

RSPCA ACT Report for the Service Funding Agreement

Report for 1st July 2021 – 30 June 2022

Prepared by RSPCA ACT

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

1. 9 animals seized under 81A(a) to (c) and/or s85(2) via 85(1)((a) to (c).

2. Animal types:

Canine	8	
Rabbit	1	
TOTAL	9	

An emphasis on education and owner responsibility was promoted by inspectors throughout the financial year. This approach saw owners engaging in higher methods of animal husbandry than previously experienced with a reduction in the need to seize animals on welfare grounds.

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 entered 1 (one) premise throughout the financial year without the expressed consent of the lawful occupant. The purpose of entry was to enable immediate care to be provided to the animal ensuring no further risk to the animal.

However, upon invitation inspectors entered premises on 22 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	894
Canines	218
TOTAL	1112*

*Note the above figures do not include surrenders, transfers, shelter offspring or emergency boarding animals. The total number of incoming animals (excluding Wildlife) for the financial year 21/22 is **2255**.

2. Number of animals received from the Territory:

Felines	88
Canines	65
Other species	24
TOTAL	177*

*Note includes DAS seized animals

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 14 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	87
Canines	194
TOTAL	132

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

e. Euthanasiation

Number of pest animals euthanised	40
Number of cats deemed feral/unsocialised and euthanised	63
TOTAL	103

f. Inspectorate service

1. Number of enquires received by the inspectorate:

The inspectorate received approximately **4085** direct enquires during the financial year.

There was a reduction from the previous Financial Year, and is attributed to the ongoing ACT Government COVID 19 restrictions, including the restricted movement of the community, with those restrictions affecting the potential eyewitness accounts being reported.

However, there was an average of 17 calls to the inspectorate over any given weekend, which were followed up by inspectors during the normal business week.

It is expected that reports to the inspectorate in their entirety will continue to rise throughout the next financial year, as the majority of COVID restrictions have been withdrawn by the ACT Government.

2. Summary of written / verbal directions:

Inspectors issued verbal animal welfare directions to animal owners in the first instance, with 12 written directions being issued over the financial year.

This approach resulted in 11 (91.6 %) of notices being followed in their entirety.

The remaining non-compliance resulted in inspectors seizing the remaining animal which was later surrendered to the RSPCA. It is the intention of the inspectorate to continue to drive education as its first approach due to the high success rate in compliance being achieved.

3. ACT Civil Administrative Tribunal Matters:

The inspectorate served 3 notices on animal owners, which could have been subject to ACT Civil Administrative Tribunal appeal. On all occasions, the owner chose not to exercise their right of appeal, resulting in RSPCA ACT not appearing before the ACT Civil Administrative Tribunal during the financial year.

4. 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 more serious nature.

Delays in ACT Government IT support (Penalty Notice Issuing Devices) resulted in Inspectors not being able to issue further fixed penalty notices over the financial year.

Due to not being able to issue penalty notices, inspectors resorted to issuing formal warnings for minor offences. RSPCA ACT will continue to liaise with Domestic Animal Services to gain possession of the Penalty Notice Issuing devices to enable penalty notices to be issued for minor offences.

5. Summary of Court Outcomes:

- 1) On the 3rd of February 2022, Michael Patrick Stewart of Ainslie was sentenced to 3 months imprisonment, which was immediately suspended, upon entering into a 10-month good behaviour bond. In addition to the term of imprisonment a \$350 penalty with one year to pay and a 5-year animal ban backdated 1 year for the stabbing and hitting of a Cocker Spaniel breed dog was handed down.
- 2) A brief of evidence is currently with the Department of Public Prosecutions in relation to a Charnwood resident being charged with 9 animal cruelty-related offences. No other information is available currently.
- 3) A brief of evidence is currently with the Department of Public Prosecutions in relation to two Evatt residents being charged with 8 animal cruelty-related offences inclusively. No other information is available currently.

g. General statement

The inspectorate saw a reduction in reports about animal cruelty as compared to the 2021 financial year. This could be attributed to the ACT Government COVID lockdown restrictions imposed on the community and the reluctance of neighbours to report alleged abuse against animals, in fear of their identity being exposed, due to the proximity to the alleged offender.

RSPCA inspectors conducted compliance checks on 6 disqualified animal owners, with 100% compliance being observed. Attempts to locate the remaining disqualified persons through ACT Housing were unsuccessful with Housing refusing to supply information on housing tenants' whereabouts, citing a Memorandum of Understanding (MOU) between the two organisations to supply the required information was no longer in effect. Attempts by RSPCA ACT to clarify this administrative deficit were unsuccessful with Housing not replying to requests to clarify the status of the MOU.

Education continued to be the preferred cause of action by Inspectors and was promoted where possible. This saw a considerable reduction in the seizure and surrender of animals taking a place. The actions of the Inspectorate continued to deliver quality animal welfare-related services to the Canberra community.

Whilst the RSPCA ACT saw positive results in the animal welfare realm, its Inspectorate is aware of the community concerns regarding domestic animal management which falls outside of our authorisation. Most notably, these concerns relate to nuisance cats, noise and straying animals.

The Chief Inspector has been engaging in a direct dialogue with Domestic Animal Services middle management to combat the areas of concern was made. Early progression in the interim stages of the financial year saw a positive step with credit being directed towards Domestic Animal Services Operations Manager Eva Cawthorne, who drove to enhance relations between the two organisations. The inspectorate will continue to engage Domestic Animal Services with the intention of progressing its professional relationship and streamlined Animal Welfare services over the coming financial year.

RSPCA ACT will continue serving the Canberra community in accordance with the service funding agreement and in line with what is possible within our donor funding, however as previously identified, additional services such as nuisance / cat containment and treatment, animal transport, and 7 days a week response to welfare concerns etc, are issues that need to be discussed.

h. Additional information

# animals at C/H status on 30 June	Total = 2 Canines
Includes animals in foster. Does not include DAS C/H animals, see below	

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 2022,
- 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	1
31-60	
61-100	
100+	1

DAS Courthold animals in RSPCA ACT care 30 June:

# animals at DAS C/H status on 30 June	Total = 1 dog, 6 puppies
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This information was not requested, but we wanted to provide it as we think it is useful to capture.