

Submission
No 33

**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

Partially
Confidential

2025 Inquiry into the operation of the Approved Charitable Organizations under POCTA Act 1979

The Terms of Reference for this inquiry 1(b) allows for comments on the *compliance and enforcement functions of ACO's under the POCTA Act*, and 1(c) allows for *any other related matters*.

In NSW, the definition of 'an approved charitable organization' under POCTA Act is an animal welfare charity that has been officially approved by the Minister. This designation gives the organization's inspectors special powers to enforce animal cruelty laws. Currently there are only 2 primary ACO's – RSPCA NSW and Animal Welfare League NSW.

WIRES (Wildlife Information Rescue & Education Service Limited) is not yet an approved charitable organization under POCTAA but recent changes to its constitution, policies and operations indicate it is operating as an ACO through collaboration with RSPCA or looking to become an ACO. This submission outlines concerns that WIRES is operating outside its constitutional powers without the delegated authority.

There are escalating concerns about WIRES constitutional legitimacy, governance, workplace culture, financial transparency, treatment of volunteers and its developing quasi-enforcement role under POCTAA despite not being an approved charitable organization under that Act.

WIRES operations are starting to include enforcement of animal cruelty legislation via their new Welfare Team. It is therefore recommended that their role and requests for any funding are examined as part of the overall analysis for the role of an independent Office of Animal Welfare recommended in findings of previous inquiries. Many of the recommendations of Portfolio Committee No. 4, Report 59 (Nov 2024) are relevant to WIRES including issues relating to **workplace culture, leadership and governance – in particular with procedures surrounding managing conflicts of interest – the transparency and oversight in regard to investigations leading to prosecutions, animal welfare outcomes, WHS & oversight of volunteers and expenditure and use of public funds/donations from the Australian public.**

This submission outlines why it is imperative that WIRES be subject to its own Parliamentary Inquiry before any further government funding or enforcement powers are considered.

Areas of Concern

1. Governance Failures and Constitutional Concerns
2. Wildlife Rehabilitation Sector Strategy Review
3. National Parks & Wildlife Service (NPWS) – Regulatory Gaps
4. Relationship between WIRES and RSPCA
5. Suitability of POCTA Act for Wildlife Rehabilitators
6. Matters arising from conviction of Tracy Dods (2025) under POCTA Act
7. Volunteer Treatment and Attrition
8. Financial Transparency & Accountability
9. Animal Welfare & Impacts on Vets
10. Capabilities of WIRES & Emergency Response
11. Do WIRES/RSPCA plans align with wider sector

Introduction

As a volunteer wildlife rescuer in WIRES for several years, I appreciate the opportunity to consider the current trajectory of this organization and the sector overall.

In 2026 WIRES will celebrate its 40th anniversary. Between 1985 and 2025, WIRES has grown from a volunteer-based association into a corporate entity with:

- Approximately \$69 million in net assets (FY25);
- Over 100 salaried staff but declining membership numbers;
- A Public Gift Fund with balance over \$53 million;
- Formal partnerships with government, RSPCA NSW, ARC and private sector stakeholders and other entities.

These developments have fundamentally changed WIRES' operational and governance nature yet there has been no corresponding increase in oversight or regulatory inquiry since 2020 to ensure compliance with public purpose obligations or charity law standards.

The Australian public know and trust the WIRES brand. However, volunteers are raising the alarm that Rescue & Rehabilitation is no longer the core mission of WIRES, its own brand is the new focus - at the expense of wildlife welfare.

WIRES is founded on volunteers and across the sector, volunteers make a significant personal & financial contribution estimated at approximately **\$27 million per annum**. WIRES is failing to respect their volunteers and as a result, public confidence is at an all-time low.

Since 2020, Head Office expenses have skyrocketed. The annual cost of Wages & Salaries together with Consultants Fees was \$11 million in Financial Year 2025. This level of expenditure is unsustainable, **and WIRES are looking to receive substantial government funding to expand their enforcement team and support Head Office operations at this level into the future.**

Background

In 2020, WIRES received over \$100 million in donations. These funds have now given WIRES a controlling position in the sector to drive future policy. Yet WIRES is plagued by complaints and criticisms which focus on workplace culture, internal governance and lack of transparency around financial decisions.

As a result of the increase in WIRES income, they were advised by NSW Fair Trading to transfer from an Incorporated Association, and in September 2024 WIRES transferred their registration to ASIC as a Company Limited by Guarantee lodging a new, and significantly different Constitution for WIRES. WIRES members raised concerns about processes undertaken and there are two cases in NSW Supreme Court ongoing since November 2024 brought by members.

As part of the transfer of registration, WIRES disenfranchised over one third of their volunteer workforce – *over 1,000 volunteers* – who refused to accept their proposed constitution. WIRES has since admitted to 'irregularities' of their process surrounding the transfer. Many members refused to accept WIRES proposed constitution as it substantially changed WIRES operations and reduced members rights and voice in the organization.

The proposed constitution also changed the very Object of WIRES, introduced new activities and the Public Gift Fund would form part of the general accounts of WIRES rather than be maintained

separately. *Donors deserve to know how their donations are spent and reduced financial reporting is not conducive to increased transparency.*

After 6 Constitutional votes, in October 2025, WIRES members finally voted to approve a constitution similar to the original 2007 Constitution of WIRES with only minor changes to make it suitable for a CLG.

Note: The constitution which substantially changed WIRES operations and focus has been withdrawn by WIRES.

1) Governance Failures & Constitutional Concerns

WIRES put forward various constitutions to members from *May 2023 to October 2025*. It has taken WIRES 8 Special General Meetings and legal action by volunteers to finally have a constitution put forward that members could approve by Special Resolution – and the constitution eventually adopted *was the original 2007 Constitution* with only minor changes required for a Company limited by Guarantee. **How much has this constitutional reform process cost WIRES? Should public donations have been spent in such a way?**

WIRES failed to call an AGM between October 2022 and October 2025 which kept the board directors in complete control of the information flow and the constitution processes. Members have been misinformed and threatened with dire consequences for WIRES if the proposed constitution failed to get adopted. Board directors are entitled to tell members how to vote but this occurred more than once. Members have felt considerable duress to support WIRES directives.

The transition to a CLG caused the disenfranchisement of approximately 1,000 members who declined to adopt the new structure. That WIRES would treat members with such disrespect is very concerning especially as the sector focuses on retention of volunteers. The disenfranchised members are still not certain if they have been reinstated, and many have left in the interim. The process has been highly destabilizing for wildlife carers in WIRES.

The two Supreme Court matters currently before the court outline issues regarding member rights, procedural fairness and compliance with the Corporations Act.

