

RSPCA ACT Report for the Service Funding Agreement

Report for 1st July 2021 – 31 December 2021

Prepared by RSPCA ACT

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

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

Canine	1	
Rabbit	1	
TOTAL	2	

An emphasis on education and owner responsibility was promoted by inspectors over the reporting period. This approach saw a considerable reduction in animals being seized or surrendered to inspectors.

Inspectors generally choose education over prosecution. Education includes speaking with the owner/person in charge of the animal about varying factors depending on the situation, for example: feeding, grooming, housing, training, veterinary services and charity groups. In almost all discussions with an animal owner, inspectors provide some sort of education in the first instance, giving the person an opportunity to modify their behaviour.

3. Number of animals destroyed under the Act: 0. (*relates only to Inspector Seized Animals*)
4. Number of entries into premises under section 81 of the Act:
Inspectors did not enter any premises during the reporting period without the expressed consent of the lawful occupant. However, upon invitation, inspectors entered a premises on 12 occasions as per stipulations of s81(2)(a) of the Animal Welfare Act 1992.

b. Stray dogs and cats

1. Number of animals received from the public:

Felines	370
Canines	79
TOTAL	449

2. Number of animals received from the Territory:

Felines	46	
Canines	32	Note: includes DAS seized animals
Other species	10	
TOTAL	88	

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 20 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	49
Canines	83
TOTAL	132

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

e. Euthanisation

Number of pest animals euthanised	19
Number of cats deemed feral/unsocialised and euthanised	30
TOTAL	49

f. Inspectorate service

1. Number of enquires received by the inspectorate:

The inspectorate received 1677 enquires throughout the reporting period. This is a slight reduction on the previous reporting period. It is expected the ACT Government COVID lockdown restrictions were a contributing factor regarding the reduction in reports to the inspectorate.

It is anticipated enquires will commence to increase over the second reporting period as the community returns to its normal practices post lockdown.

2. Investigations undertaken by the inspectorate:

The inspectorate responded to 388 reports of animal cruelty, with strategies to respond being adapted to comply with government COVID restrictions. Reports made to the inspectorate predominantly related to concerns for dogs, with an increase in nuisance / straying cat reports.

3. Summary of written / verbal directions:

Inspectors predominantly chose to issue verbal animal welfare directions to animal owners in the first instance. Where inspectors detected a non-willness to comply with a verbal direction a written direction was relied upon, with 8 being issued. This saw a 100% success rate in compliance. The inspectorate will continue to approach the requirement of issuing directions in the same manner due to the high success rate in compliance being achieved.

4. ACT Civil Administrative Tribunal Matters:

RSPCA was not involved in any matters relating to the ACT Civil Administrative Tribunal

5. Number of prosecutions commenced:

The inspectorate concentrated on education where appropriate, as opposed to penalising in the first instance. 3 penalty notices were issued for minor offences and 3 matters were brought to the attention of the courts, with 14 charges being laid for offences considered to be of a serious nature.

Delays in ACT Government IT support (Penalty Notice Issuing Devices) saw the inability for inspectors to issue further fixed penalty notices during the reporting period, opting to the issuing of warnings for minor offences.

6. Summary of Court Outcomes:

- 1) An Ainslie resident was charged with 2 counts of Aggravated Cruelty and 1 count of Hitting an animal. The charges were brought to the attention of the courts as a result of the unprovoked stabbing of a Cocker Spaniel type dog in December 2020 and January 2021. RSPCA agreed to withdraw a single count of Aggravated cruelty on the proviso the accused plead guilty to 1 count of Aggravated Cruelty and one count of hitting an animal.

The accused will be sentenced in the ACT Magistrates Court of 3rd February 2022.

- 2) A Gordan resident was charged with 1 count of Aggravated Cruelty, failing to provide appropriate treatment to an animal, failing to provide animal appropriate food and failing to give an animal appropriate exercise. The charges arrived from the accused allegedly causing prolonged starvation and failure to exercise a German Shepherd dog that was found deceased in the rear yard of her Gordon property.

The accused pleaded not guilty to all charges and a hearing date has been set for the 8th August 2022.

- 3) A Kambah resident was charged with 4 counts of failing to provide an animal with a clean and hygienic living environment, 2 counts of failing to groom an animal and 2 counts of failing to provide appropriate treatment for an animal.

Process servers have not been able to serve a summons on the accused to date, with an arrest warrant being issued. The matter is still outstanding, with the RSPCA caring for one of the seized animals.

g. General statement

The Inspectorate saw a reduction in reports regarding animal cruelty over the reporting period. It is expected the reduction was a direct result of the ACT Government COVID lockdown restrictions imposed on the community. RSPCA ACT expects the volume of reports to increase once the community returns to its pre-lockdown routine.

Inspectors resorted to education as opposed to the seizure of animals, with animal ownership responsibility being directed toward the animal owner. This approach reaped good results and a reduction in follow up actions were identified.

Discussions with Domestic Animal Services, have recommenced with progress being made in providing a streamlined approach for customers regarding animal services. Shortages in qualified and experienced animal cruelty investigators have been identified and are generally applicable to weekend and after-hours responses. RSPCA would welcome the ability to provide such a service to the community on a 24 / 7-day basis to combat this concern.

Additional areas of concern pertain to the response and capture of ill and nuisance cats. Whilst the inspectorate is not directly involved in this area, it is routinely called upon to provide its services outside of the Service funding agreement. This service is provided to ensure the community and animals are being attended to in a manner that meets community expectations.

Both the after-hours inspectorate response to cruelty reports and cat matters have a sufficient impact on the RSPCA ACT financial position. It is envisioned any continued service provided outside of the Service funding agreement may require additional funding contributions from the government in the 2022 – 2023 financial year to ensure the service is able to continue in its current form.

h. Additional information

# animals at C/H status on 31 December	Total = 1 - 1 Canine
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-December period,
- or are/were still in care as at 31 December 2021,
- 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 2021.

Days at court hold status	# Animals
0-30	2
31-60	
61-100	
100+	1

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