

RSPCA ACT Report for the Service Funding Agreement

Report for 1st July 2022 – 30 June 2023

Prepared by RSPCA ACT

a. The number of animals seized under the Animal Welfare ACT 1992

1. 16 animals seized under 81A(a) to (c) and/or s85(2) via 85(1)((a) to (c).

2. Animal types:

Dogs	16	
Cats	0	
TOTAL		

RSPCA ACT Inspectors seized 16 animals over the previous financial year to ensure each animal was appropriately examined and treated for illnesses. This sees an increase of 15 animals from the previous year.

3. Number of animals destroyed under the Act: 0. (*relates only to Inspector Seized Animals*)

During the reporting period, veterinarians euthanised 1 elderly crossbreed dog on humane grounds. That animal was not seized by inspectors however inspectors did have interactions with the owner of the animal.

4. Number of entries into premises under section 81 of the Act:

RSPCA ACT Inspectors were obligated to enter 3 premises without prior consent from the occupant. This enabled the animals to receive appropriate veterinary treatment. The owners of the animals are now subject to legal proceedings.

Where entry under section 81 (2) (a) was made, RSPCA ACT Inspectors informed all occupants of their rights prior to entry. No statical information on these actions was kept due to it being a common practice for RSPCA Inspectors to be invited into a residence in the course of their duties.

b. Stray dogs and cats

1. Number of animals received from the public:

Felines	964
Canines	228
TOTAL	1192

2. Number of animals received from the Territory:

Felines	159	
Canines	49	Note: includes DAS seized animals
Other species	28	
TOTAL	236	

c. Cats and dogs housed

1. For stray cats and dogs received from the public or the Territory, the number of days housed against legislative compliance period for the relevant Acts:

Felines	Within 7 days*
Canines	7 days*

* Denotes the minimum days to be held as 'stray hold' to meet compliance requirements.

Note: animals are released back to owners if claimed before stray hold is up, and once stray hold period has expired, unclaimed animals fall under ownership of RSPCA ACT.

2. Number of days held for prosecution related matters*:

Felines	average 0 days
Canines	average 15 days

* For animals seized within this reporting period.

3. Number of dogs transferred to DAS: 0
(Note: includes DAS seized animals returned to DAS)

d. Animals released

1. Number of **stray** dogs and cats returned to owner:

Felines	134
Canines	206
TOTAL	340

2. The average number of days housed until returned to the owner: 1 day

e. Euthanisation

Number of pest animals euthanised	21
Number of cats deemed feral/unsocialised and euthanised	69
TOTAL	90

f. Inspectorate service

1. **Number of enquires/ investigations received by the inspectorate:**

RSPCA ACT Inspectors received a total of 6974 enquires from the community. Of those enquires, 1309 were regarded as falling under the remit of the Domestic Animal Services and 94 were directly related to ACT Housing priorities (figures relating to housing were logged only from Dec 22)

2. **Summary of written / verbal directions:**

RSPCA ACT Inspectors continued to provide verbal directions over the issuing of a formal direction. The approach was considered the less intrusive of the two options available, with most animal owners actioning the verbal requirements with the requirement of further intervention.

On the 2 occasions, animal owners failed to adhere to the verbal directions Inspectors then intervened and took possession of the animals.

3. **ACT Civil Administrative Tribunal Matters:**

RSPCA ACT was not involved in any matters relating to the ACT Civil Administrative Tribunal but provided information to Domestic Animal Services in support of one of their matters. To date, inspectors have not been requested to provide evidence about the matter.

4. Number of prosecutions commenced:

RSPCA ACT Inspectors have commenced no prosecutions over the financial year with 15 matters totalling 64 charges still awaiting vetting and approval from the Transport and City Services legal directorate. RSPCA ACT has no outstanding documents to be lodged in relation to the matters.

Withdrawn matters. Three matters (Health and Lindsay). At the request of the RSPCA ACT Inspectorate, the matters were withdrawn from proceeding due to the extensive delay in processing by the Transport and City Services legal directorate and Department of Public Prosecutions.

The processing delays continue to be of concern.

Penalty Notices Issued. Inspectors issued one penalty infringement notice with the notice being withdrawn by Domestic Animal Services Management, due to their belief any Magistrate would not find the matter proven contrary to the video evidence of the offending being provided. The continued inability to issue penalty infringement notices continues to exist due to technical issues controlled by the ACT Government. This issue has been reported over previous years to no avail.

5. Summary of Court Outcomes:

August 2022. In the matter of Hancock. Plea of guilty to Aggravated Cruelty. Hancock was banned for owning an animal for 2 years, but no conviction was recorded, upon entering into a Good Behaviour Order for 12 months.

June 2023. In the matter of Preston. Not guilty pleas on all counts. The matter was dismissed as per s334 of the Crimes Act 1900 (Mental Impairment). Referral made to the ACT Civil and Administrative Tribunal for Preston to attend. Animal required to be returned. No further action is required by RSPCA ACT.

g. General statement

The Inspectorate has seen a significant increase in reported cases of animal cruelty and neglect over the previous financial year including calls for assistance outside of normal business hours and matters falling under the remit of Domestic Animal Services (DAS).

This continues to highlight the urgent need for enhanced measures to address these issues and protect the welfare of animals.

There is appreciation for the willingness by TCCS to resolve some of the communication and operational process issues that have been raised during the past financial year.

It is suggested that free roaming unowned or semi-owned cats remain a topic for discussion to find solutions to reduce the risk to the welfare of cats.

Inspectors will continue to fulfill a crucial role in educating the public on responsible animal care and diligently prosecuting offenders when necessary, ensuring that acts of cruelty or neglect are met with the appropriate legal consequences. However, maximum penalties have not been imposed for any matter brought to prosecution and there is some concern that this will result in an increase in offending against animals and hostilities toward inspectors in their daily duties as it is seen offenders have no deterrent.

The processing of briefs of evidence within the legal directorate of TCCS and the Department of Public Prosecutions has been notably slow, resulting in the delays of 15 cases in this reporting period. This is of major concern which we hope will dissipate in the 2024 reporting year.

Further, as reported in previous years, the inability of Inspectors to issue penalty infringement notices for minor offences exacerbates delays.

h. Additional information

# animals at C/H status on 30 June	Total = 0
Includes animals in foster. Does not include DAS C/H animals	

In addition, we also included the 'Length of Stay' (LOS) for animals who were or are in care during this reporting period. Their status therefore:

- changed to or from Court Held in the July-June period,
- or are/were still in care as at 30 June 2023,
- indicates the total LOS at that status, for those animals who were still in care during this reporting period, but who came in before July 1 2022.

Days at court hold status	# Animals
0-30	13
31-60	3
61-100	
100+	1

This information was not requested, but we wanted to provide it as we think it is useful to capture.