WIRES actions likely contravene ACNC Governance standards with regards to acting lawfully and with accountability; accountability to members; and duties of responsible persons. They may also breach Corporations Act s180-183 concerning directors' duties, misuse of position and failure to act for a proper purpose.

Without volunteers commencing their own legal action, no one would have been aware of WIRES actions. Complaints to regulators achieves nothing.

The number of volunteers and/or members in WIRES is not transparent:-

ACNC FY25, CEO has reported there are **4,673 volunteers**.

WIRES listed **2,200 members** on the Register with ASIC in September 2024.

Even if the WIRES CEO includes the **Rescue 101 volunteers (951)** and **Wombat Mange volunteers (242)** this **does not equate to 4,673**.

No more than **1150 member votes** have ever been lodged at any of the SGMs.

Similar questions exist around staff numbers.

Without an understanding of WIRES true member vs volunteer numbers WIRES capabilities for Emergency Response or rehabilitation are uncertain. WIRES new volunteer categories are now included in their published numbers but have limited roles in the organisation.

The table below outlines WIRES membership and voting at the numerous SGMs. At the last SGM WIRES withheld the total membership detail:

SGM Date	Voting Window	Number of Members Voting/Eligible Votes	Total Membership
9 September 2023	2 hours (extended 30 mins)	446 voted	2787
17 March 2024	24 hours	1103 voted	3063
14 July 2024	24 hours	904 voted	3117
21 July 2025	5 hours	1178 voted	3464
26 July 2025	3 hours	371 voted	sent to approx 3400
23 August 2025	5 hours	1043 voted	2128
30 August 2025	4.5 hours	1166 voted	no details provided

Note: The SGM on 26 July 2025 was called by members to remove 4 WIRES Board members but WIRES told members not to attend which accounts for the lower voting numbers. 371 members attended despite being told not to by WIRES. These board members refused to accept the results of this vote where they were removed.

WIRES withheld their Register of Members, a right under s2.13 of the 2007 Constitution. Even when an application was made by members through lawyers, WIRES refused to hand over the Register. Worryingly Tracy Burgess, a carer in Blue Mountains branch - also an administrator on a Facebook page called, 'Protect WIRES' - was given the Register without any hesitation. It was used to share views aligned with the previous Board of WIRES and collect information on members openly opposed to the constitution. This shows extreme bias in the decisions of WIRES management and raises questions of breaches of confidentiality and ethical governance.

Of most concern is that **Tracy Burgess has now been appointed to the Treasurer position on WIRES Board** despite WIRES publicly stating that the Protect WIRES page was not supported or endorsed by WIRES. This social media page has operated in contravention of WIRES 'Social Media Policy' and policies for bullying and harassment, yet even today, current Board members including Tracy Burgess are posting and commenting on this site which is causing psychosocial harm to WIRES members and damaging WIRES public reputation.

This page is public and has bragged that it has reached over 1 million views. It is not an official WIRES page yet is being permitted to sell merchandise using WIRES name, used the WIRES logo and talks about WIRES' internal framework & legal matters all while WIRES claims it is not affiliated with this page. Meanwhile board members and staff interact with it – giving the site credibility. Astroturfing is a deceptive practice used by organizations to gain an advantage they would not otherwise be able to achieve. **This social media page leaves WIRES open to substantial criticisms of bullying to influence an election. If this is how WIRES operates, it is highly concerning for everyone. Rather than work with members, WIRES has attacked, ridiculed and for many has exceeded the boundaries of ethical governance.**

Many changes in the new WIRES framework mirrored operations of the RSPCA NSW where increased staff focused on a new corporate approach & sourcing new revenue streams including

government grants. Volunteers in RSPCA were disenfranchised several years ago – seemingly what WIRES had intended to do in changing their constitution.

It is concerning that WIRES told members nothing would substantially change if they adopted the proposed 2024 Constitution when the constitution outlined a new business focus.

Independent legal action has been the only option for volunteers, and this lack of regulatory oversight needs the scrutiny that only an Inquiry can provide. WIRES internal governance has been viewed as problematic for many years and their stewardship of the bushfire donations must be overseen.

2) *Wildlife Rehabilitation Sector Strategy Review*

DCCEEW (Dept of Environment) are conducting a review of the Wildlife Rehabilitation Sector headed by Trish Doyle - Parliamentary Secretary with a report due out November 2025. However, there are concerns that this review will not fully address governance concerns within WIRES as the review is being undertaken by National Parks & Wildlife Service (NPWS) who currently license WIRES. Given that serious concerns raised within WIRES in recent years have failed to be addressed appropriately by NPWS staff which seems to indicate they are part of a problem, it seems a conflict for them to conduct the review of the sector. Furthermore, the Head of the NPWS committee is *a former WIRES employee* who worked closely with WIRES CEO, Leanne Taylor. Despite complaints from carers about this obvious conflict of interest, no change was made to the committee.

Out of 563 submissions received to the Sector Review, only 63 have been published. Many of those not published outline concerns relating to compliance and enforcement actions of WIRES.

<https://www.environment.nsw.gov.au/topics/animals-and-plants/native-animals/rehabilitating-native-animals/wildlife-rehabilitation-sector-strategy>

There is little confidence that this Sector Review will be sufficient to ensure necessary changes in WIRES to improve the issues within the broader sector in NSW.

3) *National Parks & Wildlife Service (NPWS) – Regulatory Gaps*

WIRES operates under a Biodiversity Conservation licence issued by NPWS. Despite this regulatory responsibility, NPWS has consistently declined to intervene in serious governance and welfare concerns affecting volunteers and wildlife outcomes.

NPWS has advised members that internal governance complaints should be directed to NSW Fair Trading. Fair Trading, however, has confirmed that such matters fall outside its jurisdiction and has referred complainants to other bodies, none of whom will act. As a result, WIRES volunteers have been left without any regulatory avenue to address misconduct, bullying, or systemic governance failures. ACNC complaints have similarly not resulted in oversight or action.

This regulatory vacuum has led to the resignation of many experienced wildlife carers. Volunteers report unresolved bullying, exclusion from participation, withholding of information, and disciplinary action used inappropriately. Telling volunteers to simply “leave” is not a valid solution when WIRES is the only rescue organisation operating across most of NSW and holds the authority to licence wildlife carers.

Volunteer carers are motivated by animal welfare, not politics. The absence of protections or proper regulatory recourse has left many with the choice of enduring harassment or abandoning rescue work entirely.

Carers believe a Parliamentary Inquiry is now necessary to restore accountability, sector confidence and wildlife welfare standards.

