



Saving Animals From Euthanasia (Inc)

Submission
to

Select Committee into the operations of The Royal Society for the Prevention of
Cruelty to Animals Western Australia (Inc), July 2015

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1. BACKGROUND

Saving Animals from Euthanasia (Inc) is a Western Australia non-profit organisation caring for companion animals across the State, founded in 2003. In 2014 SAFE (Inc) became the WA branch of Animal Welfare League Australia (AWLA), which has National coverage.

SAFE has 12 branches, which operate in Western Australia, and has over 10 years experience in caring for, and adopting, domestic cats and dogs, and sometimes other animals, such as guinea pigs.

SAFE branches independently, & under AWLA's national banner, work together to rescue, foster and adopt out Companion Animals, while sharing and promoting programs, which deliver high welfare standards for companion animals.

2. POSITION

SAFE strongly supports the implementation of legislation and policies, or changes to existing legislation, which will improve life for animals, pet owners and the wider community, and would be instrumental to encourage change to our domestic animal population.

SAFE strongly supports the development and delivery of Education, to all ages and members of communities, schools and towns, to ensure positive change and understanding of animal care and treatment, particularly in the area of companion animals.

SAFE strongly supports an Independent, continuously operating body, to administer the requirements of the Animal Welfare Act, to ensure cruelty and neglect are prevented.

SAFE strongly supports a nationally consistent breeder permit system and legislative changes, so that all cats and dogs are responsibly bred and have responsible carers available for life. Currently, companion animal breeding is largely unregulated and there is no requirement for mandatory sterilization of dogs under the current Dog Act (1976)

3. TERMS OF REFERENCE

(a) its funding from the government

RSPCA WA receives \$500,000.00 per annual for administration of the current Animal Welfare Act.

With the funding the RSPCA WA must fulfil their responsibilities in managing and administering requirements as per the Animal Welfare Act (2002).

This entails paying trained General Inspectors, providing vehicles and equipment, and the employees, consumables and resources, to also provide the administrative requirements of carrying out day-to-day functions.

The 2014 Annual Report clearly states Animal Welfare costs of \$752, 746 for Animal Welfare direct costs and \$116, 467 for costs associated with vehicles, and \$952, 921 for Administrative costs.

http://www.rspcawa.asn.au/Annual_Report_2014_WEB_VERSION.PDF

(b) its objectives

The objectives of the RSPCA in Australia are:

- To prevent cruelty to animals by ensuring the enforcement of existing laws at federal and state level.
- To procure the passage of such amending or new legislation as is necessary for the protection of animals.
- To develop and promote policies for the humane treatment of animals that reflect contemporary values and scientific knowledge.
- To educate the community with regard to the humane treatment of animals.
- To engage with relevant stakeholders to improve animal welfare.
- To sustain an intelligent public opinion regarding animal welfare.
- To operate facilities for the care and protection of animals.

Founded on August 2nd, 1892 the original objectives were:

- prevent cruelty to animals by enforcing the existing law
- establish further legislation to protect animals
- educate the public in responsible animal care.

As can be clearly seen, the original objectives are still held and have been added to, with wider scope, to ensure growth and development of the improvement to the treatment, welfare and conditions animals are exposed to.

These objectives are supported by a federation of member Societies known as RSPCA Australia, consisting of a Board and administration. It is unique in its experience, pertaining to the massive scope that the Animal Welfare Act covers.

SAFE considers the RSPCA WA is maintaining the objectives of RSPCA Australia.

(c) the use of its powers

The following link refers to RSPCA Inspector's Standard Operating Procedures;
[https://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/53698e2091152991ca257793001178d0/\\$FILE/100715%20RSPCA%20Inspectors%20Standard%20Operating%20Procedures_Existing.pdf](https://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/53698e2091152991ca257793001178d0/$FILE/100715%20RSPCA%20Inspectors%20Standard%20Operating%20Procedures_Existing.pdf)

These SOP's would be aligned with RSPCA WA's own.

