

Submission
No 37

**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

RE: 2023 Inquiry into the operation of the approved charitable organisations under the Prevention of Cruelty to Animals Act 1979

I would like to thank Portfolio Committee 4 for the opportunity to provide feedback for this Inquiry and look forward supporting this submission provide testimony as and when required.

Overview

This submission is being made from the perspective of:

1. A volunteer with WIRES (Wildlife Information, Rescue and Education Services) since 2018
2. Observer of court proceedings brought against a WIRES member by RSPCA under POCTA
3. Ongoing concerns of the inappropriate application of legislation designed for domestic and captive animals against individuals that care for injured wildlife. i.e. POCTAA
4. Observations that WIRES is positioning itself to become an approved charitable organization (ACO) under s34B of the *Prevention of Cruelty to Animals Act 1979*. (POCTAA) so that it may benefit financially similar to the RSPCA for enforcement of wildlife rescue & rehabilitation.
5. An unlikely coincidence that the CEO of WIRES is an ex-inspector of the RSPCA and is building a “Welfare Team” within WIRES staffed predominantly of ex-RSPCA staff.
6. The ongoing the lack of governance, transparency and accountability in the management of both the RSPCA and WIRES as charities related to animal welfare.
7. Increasing concerns that the NSW Wildlife Sector Strategy Review is not being progressed in an open and transparent manner
 - Is being undertaken by NPWS on NPWS
 - Is being lead by a member of WIRES that was previously employed by WIRES
 - Has chosen not to publish 500 of the 5xx submissions stating that including my submission when this was certainly not the case

Summary recommendations / conclusions:

- i. That the NSW Government implement the recommendations from the 2023 Inquiry into the operation of the approved charitable organisations under the Prevention of Cruelty to animals Act 1979. The responses given by the government have been demonstrated to be insufficient in the management of the charitable organisations involved in animal welfare.
- ii. The RSPCA should not be able to undertake enforcement or prosecute in matters relating to the rescue and care of wildlife due to their limited knowledge and experience in this sector.
- iii. POCTAA should not be applied to the care of wildlife. Separate legislation is required to support the rescue and rehabilitation of wildlife which are already injured and/ or compromised before they come into care.
- iv. That the NSW Government review the direction being pursued by charitable animal welfare organisations such as the RSPCA and WIRES to increase enforcement activities motivated by increased grant funding rather than appropriate and relevant animal welfare practices. E.g:
 - a. Why is WIRES increasingly requesting the RSPCA to inspect the premises of volunteer members without prior warnings or concerns being raised?
 - b. Why is WIRES progressing investigations into members without following the processes outlined within their Constitution for all grievances to be progressed via the branch before progressing to Head Office and the Board?
 - c. Why is WIRES continuing to ignore it's own Code of Conduct?
- v. That this Committee and the NSW Government develop and implement a more rigorous standardised criteria of reporting of charities as part of any grants requirements and of all future Inquiries into the Approved Charitable Organisations with much greater transparency regarding legal activities and bias within operations.
- vi. That a Parliamentary Inquiry be undertaken into the management and operations of WIRES since the 2019-2020 bushfires and the subsequent donations of \$100m. This is required given the concerns raised on how the Wildlife Sector Review was undertaken and the inability for the WIRES Board to adhere to their own Constitution and Code of Conduct.

Background:

*It is sometimes suggested by those who do not sympathise with the activities of bodies such as RSPCA NSW or the need to make the protection of animals from cruelty a priority³²⁹² that enforcement and, in particular prosecutions, are undertaken as a means of securing publicity and donations from supporters. As noted elsewhere, this accusation not only fails to recognise the reaction that would inevitably – and quite rightly – come from the Courts if such a policy or strategy existed, **but it also ignores the substantial and often irrecoverable expense involved in the investigation and prosecution of offenders**. As a means of fundraising, the investigation and prosecution of offenders would be of little, if any, utility.*

Page 22 - RSPCA NSW Submission to
Legislative Council Select Committee
on Animal Cruelty Laws in NSW
6 December 2019

For at least the past six years, wildlife have represented less than 2% of all animals handled by the NSW RSPCA. The trend has been for circa two-thirds of this wildlife to be euthanized and one-third transferred to another organization. (Appendix 1)

Given the focus of the RSPCA is domestic and farm animals, they operate under POCTAA and train their inspectors accordingly. (Refer to Inspectorate report 2024 which details training provided August to December 2023 in POCTAA, POCTAR and Codes)

If the high cost of prosecution is acknowledged by the RSPCA in 2019, why did the RSPCA choose to prosecute against an experienced wildlife carer in February 2022 under POCTAA for a kangaroo that was injured when rescued and veterinary advice obtained? Particularly when the RSPCA have minimal experience in wildlife care and rehabilitation? And POCTAA is designed for domestic and farm animals? (Appendix 1)

Why were members of the WIRES Welfare Team in court instructing the RSPCA legal team without representatives from the RSPCA?

Why are the RSPCA becoming increasingly more active in prosecuting and undertaking raids on WIRES volunteers, with a particular focus on macropod carers?

Are these actions expected by the NSW Government of the RSPCA?

Are those that donate to the RSPCA expecting their funds to be spent to undertake checks on wildlife carers?

Is there a campaign specifically against those that care for macropods?