Under the WIRES BC licence, authorisation to rescue wildlife may only be granted to *members* of the organisation. In September 2024, following failed attempts to pass a new constitution, WIRES required members to accept the new constitution within seven days or lose membership. Over 1,000 members — nearly one-third of the volunteer base — were removed from membership and re-classified as “Authorised Persons”. They were excluded from meetings, voting and governance roles but could continue their role in wildlife rescue and care under the WIRES licence.

This change disenfranchised large numbers of experienced volunteers - in some branches this exceeded 60% of members.

Rather than investigate, NPWS amended WIRES’ licence wording to validate this re-classification to “*member or Authorised Person*”. This raises serious legal and regulatory integrity concerns, including whether the change is compliant with the Act.

Significant WHS risks also arose from this change. Volunteers immediately questioned whether they remained insured after losing membership status. NPWS advised this was “a WIRES matter”, acknowledging no oversight of insurance arrangements — despite volunteers carrying out regulated, and often dangerous, wildlife rescue tasks.

No one ever verified that WIRES volunteers remained covered for injury. This represents a serious WHS failure and profound disregard for the safety of volunteer wildlife responders.

WIRES removed one third of its volunteer workforce without proper process and NPWS has shown support for these actions whilst declining to ensure the protection of volunteers or regulatory compliance. As NPWS are currently conducting the Wildlife Rehabilitation Sector Strategy Review, it is understandable that many WIRES members are concerned that this review will be effective.

Only a Parliamentary Inquiry can assess WIRES governance and licensing compliance, ensure volunteer protection and WHS integrity and restore public trust and accountability for WIRES operations. This must be done to safeguard wildlife welfare outcomes across NSW.

4) Relationship between WIRES and RSPCA

WIRES CEO formerly worked for RSPCA so there has always been a close operational relationship between the organisations. Through WIRES establishment of a “WIRES Welfare Team” (WWT), largely staffed by former RSPCA inspectors this has now become more obvious. The former head of WWT, an ex-RSPCA inspector of 17 years, left WIRES in early 2025. He cautioned WIRES members that carers can be compliant with the Biodiversity Conservation Act requirements yet still be subject to action under the POCTA Act legislation.

WIRES CEO recently described the WWT as “*core to the existence of WIRES*”, by advancing WIRES mission and “*ensuring stronger partnerships across agencies*”. She outlined their function including ‘*compliance with licensing & policy requirements*’, ‘*facilitating efficient referral pathways to improve cases involving cruelty*’ and ‘*providing assistance to external agencies in animal*

custody and seizure operations’ while ‘enhancing internal understanding of welfare obligations’. Unlike the RSPCA, WIRES has no statutory investigative or enforcement powers under POCTAA.

Since 2021, numerous wildlife carers have been inspected or raided by RSPCA following referrals from WIRES, often without WIRES first seeking understanding from the carers concerned. In early 2025, two carers in Northern NSW were visited by RSPCA within weeks of one another; one matter resulted in fines later withdrawn, and another remains as yet unresolved. These events have created significant distress among volunteers and undermined confidence in sector fairness and procedural integrity. **It would be worthwhile investigating what prompted both RSPCA inspections.**

Questions to be asked:-

- **Does WIRES send an official report to RSPCA or is only a phone call necessary to instigate an RSPCA response?**
- **Does WIRES indicate an animal is in imminent danger to RSPCA?**
- **What triggers WIRES referrals?**
- **How long did it take RSPCA to respond to these WIRES referrals?**
- **Does RSPCA possess adequate wildlife expertise to assess wildlife in care, given less than 2% of its cases historically relate to native animals?**

WIRES Welfare Team have participated in joint investigations with RSPCA NSW; provided evidence in prosecutions ie. RSPCA vs Dods; Represented WIRES as a welfare authority despite having no statutory delegation under POCTAA. Such activities raise legal and ethical questions including: -

- **Are privacy and procedural fairness protections being upheld?**
- **Under what authority is WIRES gathering evidence or engaging in welfare enforcement?**
- **Has any formal MOU or Ministerial authority been executed?**

In the 2023 Inquiry into approved charitable organisations, Finding 9 warned of, *‘unclear delegation and oversight of enforcement functions between government and non-government entities, risking conflicts of interest and inconsistent application of animal welfare law’*. WIRES conduct exemplifies these concerns.

WIRES’ 2024 draft constitution proposed an activity for “*advocacy in the areas of animal cruelty and licensing*”. With that constitution withdrawn, there is no current constitutional basis for WIRES Welfare Team’s enforcement activities.

A Parliamentary Inquiry would be able to examine the relationship between WIRES and RSPCA including any operational agreements.

Accountability measures for any enforcement actions should include: -

- **Mandatory reporting on all wildlife welfare referrals made by WIRES, including outcomes and justification,**
- **Inclusion in RSPCA reporting of cases initiated by all wildlife rescue organisations,**
- **Clarification of the role of WIRES participating in investigative or seizure activities.**

Clear separation between wildlife caring and any enforcement activities of WIRES is needed to protect volunteers, prevent misuse of powers and maintain public confidence in wildlife welfare governance.

5) Suitability of POCTAA for wildlife rehabilitators

There are concerns about the applicability of POCTAA to prosecute wildlife rescuers in NSW given that they are licensed under the Biodiversity Conservation Act and follow the 'NSW Codes of Practice for Sick, Injured and Orphaned Protected Fauna'. Wildlife rescuers take in animals *already compromised* with a hope they can be rehabilitated and released back to the wild. Animal cruelty under POCTAA is a strict liability offence – there is only a necessity to prove an animal is suffering and in someone's care. However, there is no benchmark under POCTAA to assess if the animal's condition *has improved* since it arrived in care.

Wildlife rescuers and carers provide a valuable unpaid service to NSW. The fear that carers may be prosecuted is having an adverse impact on the sector as the risks become too high. First aiders do not live in fear, neither do first responders such as SES or RFS volunteers. Wildlife rescuers are first responders too, yet they are currently facing the awful dilemma of whether or not to rescue an injured animal if legally they can be prosecuted for having this animal in their care.

Currently, you can be compliant with the NSW Codes of Practice and the Biodiversity Conservation Act but still not compliant with POCTAA Act. This leaves wildlife carers vulnerable.

POCTAA does not have a 'Good Samaritan' clause and does not align with the BC Act or NSW Codes. *This deficiency in the legislation needs urgent attention.* There is no other volunteering role which puts volunteers at so much considerable risk.

