ethics and culture; we are indebted to them.

Ghandi managed to have the British leave India without any blood being spilt. He said very clearly that the measure of the civilisation of a country is how it treats its animals. It is important for the vulnerable to be looked after because it also reflects how we look after our children, as well as our disabled and homeless people. Those who cannot advocate for themselves need us to advocate for them and we need to advocate more for animals. As I said before, that is why people of New South Wales have elected me to this Parliament and it is my hope that many others will be elected to other national and international Parliaments.

I thank all those who have supported me over the years. It would take too long to name them all and some are not here today. Many have helped me over the past 23 years to grapple with a profound understanding of animals and I am still learning about their complexity, beauty and majesty. In conclusion, Christine Townend, who founded Animal Liberation Australia, once said to me that it is going to be the gradual and growing profound understanding of the majesty, beauty and mystery of animals that nourishes the very vest in ourselves and it may well save us from the worst in ourselves. Thank you.