Comparison of Financials and data between RSPCA and WIRES:

RSPCA Operating Income and Expenses:

	FY19	FY20	FY21	FY22	FY23	FY24	FY25
Total Income - \$'m	56.17	74.41	66.25	72.34	65.80	88.28	
Y - grants	1.10	7.10	8.39	3.00	7.07	27.71	17.92
Inc POCTAA enforcement					2.9		11.38
Y – donations & bequests	32.3	47.12	32.56	50.65	42.27	46.54	
Y - providing goods & services	11.38	18.34	23.0	17.07	13.74	10.45	
Y - investments	2.25	1.85	2.32	1.66	2.72	3.60	
Total Expenses - \$'m	53.63	58.90	56.99	59.57	66.08	81.48	
Wages & salaries	31.46	31.63	30.62	32.44	35.15	40.84	44.04
Interest	0.17	0.04	0.07	0.04	0.01	0.03	
All other expenses	22.15	26.67	26.36	27.13	30.93	40.61	
Net assets				134.47	136.07	145.03	141.84
Property					75.69	81.37	86.14
Full time equivalent staff (FTE)	409	350	415.7	447	444	502	
Avg FTE cost per annum	\$76.9k	\$90.4k	\$73.7k	\$72.6k	\$79.2k	\$81.4k	
Est # of volunteers	3,140	2,600	3,095	3,014	3,005	2,887	
# Remunerated key personnel	n/a	n/a	n/a	n/a	4	4	
Total paid to key personnel	n/a	n/a	n/a	n/a	\$1,089,362	\$1,165,921	
Avg paid to key persons	n/a	n/a	n/a	n/a	\$272,340	\$291,480	

WIRES Operating Income and Expenses:

	FY19	FY20	FY21	FY22	FY23	FY24	FY25
Total Income - \$'m	3.40	100.94	19.49	8.54	9.55	13.64	15.08
Y – from govt inc grants	0.09	0.06	1.77	0.07	0.34	0.32	0.23
Y – donations & bequests	2.50	96.19	8.35	7.05	7.51	9.07	10.51
Y – providing goods & services	0.265	0.82	8.56	0.7	0.57	0.58	0.49
Y – investments + other	0.54	3.86	0.8	0.69	1.43	3.66	3.84
Total Expenses - \$'m	3.33	11.70	20.01	15.67	16.56	18.04	18.99
Wages & salaries	1.96	2.71	4.42	5.59	6.64	7.65	8.12
Donations within Australia		5.71	0.00	4.05	2.81	2.97	2.45
All other expenses	1.37	3.28	15.59	6.03	7.11	7.40	8.41
Net assets	2.58	92.08	91.56	84.43	77.42	76.02	71.79
Property, plant & equipment						4.89	5.37
Full time equivalent (FTE)	39.47	55	50	62.9	72.47	73.3	76.76
Avg FTE cost per annum	\$49.7k	\$49.3k	\$88.4k	\$88.8k	\$91.7k	\$104.3k	\$106k
Est # of volunteers	2,587	3,075	4,000	4,000	4,000	4,000	4,673*
# Remunerated key pers	n/a	n/a	n/a	n/a	3	3	2
Total paid to key persons	n/a	n/a	n/a	n/a	\$431,376	\$431,376	\$387,000
Avg paid to key persons	n/a	n/a	n/a	n/a	\$143,792	\$143,792	\$193.5k

Note: Data taken from annual reports and financial statements registered with ACNC as available at 30.10.2025. The reporting formats vary and the numbers do not always align either between reports within the year or in the year to year comparisons.

This high level analysis of the annual and financial statements of the RSPCA and WIRES raises the following questions:

- Why are WIRES labour costs per FTE in FY24 28% higher than the RSPCA?
- Why did WIRES labour costs per FTE increase by 79% from FY20 to FY21?
- What has been the justification for WIRES to nearly double it's FTE in 6 years from 39.47 to 76.76? How many staff are involved in:
 - o Welfare? To gain grants for enforcement?
 - o Emergency Response? To gain grants for emergency response?
 - o Marketing & Fund-raising? To increase future donations
- Why has WIRES not reported accurate volunteer numbers from FY21 to FY24? The RSPCA was able to report specific volunteer numbers.
- Why did WIRES report volunteer numbers of 4,673 on 17 October 2025 when:
 - o The WIRES Constitution does not allow for volunteers that are not members
 - o Members list provided to GP in 03/2025 contained 3,446 members names
 - o Members list provided to KE in 09/2025 contained 2,474 members
 - o The WIRES Website in October 2025 states there are over 2.500 members (Appendix 2)
- Why are both WIRES and RSPCA spending 40-60% of all operating costs on wages and salaries?
- Why are both WIRES and RSPCA choosing to reduce their levels of financial and management reporting to the minimum requirements? Reducing transparency?

At the WIRES AGM in December 2024 the CEO stated:

Wildlife Welfare - 234 referrals made by WIRES regarding wildlife welfare to other agencies including RSPCA NSW, EPA, NPWS, Police and local councils.

It became apparent to me at the initiation of the first wildlife rehabilitation sector strategy in 2014 that the framework supporting wildlife welfare is falling away and that ultimately less resources would be made available for compliance, as the regulator adopted a risk-based approach to welfare and focused on 'in-park' programs. Throughout the consultation period which took 6 years, the protections for wildlife were being diminished. What I observed over many years was an increasing number of enquiries, complaints, events and requests which related directly to the protection of native animals, and our rescue office (WRO) was not equipped to deal with neither the volume or the complexity.

The Welfare Team was established to provide support, guidance and advice in a space that was widening. Their role is expanding and they are being called upon for a broad range of reasons:-
For internal welfare support to the WRO focusing on animal welfare, licensing, compliance, complex rescues and external agency liaison;

Why are both WIRES and RSPCA seeking to limit the ability of members to have a vote?

In the Legislative Assembly Hansoard – 13 September 2023 – Proof, Ms Trish Doyle (Blue Mountains) (19:59)..... *“I will be speaking unfavourably about a well-known charity: the RSPCA.....*

My community's perspective is that a declining trust in the RSPCA has been fuelled by what they describe as a deliberate and deceitful winding up of operations at the Blue Mountains shelter. Some local branch members, including Silvia Ford, have had their memberships revoked, with Silvia in particular being investigated for allegations relating to potential breaches of RSPCA policy. Loosely translated, I think that means she expressed her profound dissatisfaction and disappointment with a charity that she has selflessly dedicated so many years of her life to. It is worrisome to think that this era of heartfelt free speech can be the catalyst for such a drastic response.”

These same actions are being duplicated by WIRES against many of their members. They have been encouraged to make their own submissions and I will therefore not reference them at present.

What is important is to note the practices in place of an ACO under POCTAA as quoted by an MP toward volunteers who have devoted hours of time and their own funds to support animal welfare.

And to place on record that this same behaviour is common practice at WIRES. WIRES choose to remove one-third of their members because they didn't approve of changes to the Constitution. The only course of rectification was for members to fund their own legal action in the NSW Supreme Court.