There are several instances of wildlife rescuers in NSW being accused of cruelty by both WIRES and RSPCA because of a perceived failure to provide veterinary treatment for animals in care when:-

- The Codes of Practice outline that *experienced fauna rehabilitators* can assess wildlife and determine if vet treatment is necessary (s4.1.2),
- Vets are not always available to assess wildlife due to geographical, or other practical, constraints,
- Vets are not being paid for treating wildlife which often makes vet treatment proscriptive.
- Wildlife training and codes outline a need to avoid unnecessary vet visits as these are stressful places for wildlife due to the noise, smells and presence of predatory species. Taking an animal to a vet can adversely impact a successful recovery yet this is not factored into cases involving allegations of cruelty by WIRES or RSPCA.

One role of wildlife carers has always been to relieve pressure on vets. The NSW Codes of Practice recognize that experience is a key factor in evaluating whether wildlife needs to see a vet. Allowing an opportunity for an animal to decompress in a quiet, safe environment is often necessary in order to observe their natural behavior – something vets do not have time to do.

Wildlife rescuers undertake training and regular refresher courses with the objective of ensuring rehabilitators are *'in possession of appropriate knowledge and skills to ensure the welfare of fauna in their care'*.

Prosecutions by the RSPCA for wildlife carers have focused on *'a failure to provide veterinary treatment'* which exposes how POCTAA fails to align with the Biodiversity Conservation Act under which wildlife carers operate. More wildlife is being left unattended than ever before.

The Rehabilitation of Protected Animals Policy, clause 8 states that a person can possess an injured protected animal without a licence for up to 3 days, yet RSPCA has visited wildlife rescuers after less than this to lay charges under POCTA Act. This once again reveals the disparity between the legislations -

<https://www.environment.nsw.gov.au/sites/default/files/2024-02/rehabilitation-protected-native-animals-policy-240032.pdf>

Possession of an injured, sick or orphaned protected animal for the purpose of its rehabilitation

8. A person must have a licence for wildlife rehabilitation, or be under the authority of a licensed wildlife rehabilitation provider, to possess an injured, sick or orphaned protected animal beyond 3 days. It is an offence under the BC Act (sections 2.1 and 2.5) to do so unless licensed.

For all prosecutions there must be a visible paper trail showing the steps taken by WIRES to retrain/mentor/support/caution any wildlife rescuer prior to any referral to the RSPCA or other external agencies.

We are seeing more wildlife left unattended than ever before. Surely it is more cruel to leave an animal with horrific injuries without help than it is to bring it into care with a view to assessing the need for a vet as it destresses?

The NSW Code of Practice for Injured, Sick and Orphaned Protected Fauna decision tree below outlines that an 'experienced fauna rehabilitator' can assess wildlife not only a vet. WIRES states, "compliance to the Codes of Practice is a condition of licensing to rehabilitate and release sick, injured and orphaned wildlife in NSW".

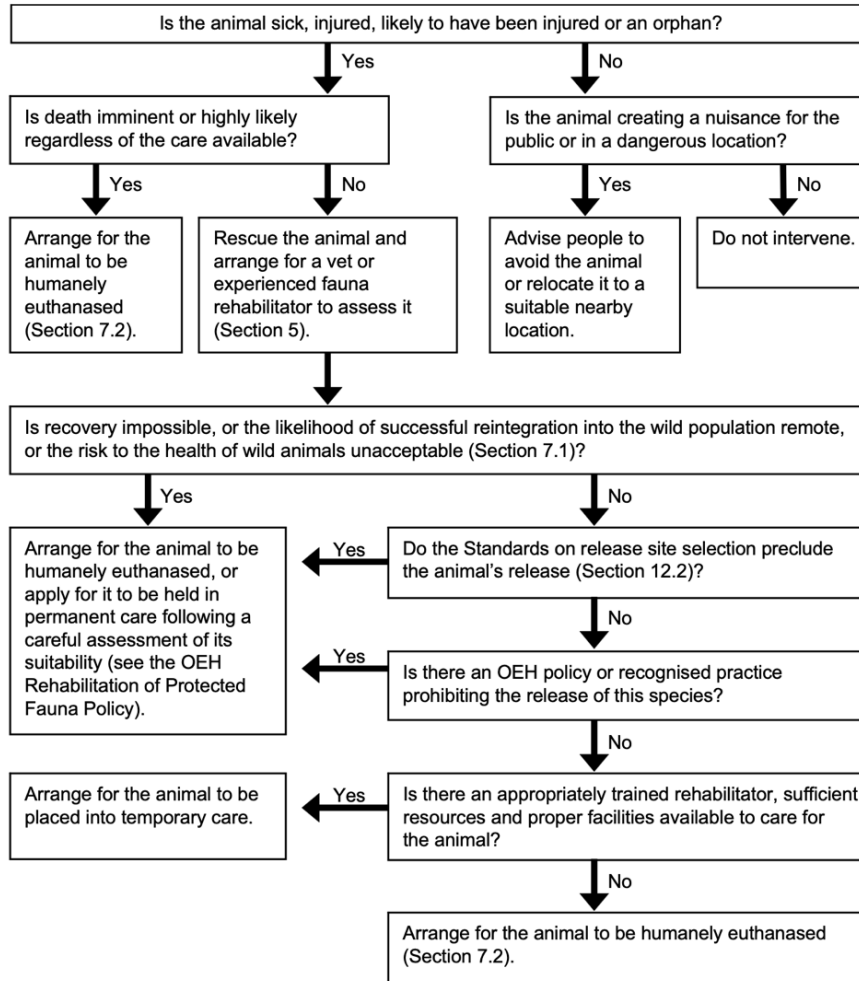
Thus, by directing that all wildlife must see a vet, WIRES policy is currently working contrary to the Codes.

The POCTA Act needs reforms to prevent unnecessary punitive actions and/or prosecution of wildlife rescuers. A good Samaritan clause could be inserted, or new legislation written that bridges the current gap between the Biodiversity Conservation Act and outlines what truly constitutes an offence of animal cruelty.

Current WIRES & RSPCA actions against wildlife carers are a waste of charitable resources, donations and court time.

4.1. Standards

4.1.1. The decision tree below must be followed when determining how to respond to a fauna encounter:



6) Matters arising from conviction of Tracy Dods (2025)

Ongoing court action against experienced fauna rehabilitator and WIRES carer Tracy Dods is highlighting some of the inconsistencies between POCTAA and the BC Act which licenses wildlife carers. This case has set a worrying precedent, and the appeal verdict is being closely observed.

Questions are also being raised around the responsibility of the wildlife rescue organization under who’s license the carer operates and their role in offering adequate support to the carer. Wildlife carers are volunteers. We follow the Codes of Practice guidelines. We attend training courses which are limited to what training is available. We mostly rely on mentoring by more experienced carers for our understanding of native wildlife care. We often provide and pay for our own facilities, travel long distances at our own cost, while going about our daily lives. Rescues are often at night, or weekends when veterinary care is not always available.

