

Submission  
No 26

**INQUIRY INTO 2025 INQUIRY INTO THE OPERATION  
OF THE APPROVED CHARITABLE ORGANISATIONS  
UNDER THE PREVENTION OF CRUELTY TO ANIMALS  
ACT 1979**

**Name:** Name suppressed  
**Date Received:** 31 October 2025

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Partially  
Confidential

## This submission

I am making this submission under the Terms of Reference of the **2025 Inquiry into operation of the approved charitable organisations under the *Prevention of Cruelty to Animals Act 1979***:

(b) the exercise by the approved charitable organisations of their compliance and enforcement functions under the *Prevention of Cruelty to Animals Act 1979*, and

(c) any other related matters.

## Background and context

On 18 July 2022 I received a letter from the Wildlife Information Rescue Education Service (WIRES) board suspending my licence to rescue and rehabilitate wildlife based on a complaint WIRES received about me from a third party in April 2022 (unknown to me), some 3 months earlier (see attached file 'Exhibit A').

During this period April 2022– July 2022, WIRES were in contact with third parties gathering information about me without my knowledge (see attached file 'WIRES 14 October 2022 – full case record').

On 26 April 2022, based solely on the information WIRES gathered from these third parties (identified as Australian Seabird Rescue members), the WIRES Animal Welfare Team headed by (ex **RSPCA** inspector) submitted an interim report to the WIRES CEO (ex **RSPCA**) and Volunteer Support Manager (VSM).

I replied to the WIRES letter of 18 July 2022 suspending me (see attached file Exhibit B). On 19 August 2022 I heard that WIRES had referred the matter to the **RSPCA** for criminal prosecution (see 'Exhibit D')

On 11 August 2022 WIRES referred the matter to the **RSPCA** who subsequently requested to interview me. Bear in mind these referrals by WIRES to the **RSPCA** aren't trivial, WIRES intention with these referrals is to seek criminal prosecution via the **RSPCA**.

At this stage I engaged a solicitor as I was potentially facing criminal prosecution.

My interview with **RSPCA** investigator (dressed like a Police officer with a radio and what looked like hand cuffs and other paraphernalia) was intimidating. She held up a document with a photograph of a dead Crested Tern and asked me to confirm that this was indeed the bird that died in my care and asked me to sign the document below the photo confirming this. I declined and said one Crested Tern looked like any other. The **RSPCA** conducted an autopsy of a Crested Tern (via the University of NSW) that they claimed was the dead bird in question but the autopsy did not support WIRES allegations. The **RSPCA** decided not to prosecute but issued me with a caution (without foundation in my opinion). Following this, WIRES dropped all allegations and closed the matter.

However, my licence to rescue and rehabilitate wildlife has not been reinstated by WIRES (it is 3 years now) and I have taken this matter up with the Fair Work Commission and I am seeking a 'Stop Bullying Order' (see the current case v WIRES – Fair Work Commission which is pending a decision following a WIRES Jurisdictional Objection).

Additionally, I have also taken the following action:

- Made a GIPA request for information from the **RSPCA** which has been unsatisfactory in my opinion due to excessive redaction of material provided and excessive suppression of information not provided based on privacy concerns (which is nonsense as I know who made the allegations anyway as this was divulged by WIRES). See the attached 'RSPCA excessive redaction - suppression of information').
  - Requested information from WIRES through the OAIC (Privacy Act) to review the correspondence between WIRES and the **RSPCA** – this is currently in traction.
  - Requested **RSPCA** revoke a caution they issued on 5<sup>th</sup> April 2023 under Section 5(3)(c) of the POCTA Act NSW (1979) as I believe they did not have the grounds to issue the caution.
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## My Issues with the whole process and the collusion between WIRES and the RSPCA

There is a strong relationship between WIRES and the **RSPCA** which is having a detrimental effect on WIRES members and the wildlife members rescue and care for.

The WIRES CEO is an ex **RSPCA** employee who has been morphing the culture of WIRES in recent years to the **RSPCA** model, especially since WIRES received over \$100m from donations following the bushfires of 2019/20. The bushfire donations have enabled WIRES to attempt to change the objectives and direction of WIRES from just rescue and rehabilitation of wildlife to also include elements of law enforcement similar to that of the **RSPCA** model. This is evidenced by:

- WIRES created a new division called the WIRES Animal Welfare Team headed by (ex **RSPCA** inspector) in 2021 whose aim is to investigate 'allegations' of wildlife animal cruelty not so much of the public but specifically to investigate wildlife in care by WIRES members. These employees have no wildlife training or experience. This division also and both ex **RSPCA** inspectors to also investigate WIRES members.
- WIRES Animal Welfare Team staff often go on 'raids' with **RSPCA** inspectors to WIRES members properties who they suspect of 'animal cruelty'.
- WIRES Animal Welfare team staff pass on their investigative information to the **RSPCA** for further action (e.g. plan property raids, seizure and euthanasia of wildlife, and ultimately criminal prosecution) as evidenced by the investigation the **RSPCA** conducted into me (describe later).
- WIRES Animal Welfare team staff have been observed consulting with **RSPCA** legal counsel during **RSPCA** court prosecution hearings involving WIRES members.
- WIRES board lodged a WIRES constitution with ASIC in late 2024 (unlawfully) that had been voted down by WIRES members three times. This constitution was devised by the WIRES board that expanded/changed the objectives/direction of WIRES as previously mentioned. Around 900+ members who did not formerly agree to the new constitution online had their membership rights revoked and were not registered with ASIC as WIRES members. WIRES has since backtracked and the original constitution (2007 version) is now back in place (but the rights of the +900 members has not been re-instated) only because WIRES are currently being challenged in the NSW Supreme Court by a WIRES member (see **Emmett v WIRES**).