The NSW Government does not provide any avenues for volunteers to raise concerns of improper governance of charities or not-for-profit organisations and hold them to account. This is despite the millions of dollars in government grants and public donations entrusted to deliver these critical community services.

Management Practices:

Given that WIRES are relying upon POCTAA and working with the RSPCA to have POCTAA applied to the care of injured wildlife, then questions should be asked regarding the management of both organisations.

Concerns raised by members of WIRES over the past few years include:

- Why has the Board ignored their own Constitution:
 - o Refused to provide members lists to members?
 - o not held WIRES State Council for two years?
 - o Not held AGM's for two years?
 - o Not enabled a change in directors on the Board for 3 years?
 - o Not filled vacancies on the Board over the 3 year period?
 - o introduced a new category of non-voting volunteer outside the Constitution without consultation and/or approval from members?
- Why did the Board register a Constitution with ASIC without member approval?
 - o Excluded one-third of members for not accepting the proposed Constitution?
 - o Required legal action in NSW Supreme Court to reinstate the correct constitution?
- Why do WIRES not follow their own Code of Conduct?
 - o delayed investigations for 2 years so can not be progressed to Safe Work
 - o pursue individual members without branch involvement as per the WIRES policies and procedures
- Why does the CEO not have KPI's nor been subject to annual performance reviews?
- Why is staff turnover within WIRES so high, including many in key roles?
- Why are there so many cases related to WIRES submitted to Fairwork, Safework, etc.
- Why can members not gain transparency re the legal costs incurred by WIRES:
 - o In holding 8 Special General Meetings to progress a Constitution without the required agreement of members
 - o Legal action taken to prosecute members
 - o The extent of NDA's and out of court settlements
- Why do previous Board members openly discuss bias between branches and members, influencing who obtains what equipment, services, etc.
- Why have so many members left WIRES?
- Why do WIRES seek to actively reduce the number of members?
- Why have WIRES not informed volunteers if they are no longer members?
- The constitution only has members – not volunteers – so how is this to be managed?
- Why are WIRES refusing grants to other wildlife organisations such as Byron Bay Wildlife Hospital and Hills Wildlife Sanctuary, seeking to gain equity before offering assistance? What is the criteria for making grants?

Wildlife Rehabilitation Sector Review 2024 - present:

The timing of this review called by the NSW Minister for the Environment in May 2024 should be considered in the context of what was occurring within WIRES and the correspondence from NPWS regarding the lack of progress in publishing their 3 year strategy review of the sector – see table below.

NSW National Parks and Wildlife Service (NPWS) are to provide an updated NSW Volunteer Wildlife Rehabilitation Sector Strategy every 3 years. The last published for 2020 – 2023 only considered input from WIRES - not from volunteers or any other wildlife care organization. Volunteers sought the opportunity to provide input into the 2024-2026 strategy but this was never forthcoming. (Appendix 3)

The ongoing delays by NPWS coincided with WIRES undertaking a survey of its own members which was never published and an attempt to introduce a new Constitution without consulting members.

The dates proposed for engagement from NPWS was always to be after the next WIRES SGM to adopt a new Constitution. When the Constitution was not passed, further delays in the strategy paper were announced. This does not appear to be a coincidence but rather infers collusion.

In the WIRES Submission to the Sector Review dated November 2024, they included a section titled “An effective regulator” and stated:

A regulator without capacity is a further imposition on the volunteer wildlife rescue and rehabilitation sector, leading to an increase in workloads and broader cascading challenges.

Concerns re the review process:

- NPWS are undertaking a review of the sector managed by NPWS.
- Anna Felton, Senior Project Officer, NPWS for this review is a WIRES Member and ex staff member of WIRES. Anna Felton was very close to the CEO, Leanne Taylor.
- Trish Doyle is MP for the Blue Mountains is friendly with the mayor. Tracy Burgess is a WIRES Member, now Treasurer of WIRES, friendly with the WIRES CEO and just happens to work for the mayor of Blue Mountains Council.
- Of the 563 submissions received, only 63 have been published. In asking why my submission was not published I was advised my submission was part of the IFAW Campaign but I am unaware of this campaign and did not copy any correspondence in making my submission. I therefore attach my submission in Appendix 4
- The first submissions published on the web page are from the branch of the WIRES Chair and WIRES. #5 published is from the Dept of Veterinary Science at Sydney

University to whom WIRES make significant donations. #7 is that of Tracy Burgess – see above.

- The Stakeholder Insights Summary that was published by did not reflect the discussion at the round-table I attended, with similar comments being made by other wildlife carers.
- As it was not a parliamentary inquiry many current and ex volunteers were fearful of repercussions if they spoke freely so withheld their comments. WIRES actively seek to intimidate and silence members. E.g. I was issued with a Notice of Concern for speaking at the SGM in July 2024 with the threat that my membership would not be renewed.

The report on the Sector Review is to be provided to Minister for the Environment in October 2025. NPWS have already been active over recent months issuing papers on:

- Charter of engagement with veterinary professionals - NSW volunteer wildlife rehabilitation and veterinary sector.
- Mentoring in wildlife rehabilitation – why it matters

Date	NPWS	WIRES
2023		
January	Initial approach made re ability for volunteers to provide input into next 3 year strategy. Acknowledgement that evaluation and consultation would occur prior.	
May	Advised the strategy will commence later in the year and will include a survey of volunteers in the sector	Undertook a survey of members – 599 current and 131 former volunteers participated on the understanding the results would be published
September		SGM with new Constitution proposed without consultation with members. Vote failed to gain required 75% of members approval with
October	NPWS plans to undertake an evaluation of the strategy, which will include a survey distributed to wildlife rehabilitators and wildlife rehabilitation organisations in early Dec. 2023.	WIRE did not hold the AGM or any future WSC meetings which would have enabled a change of Board directors.
December:	The survey mentioned in our previous correspondence will be disseminated in 2024.	
2024		
January		WIRES advise they will not share the results of the members survey from May 2023.
February		2 nd SGM re proposed Constitution with minor amendments. Vote failed:

March	Further delays announced: <i>I am anticipating that this engagement will commence shortly. I appreciate your patience in this matter and can assure you that NPWS remains committed to supporting volunteer wildlife rehabilitation groups as outlined in the strategy.</i>	
April	<i>Currently, a process for engagement with the sector is being developed that will provide an opportunity for feedback on the strategy and discussion on improvements.</i>	
May	<i>A statewide consultation on the wildlife rehabilitation sector announced.</i>	
July		Members SGM hi-acked by the WIRES Board with resolutions amended, etc. Separate resolution to incorporate was passed. Neither proposed Constitutions gained required 75% approval of members.
September		WIRES offer members a week to “click” and accept proposed Constitution or seek being a member. WIRE lodge with ASIC a Constitution not approved by WIRES.
November	Submissions due for the Sector review	Members commenced legal proceedings in the NSW Supreme Court to be reinstated under correct Constitution
2025		
February	Round-table workshops held as part of the sector review	
March	Consideration of submissions, surveys and meetings to collate review report	Mediation in legal proceedings failed
April		WIRES acknowledged Constitution incorrectly registered with ASIC without members approval
July		21/07 – SGM re Constitution 26/07 - Members SGM held to remove Chair and nominated board members
August		23/08 – SGM held re Constitution
October	Review report provided to Minister for the Environment	01/10 – SGM held with two alternate Constitutions offered for members vote 10/10 – AGM held. New Board elected
		Legal proceedings continue in NSW Supreme Court
		Members still not advised if members

Appendix 1 – Extracts from RSPCA reports

RSPCA National Statistics Report 2023 – 2024:

Table 6: Cruelty complaints and prosecutions nationally over the past 6 years

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Complaints ¹	65,834	73,997	73,301	69,014	69,623	71,514
Prosecutions ²	376	359	426	318	251	248

Statistics from the RSPCA NSW Annual Inspectorate reports* – Complaints received:

	2018-19	2019-20	2020-21	2021-22*	2022-23*	2023-24*
Total calls	29,682	26,809	24,271	31,997	33,342	42,924
Native *	519	497	591	427/538	334/457	426/506
	1.7%	1.9%	2.4%	1.7%	1.4%	1.1%
Euthanised or died in care	325 63%	304 61%	401 68%	388 of 538 72%	n/a	316 of 506 62%
Transferred to rescue groups	179 34%	187 37%	170 29%	119 of 538 22%	n/a	141 of 506 28%

Note: where both Inspectorate reports and annual reports available, the statistics do not align between Native and Wildlife.

Excerpt from RSPCA Inspectorate report 2022-2023 – RSPCA prosecuting WIRES member Tracy Dods under POCTAA with WIRES employees attending court.

9	21-1701	23/02/2022		Summary hearing ongoing	Katoomba LC		Kangaroo	1	
				s 215 CPA costs: \$99.00					
1 x Commit an act of aggravated cruelty				Ongoing - Part-heard - Hearing listed 29/10/2024 (Day 5)			2021/22		
1 x Fail to provide vet treatment									

Appendix 2:

https://www.wiresmembers.org.au/wildlife-info/faqs#:~:text=How%20many%20branches%20and%20volunteer%20members%20does%20WIRES,to%20cover%20the'



Frequently asked questions

How do I get the possums out of my roof?

Possums are protected native animals. Due to habitat loss possums sometimes resort to living in chimneys and the roof cavities of sheds and houses. WIRES volunteers cannot assist with roof repairs and relocation. You will need the help of a licenced professional and WIRES are able to provide you with information to help you comply with National Parks and Wildlife regulations. Providing alternative homes for possums via [possum boxes](#) will greatly assist. Please call our Rescue Line on 1300 094 737 or fill in our [Report a Rescue form](#) for more advice.

What is WIRES Mission Statement?

WIRES mission is to actively rehabilitate and preserve Australian wildlife and inspire others to do the same.

How many branches and volunteer members does WIRES have?

WIRES have 28 branches around NSW and over 2500 volunteer members.

How old do I have to be to join WIRES?

To become a wildlife rescuer and carer with WIRES you must be 18 or over.

Does WIRES provide funding to cover the cost of food for carers?

About WIRES

WIRES is Australia's largest wildlife rescue organisation. WIRES has been rescuing and caring for sick, injured and orphaned native animals for over 35 years, and our mission is to actively rehabilitate and preserve Australian wildlife and inspire others to do the same.

WIRES operate a dedicated Wildlife Rescue Office assisting wildlife and the community across Australia 24-hours a day, 365 days a year, providing rescue advice and assistance for over 130,000 animals annually, as well as providing full-time mobile Wildlife Emergency Responders operating across Greater Sydney, South-East Queensland and Tasmania.

WIRES is providing significant national support for hundreds of projects to assist with wildlife rescue and rehabilitation across Australia and working nationally with strategic partners to support the long-term recovery of wildlife habitat and the long-term preservation of native species in the wild.

WIRES began in 1985 in response to a glaring need for a native wildlife rescue service. At the time, no organisation, government or conservation group could take specific responsibility for native animal rescue and care. WIRES quickly established a coordinated network of wildlife carers and rescuers and officially launched as an organisation in March 1986.

WIRES rescue and cares for wildlife under a license issued by NSW National Parks and Wildlife Service and WIRES Rescue Office can be reached 365 days a year by calling 1300 094 737 or filling in our [report a rescue form](#).

In 1992, over 14,000 rescues were conducted. By June 1997, this grew to 38,000 animal rescues state-wide. In the last financial year WIRES received over 200,000 calls to the 1300 number and provided rescue advice and assistance for over 140,000 animals.

Whilst helping hundreds of thousands of community members with wildlife advice and rescue assistance annually, WIRES also responds to requests for help from businesses, [the RSPCA](#), zoos, government departments, local councils, and the police.

Appendix 3: Summary of correspondence with NPWS re progress on NSW Volunteer Wildlife Rehabilitation Sector Strategy 2024-2026 and ability for volunteers to provide input.

On 15 January, 2023, I wrote to numerous mailboxes within NPWS to ask when the next strategy review would be progressed and if volunteers could please input, given many concerns within the sector.