WIRES is failing to provide necessary support to members, and there are increasing concerns for their failure to ensure WHS compliance and adequate support for grievances and complaints.

Enforcement action against wildlife carers must be a last resort – never a first response.

POCTA Act only has to prove that the animal was in someone's care – therefore the risk of prosecution rests with the wildlife carer. Neither the treating vet, National Parks & Wildlife Service (NPWS) (that issues the Biodiversity Conservation Licenses) or the wildlife rescue organisation is liable under POCTAA – so no matter if the volunteer carer is given absolutely no support, proper training or mentoring *only the carer is liable*.

In Tracy's case, she satisfies the NSW Codes of Practice definition of an experienced fauna rehabilitator and the charges against her of failing to provide veterinary treatment under POCTAA contradict the Biodiversity Conservation Act which states that these experienced carers can determine whether an animal needs to see a vet.

Furthermore, Tracy's case occurred during Covid 19 when veterinary care was restricted, and unnecessary travel discouraged. Tracy's kangaroo had seen two vets on two separate occasions, and Tracy was never contacted by WIRES to discuss its recovery until they decided to have a zoom call before making the the referral to RSPCA. Under POCTAA only Tracy was liable for prosecution and WIRES/NPWS held no legal responsibility even if they were in breach of their own policies.

Some serious questions arise from this case as WIRES referred Tracy to the RSPCA without there being any history of complaints and without WIRES offering any advice or support for this particular animal prior to referring this matter to the RSPCA.

Questions:-

Referral, Due Process and Procedural Fairness

1. What internal process does WIRES follow before referring a licensed wildlife rehabilitator to an external enforcement agency such as the RSPCA?
2. Who within WIRES authorized the referral of this carer, and what evidence or complaints existed to justify it?
3. Does WIRES have a policy requiring that carers with no prior history of complaints be offered support or welfare guidance *before* escalation to external enforcement? If so, why is this not being followed?
4. Why were the original treating vets not contacted prior to any referral and prior to new vets assessing the animal's condition? Without this step, an animal's *recovery* cannot be accurately assessed.
5. Should the carer have been informed of her rights or provided procedural fairness prior to participating in a WIRES-initiated welfare video call that led to enforcement action? If she was not informed, is this a breach of procedural fairness?
6. What formal agreement or MOU exists between WIRES and the RSPCA outlining referral protocols, information-sharing and role boundaries?

Potential Conflict of Interest, Collusion or Role Misuse

7. Why did WIRES staff – including its veterinarian – attend the RSPCA inspection/raid, and under what legal authority did they do so? Is this a possible conflict of interest and overreach for WIRES?
8. Is it appropriate for RSPCA inspectors and WIRES staff to attend a property together, potentially compromising the independence of the enforcement body?
9. Did the presence of WIRES staff alongside RSPCA inspectors influence or create a perception of bias in the enforcement process?

10. Why did WIRES staff attend court dates during the prosecution, and on what basis were they permitted to sit inside the court bar table and enter the antechambers with the RSPCA legal team?
11. Did WIRES staff provide instructions, advice or input to the RSPCA prosecution during court proceedings, and if so, under whose authority did this occur?

Animal Welfare, Handling & POCTAA Compliance

12. Why did the WIRES vet state that his role was solely to 'gather evidence' rather than provide animal care or welfare advice during the welfare check? Where was both his and WIRES duty of care?
13. Did the actions of the WIRES vet during the seizure – including placing the kangaroo into a hessian sack feet-first and transporting her unrestrained – comply with NSW Codes of Practice for humane handling and transport of macropods?
14. Were injuries identified in the post-mortem consistent with improper handling during removal or transport rather than alleged carer mistreatment? How would we know?
15. Why was the kangaroo euthanized before arrival at the vet clinic rather than reassessed by an independent vet, and was euthanasia consistent with the mandated Code of Practice for Macropods?
16. How would anyone know if the kangaroo had died en route and was not euthanized?

Wildlife Licensing and BC Act Compliance

17. What training in wildlife rehabilitation, species-specific handling, and the Biodiversity Conservation Act do RSPCA inspectors receive before investigating licensed wildlife carers?
18. Do RSPCA inspectors receive mandatory training in NSW Wildlife Rehabilitation Licensing conditions and species-specific Codes of Practice before taking enforcement action relating to native wildlife?
19. Is the RSPCA or WIRES Welfare Team required to consult with NPWS or another wildlife authority before taking enforcement action against a licensed wildlife rehabilitator?

Independence, Evidence Integrity and Chain of Custody

20. Was the post-mortem conducted by the WIRES vet or in their presence, and if so, how was evidentiary integrity preserved? Should **independent veterinary specialists** be mandated where a referring party is involved? This seems like an obvious conflict of interest which affects evidence reliability.
21. What chain-of-custody procedures were followed for the seized animal to ensure evidence was not compromised?

This carer was highly experienced and respected and had been successfully rehabilitating macropods for a decade. Without warning she was raided by the RSPCA and WIRES together, and has been convicted of aggravated animal cruelty. Neither treating vet wanted to testify against the RSPCA and despite being subpoenaed refused to give evidence. Both vets had released the kangaroo into Tracy's care and felt comfortable that the animal would recover from her injuries.

Wildlife carers that meet the definition of 'experienced fauna rehabilitators' in the Codes of Practice should receive appropriate recognition. This case has highlighted that carers and trainers with over 20 years' experience with certain species were not considered to be experts. Yet many vets admit they learn little about native wildlife during veterinary training.

Questions must be asked whether there is adequate separation of powers between WIRES, RSPCA NSW, as the enforcement body, and NPWS as the licensing authority when investigating wildlife carers.

Should carers be entitled to an independent advocate when facing enforcement action initiated by a wildlife organization? Tracy is not an isolated case – other experienced WIRES carers have also faced accusations. The sector needs procedural fairness to be applied in all cases.

I would suggest in the case of Tracy Dods, a huge miscarriage of justice has taken place and the processes of both WIRES and RSPCA should be reviewed to ensure that no other wildlife carers are criminally prosecuted without warning or a history of animal welfare concerns.

7) Volunteer Treatment and Attrition Rates

In 2023, WIRES did a Members Survey to evaluate declining volunteer numbers, the results of which have never been released. Over 700 members and ex-members completed the survey which was conducted by an independent Consulting firm. It is disappointing that WIRES never shared the findings of this survey undertaken to give insight into why volunteers are leaving.

