

ANIMAL WELFARE LEAGUE NSW

INSPECTORS OFFICE

REGISTERED NO. CFN 10416 UNDER THE NSW CHARITABLE FUNDRAISING ACT

ABN 88 000 533 086

1605 Elizabeth Dr, Kemps Creek NSW 2178

Telephone: (02) 8899 3333 Facsimile: (02) 8899 3366

Email: inspectors@awlinsw.com.au

AWL NSW Inspectorate

Annual Report

2023-2024

Submitted in accordance with clause 34

Prevention of Cruelty to Animals Regulation 2012 (NSW)

As per the requirement of Animal Welfare League NSW (AWL NSW) as an approved charitable organisation under Section 34(B)3 of the Prevention to Cruelty to Animals Act 1979, I am writing to report to the Minister, The Honourable Tara Moriarty, of the exercise of powers by AWL NSW Inspectors under the Act for the twelve-month period ending 30 June 2024.

As of 30 June 2024, the AWL NSW Inspectorate employs five (5) Authorised Officers. All officers are employed on a full-time basis except for one officer who is contracted on a part-time roster.

As per Section 34 of the Prevention to Cruelty Animals Regulations 2012, listed below is information obtained from statistics held by AWL NSW Inspectors for the period 1 July 2023 to 30 June 2024.

(a) a statement of the number of, and a summary of the substance of, complaints relating to animal cruelty or mistreatment received by the organisation:

Between 1 July 2023 and 30 June 2024, AWL NSW lodged a total of 1542 complaints alleging cruelty to animals' contrary to the Prevention of Cruelty to Animals Act 1979 (NSW) (hereafter the Act). These complaints often involved more than one animal and multiple breaches of POCTA were often attached to a single cruelty report.

A breakdown of the type of complaint can be found below.

From 1542 complaints received, 2629 POCTA breaches were investigated

Dispatch Group	Description	Total
Cruelty Complaint	Abandon	103
Cruelty Complaint	Advertising Id Breach	744
Cruelty Complaint	Breach Code Of Practice	12
Cruelty Complaint	Confined - Insufficient Space	51
Cruelty Complaint	Confined - No Exercise	64
Cruelty Complaint	Confined – Overcrowded	35
Cruelty Complaint	Confined In Car	3
Cruelty Complaint	Confined In House	8
Cruelty Complaint	Exposed To Excessive Cold	9
Cruelty Complaint	Exposed To Excessive Heat	42
Cruelty Complaint	General Abuse	60
Cruelty Complaint	General Neglect	191
Cruelty Complaint	Inadequate Vet Treatment	203
Cruelty Complaint	Insufficient Food & Drink	242
Cruelty Complaint	Insufficient Shelter	91
Cruelty Complaint	Killed	5
Cruelty Complaint	Other	58
Cruelty Complaint	Poisoned	1
Cruelty Complaint	Tethered - No Exercise	54
Cruelty Complaint	Tethered - Unreasonably Heavy	11
Cruelty Complaint	Tethered - Unreasonably Short	13
Cruelty Complaint	Transport - Unsatisfactory	1
Cruelty Complaint	Welfare Concern	628
	Total	2629

(b) a statement of the number of visits or investigations made by officers of the organisation as a result of those complaints:

Due to the limited numbers of officers, AWL NSW inspectorate can only operate 5 days per week. AWL NSW investigated 1542 cruelty complaints in the reporting period. The investigation of these complaints involved 1542 initial inspections and a further estimated 620 rechecks. It is important to note there may be a slight margin of inaccuracy with rechecks as previous monthly reports are unattainable with staff changes and previous inconsistencies with reporting revisits on our database.

Rechecks were generally conducted by Inspectors to assess compliance with either written or verbal directions.

AWL NSW conducted an additional 435 routine inspections, some of which eventuated into cruelty investigations / non-compliance revisits. Our Sheltermate system does not have the capacity to record specific data to identify the number of those dispatch jobs that developed into investigations.

(c) a statement of the number of visits or investigations made by officers of the organisation that were unrelated to those complaints (such as routine inspections of abattoirs, veterinary practices, pet shops or saleyards):

AWL NSW's Sheltermate database does not have the capacity to distinguish between cruelty complaints and 'routine' (proactive) inspections conducted on animal trades under the provisions of section 24G of the Act. Data is captured separately to record the number of 'routine' inspections conducted by the AWL NSW Inspectorate. A summary of the 435 'routine' inspections conducted during 2022/2023 is tabled below.