A reply was received 27 January, 2023, from Janelle Brooks, Director – Conservation Programs Branch, advising that the *“strategy will be finalized in November 2023. NPWS plans to undertake an evaluation and consultation with the sector prior to developing another strategy.”*

In March and April, 2023, numerous WIRES members wrote to the Minister and NPWS asking for the opportunity to provide input into the strategy given ongoing concerns that we detailed as per each individual’s experience.

On 17 May, 2023, I received further correspondence from Janelle Brooks stating *“The review of the strategy will commence later in 2023 and will include a survey of volunteers in the sector which will be sent to **all** wildlife rehabilitation providers and the NSW Wildlife Council (the peak body for the sector). Pending the outcome of the survey, NPWS will consider an extension of the strategy.”*

On 22 September, 2023, I again wrote to Janelle Brooks stating that to date there had been no communication to the volunteers to provide input into the sector strategy review and seeking an update.

On 20 October 2023, a response was received from Janelle Brooks which advised *“Implementation of the strategy is due to finish at the end of 2023. NPWS plans to undertake an evaluation of the strategy, which will include a survey distributed to wildlife rehabilitators and wildlife rehabilitation organisations in early December 2023. There will be an opportunity for all members of the wildlife rehabilitation sector to participate and provide feedback individually and anonymously.”*

On 3 December, 2023, I again requested an update given it was early December and volunteers were yet to receive any correspondence.

On 13 December, 2023, a response was received from Gordon Cameron, Associate Director, Conservation Programs Branch, which stated *“The implementation of the Volunteer Wildlife Rehabilitation Sector Strategy concludes in 2023. The department will continue to implement ongoing actions in the strategy and to provide support to the wildlife rehabilitation sector. The survey mentioned in our previous correspondence will be disseminated in 2024.”*

On 20 February, 2024, I responded to Mr Cameron and asked:

Can you please advise when the strategy paper will be published and volunteers will have the opportunity to comment?

Can you please explain the reason for the ongoing delays and lack of transparency?

On 4 March, I followed up again.

On 13 March, 2024, a response from Janelle Brooks was received “Thank you for your ongoing interest in providing feedback on the NSW Volunteer Wildlife Rehabilitation Sector Strategy. NPWS is committed to a process of engaging with wildlife rehabilitation stakeholders such as your group, in establishing the next steps to continue support for these activities. I am anticipating that this engagement will commence shortly. I appreciate your patience in this matter and can assure you that NPWS remains committed to supporting volunteer wildlife rehabilitation groups as outlined in the strategy.”

On 11 April, 2024, I wrote back to Janelle Brooks:

It would appear that the NPWS strategy paper may provide some explanation as to the proposed changes to the WIRES Constitution? If the two are linked, why are they not being shared publicly and properly explained? If there was transparency, perhaps the WIRES Members may be more willing to accept change? There should be an enquiry into the extent that public donations for wildlife rehabilitation is being used for WIRES consultancy and legal fees due to the poor quality of the current management in addition to the poor morale of volunteers in this sector previously raised, resulting in the proposed Constitution now being voted down twice.

The longer this NSW Volunteer Wildlife Rehabilitation Sector Strategy is withheld the more there appears to be a cover-up by this government department.

On 15 April, 2024, a response was received:

Currently, a process for engagement with the sector is being developed that will provide an opportunity for feedback on the strategy and discussion on improvements. NPWS is expecting that this process will be announced in the near future as it continues the implementation of the strategy. I can assure you that information will be shared with the sector once available, including the strategy report. I understand your frustration and appreciate your continued patience while future arrangements are pending approval.

On 15 May, 2024, the Minister for the Environment, the Hon Penny Sharpe MLC, announced that the NSW Government is launching a statewide consultation on the wildlife rehabilitation sector to gain a detailed understanding of how NSW can improve the way we care for our native animals.

This consultation will inform the next steps for the NSW Volunteer Wildlife Rehabilitation Sector Strategy 2020-23. That strategy will be extended until 30 June 2025 while this review is underway.

What is of particular relevance is what was occurring simultaneously within WIRES while NPWS appeared to continually delay and defer any engagement with volunteers or progress of a strategy. For ease of reference I have put this in table format.

Appendix 4:

Copy of unpublished submission to Wildlife Rehabilitation Sector review

Page 1

Submission to Wildlife Sector Review

Overview

Thank you for the opportunity to provide a submission to the Wildlife Rehabilitation Sector Review.

Volunteers join this sector to care for our precious Australian wildlife. Most people want to do the right thing and for the world to be a better place.

Change in and of itself is often welcome to revitalise the direction and purpose of an organization or sector. Change that is managed in a professional, open and transparent manner brings all stakeholders on the journey and can deliver great results. Not all parties benefit from change but at least should be informed and seek to understand.

Since the generous donations received by WIRES following the devastating bushfires of 2019-2020, change became inevitable. What followed was an awareness that the sector lacks the leadership and management skills to effectively deliver the change required. Conflicting agendas emerged, the lack of collaboration highlighted both within and between organisations and weaknesses in the governance of the sector became increasingly visible with unforeseen consequences.

Rather than adopt a transparent change process with open communication, I believe that WIRES chose to adopt a subversive approach resulting in a toxic culture, demotivated volunteers and the significant loss of years of experience and knowledge.

WIRES have been able to progress their agenda without the adherence to their own Constitution and required majority vote of volunteer members due to the lack of oversight in the Charities sector. No state or federal government body provides oversight of the governance of the organization. WIRES volunteers have failed to find support from NPWS, ACNC, Dept of Fair Trading, Volunteering Australia, State Ministers and more, despite numerous attempts. Volunteers were advised that WIRES should adhere to their constitution and policies but when they choose not to do so, there appear to be no repercussions.

It is the love of the Australian wildlife that has kept us here to continue the battle for a better future.

My cynicism from the events of the past few years would lead me to believe that this Discussion Paper has been instigated to justify the changes already underway within WIRES to become national and control the sector. I sincerely hope I am proven wrong.