Complaints by WIRES members continue to be handled inappropriately by WIRES so numerous member complaints are now lodged with Fair Work Commission, SafeWork NSW, ACNC, NSW Fair Trading, ASIC and the OAIC (Office of the Australian Information Commissioner) regarding WIRES failure to inform members that an investigation is occurring – a privacy breach.

The lack of an independent oversight mechanism leaves volunteers unprotected and is eroding community and carer confidence in wildlife rehabilitation governance. Without oversight, WIRES believe they can ignore processes and so deprive members of natural justice. And have done, and continue to do so even now.

Members feel that many of WIRES actions during the process to adopt a new constitution have lacked transparency, have been misleading and disrespectful and could be considered intimidatory – all to get a particular outcome aligned with the view of WIRES management. **One example of this is the distinction WIRES has made between being a ‘Member’ vs a ‘member’.** This would almost be laughable if it wasn’t true but under the 2024 Constitution your status differed whether the word started with a capital or not. This kind of governance for a well-known and respected charity is not acceptable and could be viewed as duplicitous.

WIRES correspondence outlined there was a difference if you were a Member (capital M) or member of WIRES. One had the right to vote and be involved in governance, the other did not. New volunteer categories such as ‘101 Rescuers’ and ‘Wombat Mange treaters’ have been introduced. They play a specific limited role and are NOT licensed wildlife carers.

Additionally, WIRES now talks about number of *volunteers* rather than *members*. For several years WIRES CEO has stated that WIRES has ‘*approximately 4,000 volunteers*’ but they registered only 2200 members with ASIC in September 2024. **Could this be considered a breach of compliance under ACNC governance principles?**

On the ACNC portal as at 30 June 2025, it states there are 4,673 *volunteers* in WIRES, yet there have never been more than 1200 members vote at any of the SGMs held since September 2023.

This lack of transparency in member numbers raises questions about how many wildlife carers WIRES has as this links directly to their capabilities and funding requirements.

Nobody understands why WIRES has encouraged division and separation between their branches, between 101 Rescuers/Wombat Mange volunteers and carers across the State and between WIRES and other organizations in NSW - and is ignoring feedback and suggestions about how this separation is failing wildlife. Wildlife welfare must always come first and much of the current member concerns exist as WIRES moves away from their core mission.

WIRES must encourage more collaboration. Policies would be more successful if WIRES were to work better with others. One constant criticism of WIRES that it has ‘favorites’ – some carers, organizations and vets get a lot of support but many others get none. There is significant concern that WIRES has blacklisted certain organizations due to personal views rather than based on standard policies and procedures.

8) Financial Transparency and Accountability

Following the 2020 bushfires, WIRES received \$100 million in donations but continues to still hold **\$69 million in Net Assets with over \$53 million in the Public Gift Fund**. Given the considerable concerns about WIRES’ failure to distribute these donations 6 years later, it is disappointing that **WIRES have now opted for ‘Reduced Disclosure Reporting’ for its Financial Accounts for the past 2 years**. It may be legally possible for organisations to do this but WIRES should be working to ensure public confidence for their activities and the spending of these funds which were given as part of a specific appeal.

Financial statements for FY25 are less detailed than in previous years and fail to disclose the financial position of its 29 branches or the management of the Public Gift Fund.

Head Office wages, consultants and administrative costs now exceed **\$11 million annually**, while volunteers complain of receiving little financial support, and some carers who lost their facilities in the 2020 bushfires never saw them replaced.

- **Why does WIRES not employ an in-house Chief Financial Officer and instead relies on a contractor who would not have an overview of WIRES operations?**
- **Why did WIRES original proposed constitution remove the position of Treasurer on the WIRES Board?**
- **Why has WIRES opted for reducing the amount of financial data it publishes and is this appropriate given community investment in the bushfire appeal?**

The number one finding in the Wildlife Rehabilitation Sector Strategy Review previously has been the lack of access to wildlife vets – yet WIRES has not made any significant investment into the provision of veterinary care for wildlife. In fact, many WIRES carers still rely on the free veterinary services provided by other smaller organisations or by local vets and still need to fundraise to pay for vet care while WIRES sits on millions.

Another worrying statistic in **FY25 Financial Statements is the cost of Consultancy Fees at \$2.1 million**. This raises the question of **how much WIRES is spending on legal fees**. Even the Treasurer on WIRES Board has raised this question publicly at WIRES meetings and signalled concerns that these expenses are avoidable and not compliant with the Object of WIRES or align with why people donate to this organisation.

The 2023 Inquiry into ACO's, Report 59 Findings 6–7 indicate concern for inadequate reporting, expenditure transparency, and unclear animal welfare outcomes. All of which fits with WIRES.

There is a lack of clarity and public concern about disbursement of the \$100 million raised during the 2020 bushfires and rather than seek to alleviate these concerns, WIRES is further hiding their spending with reduced financial reporting. See links to media articles:

<https://www.thesaturdaypaper.com.au/news/environment/2023/10/28/wires-unspent-bushfire-donations>

<https://www.smh.com.au/environment/conservation/admin-costs-soar-as-wildlife-charity-yet-to-spend-bushfire-money-20240612-p5jl6z.html>

WIRES' changing operations involving animal cruelty and licensing, and financial opacity warrant equivalent Parliamentary scrutiny as RSPCA and AWL.

9) *Animal Welfare & Impacts on Vets*

A growing number of WIRES carers are speaking out because recent organisational changes and policies are **causing avoidable suffering to wildlife**—particularly in regional NSW and for species such as wombats and kangaroos.

Carers report increasing incidents of injured wildlife left unattended with no one to rescue while healthy or orphaned animals spend unnecessary days in vet clinics due to WIRES changes in policy treating clinics as drop-off points. Many vet practices are not resourced to house and care for wildlife, especially as this work is often done without being funded. **Clinic staff are now taking animals home overnight simply to prevent them dying unattended—an unsustainable and ethically serious situation.**

Since the introduction of the Rescue 101 program and expansion of WIRES vans and hotline processes, carers believe euthanasia rates have risen. WIRES increasingly directs members of the public (MOPs) to deliver wildlife to vets, effectively shifting responsibility and exploiting veterinary duty-of-care obligations. Many vets are refusing WIRES-initiated wildlife but will still accept animals from the public—placing further strain on already overburdened clinics.

WIRES policies **contradict NSW wildlife Codes of Practice** and WIRES' own training principles, which emphasise minimising vet visits to reduce stress and improve rehabilitation outcomes.

There is also growing concern about opaque reporting to NPWS. **Fate categories on callsheets such as “Resolved by Vets” and “Resolved by MOPs” provide no transparency on whether animals survive or are euthanised**, meaning euthanasia figures may be significantly understated. A review of one branch over one month reportedly showed more than an 11% increase across key categories, suggesting this is a systemic issue and a growing problem.