Dispatch Group	Description	Total
Routine Inspection	Animal Holding Facility Inspection	14
Routine Inspection	Boarding Kennel Inspection	48
Routine Inspection	Carer Inspection	2
Routine Inspection	Cat Breeder Inspection	2
Routine Inspection	Dog Breeder Inspection	17
Routine Inspection	Film & Theatrical Performance Inspection	242
Routine Inspection	Grooming Parlour Inspection	5
Routine Inspection	Pet Shop Inspection	38
Routine Inspection	Premises Inspection	59
Routine Inspection	Riding School Inspection	3
Routine Inspection	Saleyard Inspection	5
	Total	435

In addition to cruelty investigations and routine inspections, AWL NSW officers attended jobs lodged under general dispatch requests, assisted other Officers in Charge, attended ambulance requests where required and/ or assisted with animal control issues if available to do so and deemed appropriate.

Below is a table to reflect general dispatch jobs and those relating to animal control. Unfortunately, our Sheltermate database does not allow all Inspector assist jobs to be recorded for accurate figures.

Dispatch Group	Description	Total
Animal Control Issue	Dangerous Animal	2
Animal Control Issue	Feral Cat Population	1
Animal Control Issue	Nuisance Dogs	3
General Dispatch Request	Assist A W L Branch	7
General Dispatch Request	Assist A W L Head Office	14
General Dispatch Request	Assist A W L Kemps Creek Shelter	54
General Dispatch Request	Assist A W L Vet Clinic	7
	Total	88

AWL NSW employs one (1) ambulance officer who operates under our inspectorate department. Our ambulance officer not only responds to injured and / or sick animals but assists our inspectors with transporting animals that have been surrendered through our inspectorate back to our shelter in Kemps Creek.

The ambulance officer attended a total of 370 new jobs including assisting inspectors, shelter or our Branches. Below is a table to reflect the number of ambulance jobs lodged but does not include rechecks or those jobs assisting.

Dispatch Group	Description	Total
Ambulance Request	Injured Cat	132
Ambulance Request	Injured Dog	77
Ambulance Request	Injured Kitten	31
Ambulance Request	Injured Livestock	23
Ambulance Request	Injured Puppy	9
Ambulance Request	Injured Wildlife	14
	Total	286

(d) a statement of the number of persons cautioned by officers of the organisations:

During the reporting period, AWL NSW officers issued 62 official cautions.

(e) a statement of the number of notices issued by officers of the organisation under Section 24N of the Act:

During the reporting period, AWL NSW officers issued 23 written directions.

(f) a statement of the number of penalty notices issued by officers of the organisation:

During 1 July 2023 and 30 June 2024, AWL NSW issued 10 Penalty Infringement Notices.

(g) a statement of the number of proceedings for offences under the Act or the regulations that were instituted by officers of the organisation, together with details of the defendants and the charges:

1. AWLNSW vs

(Finalised after reporting period FY23/24 but included in Summary below for reference)

Fail to provide proper and sufficient food

Fail to provide vet treatment

Fail comply written direction

2. AWL NSW vs

Obstruction of persons exercising powers

Fail to comply with disqualification order x3

3. AWL NSW vs

Fail to provide proper and sufficient food and water

Fail to provide vet treatment

Obstruction of persons exercising powers

There are several matters pending prosecution, however CANs and Brief of Evidence to be served after this reporting period.

(h) details of the outcome of such of those proceedings as had been finally determined as at the date of the report and

(i) details of the outcome of such of those proceedings for offences as were referred to in the immediately previous report but not finally determined as at the date of that report:

Date Job Rec.	Date Matter Finalised	Court	Species	Charges / Outcome	Summary
1.3.2023 FY 22/23	Finalised July 2024	Mt Druitt	1x Canine	Fail provide vet treatment \$1000 Fail provide food \$500 Fail comply written direction - 10A S30A(1)POCTAA – costs - \$5005.36	AWL NSW v Mention date at Mt Druitt court- 17 July 2023 Mention adjourned – 31 July 2024 Defendant failed to attend. Matter heard in Defendants absence. Guilty on all 3 charges Custody and ownership of animal awarded to AWLNSW. AWL NSW awarded costs.