Before providing a response to the specific questions nominated under the Terms of Reference, I think there are further questions that need to be answered such as:

1. Why did the NPWS strategy paper for 2020-2023 only take into consideration the view of WIRES HO? i.e. no volunteers and no other wildlife organisations that make up the NSW Wildlife Council Inc? Yet this is a key reference document in this review?
 2. Why has NPWS not been able to publish their Strategy paper for 2023-2026 despite written communication since January 2022 that work progressed to a final paper that was ready to be published but never was? With the dates pushed out after the WIRES Constitution was defeated at each SGM and then abandoned
 3. Why was the NPWS Strategy paper for 2023-2026 again written with no input from any parties involved in the rescue and rehabilitation of wildlife in NSW except WIRES Head Office? Despite numerous requests for a voice? No volunteers.
 4. How is the success of the NPWS strategy assessed? And by whom?
 5. Why are WIRES adopting a constitution that was voted down by the volunteer members at 3 separate Special General Meetings?
 6. Why have WIRES not shared their long-term strategy and vision to volunteers as has been found in documentation presented in government tender submissions?
 7. To whom are WIRES accountable for their governance?
 8. Why is WIRES not part of the NSW Wildlife Council Inc?
 9. What support is provided to NSW Wildlife Council to increase its profile?
 10. Why did the majority of the donations from the 2019-2020 bushfires go to WIRES and not the Wildlife Council?
 11. Why have WIRES not spent \$70 million of the bushfire donations from the 2019-2020 bushfires?
 12. Why are WIRES not sharing donations from the 2019-2020 bushfires with other wildlife organisations such as Byron Bay Wildlife Hospital? But rather waiting for wildlife shelters and facilities to fall into bankruptcy and then buying them?
 13. Why is WIRES now wanting to move the bushfire donations into general revenue to fund ongoing operations?
 14. Why have the WIRES operating costs increased from \$3m per annum pre the bushfires to \$16m in 2023?
 15. What are WIRES spending on legal costs versus wildlife care and rehabilitation?
 16. Why have WIRES not published the results of the 2023 survey of volunteers when they said they would to encourage participation?
 17. Why have WIRES purchased equipment for volunteers without consultation for suitability? And then left volunteers with the unreasonably high cost for site preparation or installation of equipment not fit for purpose?
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18. Why do WIRES not recognize training undertaken by other wildlife organisations despite it being presented by often more qualified specialists?
 19. Why have WIRES Board and Management admitted in writing that they are not adhering to their own Code of Conduct?
 20. Why are the WIRES Board and Management trying to close down communication between members within and across branches on Constitutional issues despite their being a legal precedent that this is a right of members and part of their own Constitution to provide lists of Members?
 21. Why does the WIRES CEO have no KPI's nor performance measured?
 22. Why is the CEO of WIRES invisible to volunteers? All communication is from the Chair, Secretary or WIRES Members team
 23. Why does WIRES have Members (on the list with ASIC) and members (Authorised Persons with no rights to vote, mediation, etc)?
 24. Are Authorised Persons really insured? Or is it that Members are insured only and this is an attempt to still be covered? i.e. by having different definitions for Members and members
 25. Why was the 101 volunteer category introduced by WIRES after the bushfire donations, to just rescue and take to vets? Never to be part of a branch and never to be involved with long-term experienced wildlife carers?
 26. What is the increase in numbers of wildlife now being taken to vets over the past 5 years? How many of these are misdiagnosed, double handled, unnecessarily euthanised by not being taken to an experienced carer? How many have unknown outcomes on the WIRES callsheets as "Resolved by vets"
 27. Why is WIRES wanting to move away from a volunteer based organization? i.e. why do WIRES Members have to formally apply each year to remain a member with membership renewal able to be cancelled without reason being provided
 28. Why are the current Board being allowed to remain in situ for so long without an AGM as per the 2007 WIRES Constitution?
 29. What is the attrition rate of active volunteers within WIRES?
 30. What is the turnover of staff in the WIRES call centre?
 31. Why are WIRES call centre staff no longer able to be wildlife carers?
 32. Why are WIRES bringing in the RSPCA to pursue legal action against volunteers when WIRES did not raise prior concerns re practices that are being prosecuted?
 33. Why are WIRES insisting on all animals visiting a vet at least weekly but not providing the funding to do so/
 34. Why have the NSW police force now refused to assist in ending the life of injured macropods? When WIRES policy is to call the police and not fund their own darters?
 35. Why did the RFS stop taking calls to remove snakes in parts of Sydney?
 36. Are WIRES able to operate in other States when they only hold a licence within NSW?
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TERMS OF REFERENCE:

1. Challenges for the sector, including future trajectories and risks

- What are the most critical challenges facing the wildlife rehabilitation sector in NSW?
- Have these challenges changed over time?
- Are these challenges improving or declining?
- What are the future issues and risks that the sector is likely to face?

As a member of WIRES, I believe that the most challenging aspect of being a volunteer is that the organization ignores their own Constitution and Code of Conduct in the ongoing operations of the organization. Volunteers have no rights and no certainty. This situation has been further exacerbated by the lack of governance and oversight provided to this sector by government authorities who are not holding them to account.

The challenges have become considerably worse since WIRES obtained over \$100m in donations following the 2019-2020 bushfires of which \$70m remains unspent.

I believe WIRES are now choosing to pursue goals to become a national organization for the licencing and training for the wildlife including emergency response. It appears that WIRES want to manage a national call centre and hold all the data. It would then follow that WIRES position themselves as the central body to receive and distribute all funding from corporate affiliations, government grants and primary fund for donations. In and of itself this may be a good strategy but the lack of respect and accountability for appropriate governance, volunteers and other sector contributors is of concern.