The RSPCA's own website provides it's own information on how RSPCA Inspectors are accountable under law; http://kb.rspca.org.au/How-are-RSPCA-Inspectors-accountable-under-law_611.html

It broadly explains how Inspectors are afforded a range of statutory powers, similar in nature to those held by the police and other law enforcement officers. The last part of this document states "the performance of RSPCA Inspectors is subject to Parliamentary oversight and review." The document also states "This will usually take the form of a Parliamentary inquiry into a particular matter or incident".

Observation and interpretations of situations, and directions written, for example, highlight how Inspectors approach resolutions to concerns for animal welfare. Unless you remove the human side of the Inspector, there will always

be the possibility of variance of detail due to the personal interpretation, which is why Standard Operating Procedures are critical for directions in how to act and communicate.

Being as the body comes under the act governed by DAFWA, and Ombudsman legislation and Freedom of Information, it has robust accountability.

The Term of Reference for this Review currently underway is not specific to a particular or matter, merely considers the use RSPCA WA's powers.

But is that for the entire organisation? Or is it the Policy and Planning area?

Is it with regard to how Management oversees its Inspectors? How prosecutions are supported or not by Management?

Are there concerns with quality of RSCPA WA's legal council, or its ability to provide accurate evidence for prosecutions?

Or is it regarding the interpretations of Inspectors, and their writing of direction notices, issuing of fines, or involvement with prosecutions?

SAFE Broome cannot comment on much exposure to involvement regarding RSPCA WA's use of powers, as our closest Inspector is in Geraldton, approximately 1900kms away.

RSPCA WA's actions regarding a particular incident requiring deliberate, continuous denial of food to an animal known as 'Braveheart'. SAFE Broome understood some of the difficulties and hurdles the organisations experienced in bringing the case to court in Broome.

SAFE Broome uses, and encourages the use, of the online reporting system RSPCA WA has available. We are also aware of how the Inspector is able to work with the local Police Station Officers, in pursuing animal welfare concerns. Local vets and Wildlife organisations are also aware of RSCPA operations, often seeing animals, domesticated and wildlife, that have suffered from intentional or unintentional harm by human involvement.

SAFE as organisation offers RSPCA WA total support in their operations and ability to serve the community, through their specialised skill-set, in monitoring and policing or animal welfare matters, particularly due to our involvement with companion animals.

4. LEGISLATIVE CHANGES REQUIRED TO ASSIST RSPCA WA

RSPCA WA are pro-active in seeking improvement of the Dog Act 1976, reviewed in 2012, to reduce domestic dog overpopulation by closing puppy farms/mills and 'backyard breeders', through regulation of dog breeding, by enforcing mandatory sterilizations unless by registered breeders.

5. OTHER CHANGES THAT MAY BE REQUIRED

RSPCA WA are active in proposing improvement for animals in the West Kimberley, not just for companion animals. All animal matters would be covered by appointment of additional Inspectors to the region.

6. CONCLUSION

Without the original concept, the Royal Society for the Prevention of Cruelty to Animals Australia (1981) would not exist, RSPCA WA wouldn't exist, and each State or Territory Shire would be responsible for the control, treatment, administration and management of their areas animal concerns.

The Australian Securities and Investments Commission has strict guidelines about the use of the word "Royal" in an organisations name.

The RSPCA WA is a royal charter. This means that it will operate indefinitely, regardless of which political party is in power at any time, and it must be independent and maintain integrity.

RSPCA WA produced an Annual Report, clearly showing their financial situation, has clear objectives, as followed by all RSPCA organisations in Australian States and Territories.

RSPCA WA follows Standard Operating Procedures in carrying out their duties under the Act, and complies with DAFWA and legislation requirements.

Royal Society for the Prevention of Cruelty to Animals Australia (1981), and all it's branches, must be allowed to continue its work, and that includes the RSPCA WA.

SAFE as an organisation supports RSPCA WA's Inspectorate role, and certainly has no other body at this time to replace the work that RSPCA WA does in this area.