- WIRES recently revoked the WIRES membership of Gary Henderson (another WIRES member as my WIRES branch) because he challenged the authority of the WIRES Animal Welfare Team to monitor and direct his wildlife care activities as he claimed it was unconstitutional and because no one in the WIRES Animal Welfare Team has any wildlife care, education, or experience (just POCTA Act knowledge). The WIRES Animal Welfare Team are effectively operating like the **RSPCA** inspectorate. Gary Henderson has challenged WIRES authority to revoke his wildlife rescue and care licence and the matter is now before the NSW Supreme Court (see **Henderson v WIRES**).

In my case, WIRES collected information/allegations from third parties without my knowledge (breach of the Privacy Act) and decided to suspend my licence to rescue and rehabilitate wildlife without due process (no natural justice). This is clear in the correspondence between me and WIRES (and the OAIC, and the Fair Work Commission), and the **RSPCA** who would have been well aware of this yet they ran with it anyway. The **RSPCA** interviewed me, concluded that there was no evidence to prosecute, but issued a caution which I believe to be invalid for the following reasons:

- The caution says *"I, Chief Inspector Meyers, believe on reasonable grounds that you committed a serious offence on or about 29 August 2022"*. Had Chief Inspector Meyers actually read my evidence, he would have seen that the alleged incident occurred during Easter 2022. Nothing involving me took place on or around 29 August 2022. Last time I looked, Easter never took place in August. To me this casts doubt on the competence of the investigation, have they mixed me up with a different matter?
- **RSPCA** said I breached *Section 5(3) of POCTA Act - 5 Cruelty to animals (3) (c) where it is necessary for the animal to be provided with veterinary treatment, whether or not over a period of time, to provide it with that treatment*. I took into care an abandoned, injured, and emaciated Crested Tern (not an endangered species) on Easter Good Friday 2022 and all vets were closed. I was Seabird Co-ordinator for my branch and had the authority to decide to take animals to the vet or not, but in this case, there was no option to take the bird to a vet over Easter. I arranged to take the bird to another wildlife organisation that specialised in seabirds (Australian Seabird Rescue) and it died in transit. I had the bird for a total of 5 days. The POCTA Act section 5 says *"where it is necessary for the animal to be provided with veterinary treatment"*. I decided on the 5th day (vets were open now) that it wasn't **necessary** to take the bird to the vet.

I requested that the **RSPCA** withdraw the caution but they refused. Now that the **RSPCA** have confirmed that the investigation is closed and that there is no intention to withdraw the caution, I intend to seek a Judicial Review at the Supreme Court.

I cannot join another wildlife organisation as there is a cloud above me (licence still suspended by WIRES and a caution with the **RSPCA**), and I believe this punitive action to be not just unjust, but to be cruel, unlawful, and immoral.

WIRES and the **RSPCA** are clearly working in tandem here and the effect this has had a devastating effect on the wildlife rescue and rehabilitation sector. Carers are in fear and this has resulted in:

- WIRES Members leaving the sector in droves.
- Animals suffering as members are reluctant to euthanise animals when necessary as they fear being investigated and prosecuted.
- Fewer animals rescued (WIRES members fear animals dying in their care).

- Vets overloaded with wildlife (remember initial treatment is generally for free) as everything is taken to vets no matter how healthy.

## Conclusion

The WIRES scenario is similar to the UK Post Office Scandal in which the Post Office wrongly accused hundreds of postmasters of fraud and sought (and got) criminal convictions.

But with WIRES it could be argued it is worse. WIRES was created by members who are the owners (effectively the shareholders of the organisation). Now the WIRES board (made up of WIRES members) are endorsing and enabling WIRES employees (e.g. Animal Welfare Team) to go after their own members to criminalise them. No employees (including the CEO) are or can be directors of WIRES.

No good will come of this. Criminalisation of WIRES members has already begun (see the case **RSPCA v Dods**). In this matter a WIRES member was criminally convicted of animal cruelty. This matter is now under appeal.

Both WIRES and the **RSPCA** conduct investigations into WIRES members with no due process (no natural justice) and no right of reply to allegations. They use the POCTA ACT as a stick

WIRES members work under the Code of Conduct under the Biodiversity Conservation Act not under the POCTA Act. WIRES members have the licence and discretion to determine how to assess, initially treat (which could involve euthanasia e.g. using blunt force trauma), and care for wildlife. The wildlife rescued are already compromised (already injured). Wires members may have animals in care for up to a year and through this period the animals are compromised until full recovery.

THE POCTA Act looks at animals in care that are compromised and so this means all WIRES members caring for animals could be prosecuted under the POCTA Act at any time until the animal fully recovers and is released back to the wild.

I understand that the **RSPCA** may need to investigate animal cruelty conducted by for profit organisations and individuals caring for domestic and farm animals, but no one joins a wildlife rescue organisation to be wilfully cruel to animals.

The use of the POCTA Act has no place in the Wildlife sector and either the POCTA Act and the Biodiversity Conservation Act should be brought into line with each other as currently they contradict each other.

As a WIRES member, it is possible to be compliant with the Biodiversity Conservation Act but breach the POCTA Act.

The POCTA Act 1979 as it is being abused right now in the wildlife sector.

The operation of the charitable organisations approved under s 34B of the POCTA Act 1979 are in my opinion out of control with the use of the POCTA Act which will result in unreasonable criminal convictions

I am sure the public are unaware how donations to WIRES are being spent on criminalising their own members.

A Parliamentary Inquiry is required to bring this sector under control.

# Confidential

I am happy for this submission to be published but without my name.

Regards

31/10/2025