Meanwhile, WIRES' expanded marketing and national call centre model is directing donations away from smaller regional wildlife groups that continue to carry the hands-on rescue load. Smaller organisations are worse off when WIRES moves in.

The focus appears to have shifted from best welfare outcomes and successful rehabilitation to meeting performance metrics and securing government grants and corporate sponsorship.

Donors give to WIRES expecting improved wildlife rescue and care—not corporate expansion, training services and quasi-enforcement activity.

Policies being introduced by WIRES that all animals must see a vet within 24 hours do not comply with Codes of Practice and put unnecessary pressure on both vets and carers who often face the dilemma of rescuing wildlife or leaving it if they cannot immediately get to see a vet. If this policy is going to become standard, carers and vets need clarification who will be covering these costs.

Desk top management in WIRES is failing native wildlife. Experienced rehabilitators feedback is being ignored and wildlife welfare in WIRES is at a critical low point. **Or is this a deliberate ploy to add pressure to the veterinary sector to ensure government funding is more likely?** WIRES is not only failing to support many vets but their new policy is increasing pressure on this already-overloaded industry.

Since WIRES received the \$100 million wildlife welfare is worse not better.

Wildlife is paying the price for these changes. A Parliamentary Inquiry would help to urgently examine WIRES' operational model, welfare outcomes, data reporting integrity and compliance with NSW wildlife care standards.

10) Capabilities of WIRES in Emergency Response

WIRES has many millions allocated to an item in its Financial Accounts called 'Emergency Response'. In glossy brochures and online content, WIRES management outline their many capabilities and discuss the 24/7 Rescue Hotline, their '*fleet of wildlife ambulances*' and their '*Volunteer Emergency Response Team (VERT) with over 100 members ready to deploy*'. The CEO talks about the increasing number of volunteers and rescue calls that WIRES handles year on year.

The reality is very different, and many members are concerned about this lack of transparency and the false narrative that is being perpetuated in WIRES reporting.

Examples given below: -

- FY25 WIRES answered 240,00 calls to the WIRES number but often the Member of Public is directed to contain it and take the animal to a local vet – the call is logged as a 'rescue' when WIRES has done nothing but ask the MOP to contain wildlife – *at their own risk and often removed unnecessarily* – and given the responsibility to the vet
- The overnight WIRES hotline is handled by a call centre in New Zealand and anecdotal evidence suggests a lot of advice is inaccurate as these call centre staff have little knowledge of Australian wildlife – at times this is endangering the public ie. a MOP was told the snake in her home could not be a Death Adder as they don't live in Australia
- WIRES rescue line often goes to voicemail or MOPs are asked to send an email. WIRES has a separate hotline for members and vets to call – increasingly this line is not answered, or vets complain they can be on hold for up to 20 minutes. This is despite increasing staff expenditure for the WIRES Rescue Office
- WIRES rescues are now often handled by any of the 951 Rescue 101 volunteers not by fully trained members. These 101 volunteers pick up wildlife and can only drop to vets – they are not trained or licensed to care - and they cannot collect animals from vets. Carers and vets are complaining that many animals now taken to vets are healthy and had no need to see a vet. WIRES 101 Rescue program is often adding to the workload for vets and WIRES members who understand that wildlife should not be spending more time than necessary

in vet clinics. Despite numerous complaints, WIRES has ignored feedback that these volunteers should join their local branch to ensure better welfare outcomes and put less pressure on vets

- WIRES 'fleet of ambulances' is 6 or 7 vans which carers have found WIRES is not utilizing well at all. I understand that one van was parked on a members driveway for 4 months when the staff member quit. Carers have reported vans attend emergency events but have not contacted local members to assist with rescues which seems bizarre
- At the 2024 AGM, WIRES CEO reported there are over 100 members in the WIRES VERT team ready to deploy to emergencies. Yet in many branches there is only 1 member in the VERT team. Training started in 2021 and is still not completed – these teams are not ready to deploy and with ongoing bushfires now in Northern NSW, VERT team members have not been contacted or even updated on the situation
- Statistical data can be deceiving. WIRES statistics do not properly reflect the situation with wildlife in NSW – material facts are being manipulated and rising euthanasia rates ignored

WIRES Emergency Fund Update report (October 2024) states, “*less than 8 cents per dollar estimated for essential program management, fund management, and administrative costs*”. This claim seems bold given that out of \$18m in Total Expenses for FY25, \$11m is allocated to wages, salaries and consultants fees. This report shows a distinct lack of detail -

<https://www.wires.org.au/hubfs/WIRES%20Emergency%20Fund%20Update.pdf?hsLang=en>

WIRES has stated that there are 3 stages in their Emergency Fund spending:

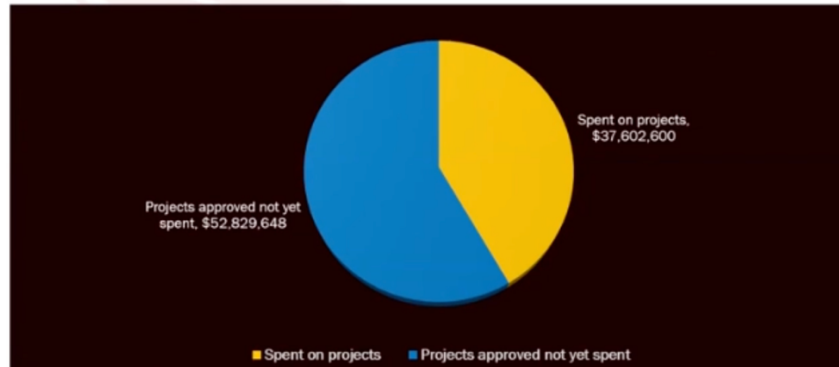
- **Stage 1 of \$12 million – most has been expended**
- **Stage 2 of \$41 million – currently being undertaken**
- **Stage 3 of \$37 million – just commenced**

\$52.8 million is allocated to ‘*projects approved not yet spent*’ but who knows what projects are approved? There is insufficient detail in WIRES financial reporting to know where this \$52 million is going. This is not satisfactory for donors, for members or for the broader community.

There is also little understanding of what there is to show for the \$37 million already spent and how it is directly contributing to improvements for wildlife rescue & rehabilitation. Should WIRES be spending these funds on habitat protection and university research into

Only a Parliamentary Inquiry for WIRES is likely to give the necessary understanding as to what the plans are for these substantial funds and whether they are what would most benefit the sector.