Of the “messages heard to date” I make the following comments:

- Finding effective people to do management roles is due to the organization not being managed in an open and transparent manner with good governance. When the Board and management are pursuing subversive agendas they seek to place in positions those that will not contest their directives. This creates segregations, secrecy, conflict and aggression. Good people go elsewhere.
 - Volunteer burnout, conflict and high attrition is due to the lack of management skills and appropriate governance with issues raised not being dealt with in an efficient and effective manner. After 18 months of raising one incident we have in writing that WIRES Board and management deliberately choose to ignore unacceptable bullying and harassment behaviour until it was too late to act. Good governance with open and transparent management would avoid such outcomes.
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- The greatest cause of mental health issues in this wildlife rehabilitation sector is due to the lack of good management and governance from Head Office and the broader sector. The subversive agenda for change that is not being openly discussed with volunteers is causing high levels of stress and anxiety. Volunteers have made significant investments both in time and finances yet under the new WIRES Constitution they can be dismissed without warning or reason. How is that supposed to make volunteers feel supported and valued?
 - As an Avian trained carer I have access to good training from very experienced carers within the WIRES Avian team. What is disappointing is that specialists from Taronga Zoo have provided training to other wildlife groups yet WIRES will not engage with them or recognize any such training we may seek to do with these organisations. WIRES have a mindset that unless it comes from their Head Office then it can't possibly be good enough.
 - Our branch has been successful in obtaining a number of grants and is very proactive in fund raising. The issue we have is that Head Office will then not let us spend the funds on what we believe is required.
 - If there are concerns re data collection then the example needs to be set by Head Office. When volunteers hear that call sheets are being kept as "resolved by vet" when the vet has actually called WIRES to confirm the animal was euthanised, or call sheets are regularly incorrect with the information collected, there has been a culture created that data integrity is not important. Members of the public and vets regularly complain to volunteers re the WIRES call centre.
 - Volunteer engagement across groups around NSW is not the issue as volunteers generally work well together when they get to know each other and the need arises. The issue is that WIRES want to control everyone, won't join the Wildlife Council, won't recognize the value of the training of other organisations, etc. It would be better for volunteers to have a choice to find their "mob" that work and support each other than be reliant on one dominant culture dictated from above, where the ongoing risk of poor management and governance will drive even more experienced carers into inaction or out of the sector.
 - Cost of living should not be raised as an issue when WIRES is still holding \$70m? Rather ~~is-would~~ the issue is that WIRES are not sharing the funds in a collaborative manner and is using them to expand a centralized and controlled operation rather than support volunteers.
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2. Connections within the sector

- How are wildlife rehabilitation groups connected to each other?
- Do they communicate and work together in training, mentoring and sharing of resources?
- If not, what benefits could exist from ongoing connection?
- Are there barriers to this occurring? What are they?
- How could the government assist communication and collaboration across the sector, including interactions with local veterinary hospitals?

As a WIRES member, I believe that the greatest barrier to improved collaboration across the various wildlife sector contributors is WIRES Head Office itself. They refuse to be part of the NSW Wildlife Council or recognize training by other wildlife organisations. Unfortunately, being the only statewide licenced group by NPWS and the only group consulted in determining strategy papers has meant they have attracted the greatest donations and this isolationist approach has perpetuated.

I would suggest that other wildlife groups be enabled by NPWS to grow into other geographical areas as requested so that volunteers can seek to follow those organisations that offer good management practices and governance. This would be a more equitable model to encourage best practice. There should not be a restriction for only WIRES to be statewide.

The Wildlife Council should be nurtured and funded to be the peak body of which all those licenced by NPWS must join as a condition of their licence. If there was a more concerted effort to improve connectivity with veterinary and scientific professionals, shared and recognized training, seminars and learning opportunities, working bees and social events within and across regions then greater collaboration should follow.

3. Service gaps and duplication

- What is the focus of each organisation and is this complementary to other organisations?
- Is there duplication within geographic areas, when diversification could be more beneficial?
- Where could future investments in wildlife rehabilitation assets be deployed?
- How could all organisations collaborate more effectively?

The messages heard to date appear to highlight the need for the NSW Wildlife Council to be better supported to take on the co-ordinating role representing all organisations

involved in the rescue and rehabilitation of wildlife. It should be a condition of the licence issued by NPWS that WIRES are also to be a member and work collaboratively with all other organisations.

Diversification, or specialization, should naturally follow with collaboration, experience and support within the sector. Volunteers will choose to specialize and fill a need if they are supported with the training and funding required, as they are driven to minimize suffering and save lives. Such an approach is to be encouraged, not mandated upon volunteers.

If WIRES are choosing to take over then volunteers will direct their efforts elsewhere or leave. This is being witnessed in the decline of active volunteers following the introduction of WIRES rescue vans and 101 volunteers taking everything to vets. Then the wildlife sector will need to fund full time staff and associated amenities.

The question has to be asked why WIRES appear to be favoured by NPWS and are working to become a national organization rather than more support being given to the NSW Wildlife Council to increase collaboration? Why are WIRES working against the Wildlife Council rather than supporting it?

4. Involving wildlife rehabilitation groups in emergency response or significant wildlife events

- Is there clarity over the role of rehabilitators in emergency response?
- Are there other ways to formally include wildlife rehabilitators in emergency response?
- How would this be best facilitated as a whole-of-sector response?
- Are there opportunities to better support the sector to respond to significant wildlife related events, such as heat stress in flying-foxes?

This would best be co-ordinated via the Wildlife Council with all groups involved and sharing resources as a whole-of-sector response. At present WIRES have formed their own response in isolation to other wildlife sector participants and proposed to government that they should be the umbrella organization.

Many WIRES volunteers that were prepared to be involved in emergency response lost interest due to the inconsistent approach and poor communication. Training was rushed out to prove resources available to government with no follow-up. The following Constitutional issues have then lead to further disenfranchisement and many of those trained leaving the sector.

As full collaboration is required across all participants, the Council should be the vehicle for this to occur.

5. Administrative arrangements and legislative provisions relating to rescue and rehabilitation.

- How do current arrangements, including legislation, administration, governance and policy and reporting frameworks for the wildlife rehabilitation and associated veterinary sectors meet the needs of the sectors and government?
- How could these areas be improved for better outcomes into the future?
- What possible amendments to legislation or regulation could assist the rehabilitation sector to better contribute to the achievement of national and international biodiversity targets?

Volunteers seek information and guidance regarding legislation and appropriate Acts from the organisations they join, with experienced carers and long-term volunteers providing a critical role with relevant information and support at the appropriate time an animal comes into care and ongoing support and advice.

Many volunteers have become inactive due to the fear of prosecution given actions of WIRES to pursue legal action without prior warning of any concerns or acting as per their Code of Conduct, relying upon the legislation to do so.