7.6.2023 FY 22/23	Pending	Liverpool	1 x Canine	Fail to provide sufficient food and water Fail to provide vet treatment Obstruction of persons exercising powers	AWL NSW v Defendant has plead guilty. To be sentenced 16 October 2024.
13.11.2023 FY 23/24	Finalised June 2024	Fairfield Parramatta	3x Canine	Obstructions of persons exercising powers Fail to comply with disqualification order (3 counts) S31(1)(b)POCTAA – Disqualification 5 years	AWL NSW v Defendant did not attend any mention dates. Court issued a warrant for arrest. The Defendant was sentenced for all outstanding offences to an 18 month Community Correction Order.

(j) a list, current as at the date of the report, of the officers of the organisation, together with any changes made to that list since the immediately previous report:

As of 30 June 2024, AWL NSW had a total of 6 officers. Of those 6 officers, 5 are holders of a prescribed authority under the provisions of Part 2A of the Act, issued with the approval of the Minister for the Department of Primary Industries.

Three inspectors resigned from their position as authorised officers in late 2023.

2 inspectors were employed during the current reporting period, however their employment was terminated within their probation period.

(k) details of any complaints received by the organisation in relation to its activities (or those of its officers) under the Act, including details as to the resolution of those complaints and of the disciplinary action (if any) taken against any person as a result of those complaints. As had been finally determined as at the date of the report:

Complaint	A complaint was received from a POI regarding two Inspectors issuing misinformed instructions, resulting in her animal being euthanased. The complainant expressed her views that the officer in charge had poor communication.
Outcome	The Inspectors had followed all AWL NSW Policies and Procedures. After an investigation into this complaint, including review of the Inspector's notes and enforcement documents, the complaint was found to be unsubstantiated.
Complaint	A complaint was received from a member of public after a near motor vehicle accident between staff and complainant. It was alleged staff became verbally aggressive and intimidating.
Outcome	After speaking with the complainant, staff involved, and HR, it was determined that the complaint was unsubstantiated and the member of public was at fault.
Complaint	A complaint was made by a POI family member. An animal seized was allegedly promised to be returned to said family member.
Outcome	After thorough consultation with the Inspector and complainant, it was determined both parties were at fault and had inconsistencies. The Inspector was given a verbal warning in relation to this matter and further training was provided about handling similar situations. The Inspector was instructed to review AWL NSW Policies and Procedures.

(l) details of the training provided by the organisation for its officers:

Current

Course	Code (if avail.)	Number of Attendees
Certificate IV Government Investigations	PSP40416	4
Use of Firearms to Humanely Destroy Animals	AHCPMG304	5
Apply First Aid	HLTAI09,010,011	2
Provide First Aid Remote or Isolated Site	HLTAID013	2
Defensive Tactics	KEF-IC ALPHA KEF-IC CHARLIE	5
AWL NSW Basic Firearms Course	N/A	2
Revenue NSW SEINS	N/A	2
Operate and Recover Four Wheel Drive Vehicle	FWPCOP3325 FWPCOP3326	1
CPR	HLTAID009	2
NSW Emergency Management Program	N/A	2
RFS Bushfire Awareness	N/A	2
Dangerous Dog Handling	N/A	4

AWL NSW Inspectors sit on Elanco Animal Health and Garvan Medical Research Institute Animal Ethics Committees.

m) the following information about access applications made to the organisation under the *Government Information (Public Access) Act 2009* –

i. the number of access applications: There were no applications made. **ii.**

the subject matter to which each access application related: N/A

n) details of the number of complaints made under the *Ombudsman Act 1974* about the organisation and appointed officers employed by the organisation, and the outcome of the complaints.

No complaints were made through the Ombudsman Act.

o) a list of memorandums of understanding or other service-level agreements, however described, between the organisation and the State or another approved charitable organisation:

The Animal Welfare League Inspectorate has current Memorandums of Understanding with NSW Department of Primary Industries and Regional Development, The Office of the Children's Guardian and NSW Police.

This Inspectorate Activity Report has been completed and submitted by the Chief Inspector, AWL NSW, in accordance with clause 34 of the *Prevention of Cruelty to Animals Regulations 2012* (NSW).

Chief Inspector
AWL NSW