Emergency Fund Status As of June 2025



Slide shown at October 2025 AGM

11) Do WIRES/RSPCA plans align with wider sector

Following the 2019-20 Black Summer bushfires, WIRES received approximately \$100 million in public donations, including high-profile international contributions. These funds were donated with the expectation they would support wildlife rescue, rehabilitation and recovery across the sector – not to expand organizational control or infrastructure at the expense of smaller frontline groups. They were given to strengthen and rebuild Australia’s capacity for helping injured, sick and orphaned wildlife.

Since WIRES received these funds smaller wildlife organisations and vets report that they cannot access WIRES funding despite providing support for WIRES’ own volunteers. **Many wildlife carers, vets and regional facilities report having fewer resources and poorer access to wildlife veterinary care than prior to 2020 and there are reports of increased euthanasia rates and declining volunteer engagement indicating declining welfare outcomes.**

Many believe WIRES’ funding priorities are misaligned with the broader sector due to the refusal for WIRES to respond proactively to feedback. Significant funds have been directed to university research and capital projects rather than frontline wildlife care. One example being that WIRES provided \$1 million to Taronga Zoo for a platypus enclosure despite Taronga’s substantial existing funding base. Meanwhile, shovel-ready community facilities – such as the Hills Wildlife Sanctuary in Dural that has a 35ha site, planning approval and a veterinary team in place) have received no support.

Decision-making on grants is done by WIRES executives or CEO seemingly without genuine sector-wide consultation. WIRES previous Chair stated to members that WIRES doesn’t need to consult with NPWS or other organizations about operational changes because ‘WIRES is WIRES’. In fact, allegations exist of a WIRES ‘blacklist’ of organizations, vets and members who are excluded from receiving any support – if this is true, it raises serious ethical governance concerns.

WIRES has entered into numerous corporate partnership arrangements which do not seem to align with their Object or mission to protect native wildlife. One partnership is with **Buddy Pet Insurance** whose logo is now displayed on WIRES vans. WIRES has in fact helped launch their latest round of funding donations – is receiving funds from pet insurers a conflict of interest given the pet industry support for kangaroo pet food? A similar association exists between WIRES and ARC (Animal Rescue Co-operative) which distribute pet food containing kangaroo meat. Charities

must ensure donor partners align with the aims of the charity or reject the funding which gives rise to potential conflicts. Concerns are also being raised by WIRES carers that increasingly rescues are being put on their system for non-native animals such as cats, rabbits & foxes. Such rescues come with risks that wildlife carers have not been trained to handle. WIRES must stick to its core aims and not be compromised by funding opportunities. **Could this be linked to their relationship with RSPCA and if so, should charitable sponsorship be aligned with their core values?**

WIRES' 2024 Constitution shifted organizational focus away from community-based rescue and rehabilitation towards regulatory and training functions, and national expansion. Volunteers – admittedly the backbone of wildlife care – were structurally removed from governance. WIRES' strategic direction now prioritizes purchasing centralized facilities with high operating costs over supporting home-based volunteer carers, smaller sanctuaries and local wildlife operations which remain the core of the NSW rescue model across the broader community.

WIRES Welfare Team is a new activity that is no longer supported by their constitution. Donations to WIRES are not intended by donors to go on enforcement action against wildlife carers. Any vision that WIRES will become an ACO with a focus on enforcement does not align with WIRES' mission and is proving to be causing destabilization of the volunteer workforce. This Inquiry must review WIRES focus on enforcement activities and whether it is qualified for such a role in the sector.

WIRES CEO and contracted CFO have stated the organization will require ongoing government funding to sustain its post 2020 strategy. Government, carers and donors must be assured that spending aligns with the original public intent for these donations and delivers measurable welfare outcomes.

Questions for the Inquiry: -

- **Has WIRES used the Black Summer donations in accordance with donor intent and their charitable purpose?**
- **Why is access to WIRES funding inconsistent and opaque, and why are frontline carers reporting worse support than before?**
- **What oversight exists over WIRES' grant decision-making and strategic direction?**
- **How can this government ensure these wildlife disaster donations are being distributed transparently and equitably across the sector?**
- **Does WIRES' shift toward regulatory and national ambitions align with its NSW charitable obligations and licence conditions?**

All evidence suggests that the Black Summer donations have not translated into improved wildlife welfare or sector resilience. Consideration must be given to whether WIRES activities and strategic plan is strengthening the NSW Wildlife rehabilitation sector – or destabilizing it. The lack of transparency for its expenditure, and any plans to distribute the remaining funds indicates an inquiry is the only possible route for government to ensure that donor expectations are being met.

Conclusion

WIRES' transformation from a volunteer-led rescue organisation into a corporatised body pursuing enforcement functions has occurred without the governance safeguards, transparency or oversight such power demands. This shift has come at a profound human and animal cost.

At a time when injured native wildlife are suffering and dying unattended, volunteer carers – the backbone of wildlife rescue in NSW – are being sidelined, intimidated and, in some cases, unfairly targeted by the very organisation entrusted to support them. These are community members that receive no payment, sacrifice their time, personal income and emotional wellbeing to save wildlife, and yet they are left exposed to punitive actions, reputational attacks and opaque internal processes with no external avenue for protection or redress.

Public trust cannot be maintained when:

- Volunteers fear retaliation instead of receiving support
- Wildlife welfare declines while bureaucracy expands
- Charitable funds and government grants lack transparent stewardship
- Enforcement actions are used as a tool of control rather than as a last resort
- Those who raise concerns are silenced instead of heard

This is not what the public believes it is funding. It is not what donors intend. And it is not what our wildlife deserves in NSW – or nationally.

WIRES is not a delegated enforcement or regulatory body and should not attempt to function as one. Its increasing involvement in enforcement activities – especially in collaboration with the RSPCA – demands urgent scrutiny. Where volunteers face legal action without adequate procedural fairness or independent oversight, a grave injustice occurs and public confidence is eroded.

A dedicated Parliamentary Inquiry is now essential to restore integrity and accountability in WIRES, protect volunteers from organisational overreach and ensure proper management of public donations and government funding.

We must also ensure our wildlife welfare is safeguarded and bring transparency to WIRES' relationship with the RSPCA by examining their referral and enforcement practices.

Wildlife carers are kind, compassionate and deeply committed individuals who give their time, money and hearts freely to protect our native animals. They should never be punished for doing so. Prosecution and heavy-handed enforcement must be a last resort – not a management tool or political weapon.

This government owes it to its wildlife and to the volunteers to ensure transparency in WIRES governance and enforcement actions. A Parliamentary Inquiry is not only justified – it is urgent to protect the public interest.

Wildlife carers deserve protection, not persecution.
The community deserves the truth.

Thank you.

In this submission, I am in no way suggesting that any person, business or organization has done, or is doing, anything untoward or illegal.