WIRES takes matters direct to the RSPCA. WIRES staff that are ex RSPCA have been seen in court working closely with the RSPCA legal team.

WIRES have now removed any opportunity for mediation or escalation of concerns for Authorised Persons that are still encouraged to rescue and care but with even less protection than before when they were still Members under the 2007 Constitution.

Volunteers do not deliberately seek to breach legislation so should be given warnings if the organisation becomes aware of any concerns as per the Code of Conduct rather than proceed direct to litigation. If the organisation chooses to not act under it's own Code of Conduct, volunteers need to be provided with an appropriate escalation and review process outside their own organisation. This is not currently in place.

6. Resourcing for the wildlife rehabilitation sector

- How is the wildlife rehabilitation sector resourced and what current and future resourcing gaps exist?
- What opportunities are available to establish new methods to supplement support and build a sustainable model for the sector?

Increased participation by volunteers will follow good management with a clear vision and collaborative, supportive culture. Until this is in place, no suggestions will reverse the tide of increased inactivity and loss of volunteers from the sector.

While the sector needs funding, the question has to be asked why WIRES still have \$70m from the bushfire donations of nearly 5 years ago? And why have they increased their operational overheads from \$3m pre the bushfires to \$16m in 2023?

With the WIRES increased operational costs being used to fund rescue vans and staff while volunteers remain unfunded, it would appear the accepted strategy is for the wildlife sector to move away from volunteers and move towards paid staff? If this is not the strategy, then the why has the constitution that was rejected by WIRES Members been lodged with ASIC?

If WIRES are positioning themselves to become a national umbrella organisation over all wildlife sector groups with no direct volunteer involvement, then I believe the apparent lack of respect demonstrated for governance and volunteers over recent times has eroded their credibility to professionally deliver the services required.

WIRES has used the bushfire donations to employ staff and position itself to dominate the partnerships with the private sector and philanthropic organisations starving many of the smaller organisations of funds intended to support wildlife.

Why has the NSW Wildlife sector been allowed to evolve to two groups - WIRES and the rest? Why are WIRES not forced to work collaboratively across the sector with everyone else?

7. Supporting accredited wildlife hospitals and veterinary practices to treat injured wildlife

- How can wildlife hospitals and other veterinary practices be supported in providing critical wildlife assessment and treatment services?
 - What are the barriers to this occurring?
 - What approaches might be suitable for resourcing these services?
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- How can the data acquired from veterinary hospitals be integrated into a wildlife rehabilitation data management system?

WIRES has adopted various policies which have placed increasing pressure on the already strained veterinary services:

- a) 101 volunteers complete a 4 hour online course to be able to undertake wildlife rescues and must take all animals straight to vets. They are not trained to assess the animals, cannot be part of a branch or interact with any experienced carers;
- b) WIRES have purchased and staffed 10 vans for animal rescues for which staff are to take animals direct to vets. Again, they are not able to make an assessment or engage with experienced carers.
- c) MOP's are being increasingly encouraged to rescue animals they find and take them straight to vets, rather than have a carer attend/ assess.

Many veterinary practices are not trained in wildlife. Often carers collect wildlife from vets deemed ready for release only to find they have not been able to undertake a flight test or know what to look for in x-rays such that the bird has a fractured coracoid or shoulder, can't fly and then has to be taken by the carer to another vet for euthanasia. This point is not to criticize the vet but to highlight the benefit of a carer first making an assessment to reduce double handling and being able to provide a more considered assessment when the animal is submitted to a vet.

Vets that are interested should be given the opportunity for more training in wildlife. I understand this is currently available but limited.

When volunteers find a vet that is interested to provide support in a species they share a focus, the relationship is reciprocated which can result in a great working relationship and future mutual learning.

Funds should be made available for reasonable reimbursement of costs, particularly medication so that vets are not out of pocket. Their time is one aspect that may be managed for quieter periods, etc. but any specific costs should be able to directly reimbursed.

More dedicated mobile wildlife veterinary hospitals that volunteers could access would be very welcome, similiar to that provided by Sydney Wildlife. This raises questions like:

- i. Why are Sydney Metropolitan Wildlife able to provide a mobile hospital but not WIRES?
 - ii. Why did WIRES purchase and staff 10 mobile rescue vans but not a mobile wildlife hospital?
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- iii. Why has WIRES not supported Byron Bay Wildlife Hospital financially when there has been so much publicity that they are struggling and they approached WIRES directly, only to be refused?
- iv. Similarly, Hills Wildlife Sanctuary is looking for funding for a mobile wildlife hospital that could be airlifted to areas in crisis. WIRES should be leaping to help such initiatives but is not.
- v. Why has WIRES chosen to place pressure on vets without prior discussion with the AVA or enabling reimbursement?
- vi. Why are experienced volunteer carers being told that all animals must attend a vet within 24 hours and a minimum of once a week, yet no funds provided or questions raised re the need to do so.

Conclusion:

From going through the process of answering the Focus Questions for the review, some strong themes emerge.

While the NSW Wildlife Council Inc may not have been as effective as the sector requires, the right structure is in place. All groups within the NSW Wildlife sector are members of the Council except WIRES. The Wildlife Council needs additional leadership and management skills, with appropriate funding and support from NPWS and associated government bodies to step up to lead the sector.

WIRES have come to dominate the wildlife sector, facilitated by NPWS. They have done this at the cost of good governance, broad sector funding, collaboration across groups and significant loss of volunteer experience and knowledge. I believe WIRES have achieved this dominance by effective marketing but also by creating a toxic culture of bullying and intimidation lead from the top.

If WIRES were allowed to move to a national role in control of licencing, training, animal welfare, centralized call centres and/or emergency response it would be like 'the fox guarding the hen-house' or 'asking a thief to guard the treasury'. The events of recent years have, I believe, clearly demonstrated that WIRES does not seek to improve the sector or even support their own dedicated, experienced volunteers but rather discard them to achieve their own goals. Please ensure the WIRES survey of volunteers is finally published and shared as part of this review.

The over-arching question is whether this review will be too little, too late?
