

Submission on the Wildlife Rehabilitation Sector Strategy

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Wildlife Rehabilitation Sector Strategy
National Parks and Wildlife Service
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The NSW Young Lawyers Environment and Planning Committee (**the Committee**) welcomes the opportunity to make a submission in response to the Wildlife Rehabilitation Sector Strategy (**the Strategy**) published by the Office of Environment and Heritage (**OEH**).

Scope of Submission

The Committee has limited its submission to two aspects of the Strategy, being:

1. the proposed introduction of a system of accreditation; and
2. the involvement of young people in the sector.

As set out below, these two areas are inherently interlinked and both must be viewed in light of the overriding purpose of the sector being the protection and well-being of wildlife.

Overall, the Committee considers that the objectives and action plans set out in the Strategy and its Support Document do, to a large extent, appropriately address the findings in the Review. However, the effectiveness of the proposed accreditation scheme will be highly dependent on the accreditation standards that are implemented under the scheme.

Summary of Recommendations

The Committee recommends that the Department of Planning and Industry (**DPI**) (having subsumed the operations of the OEH):

1. Implement standardised training programs for wildlife volunteers as a matter of priority, including by:
 - a. developing the proposed learning outcomes and performance criteria in collaboration with wildlife rehabilitation organisations in order to make use of their significant expertise; and
 - b. making the proposed learning outcomes and performance criteria the subject of further public consultation;
2. Prepare a Regulatory Impact Statement of the proposed system of accreditation;
3. Develop a 'Welcome Kit' for volunteers addressing policies, procedures and values of wildlife rehabilitation;
4. Encourage service providers to develop distributions maps of members across their service area to encourage targeted recruitment and identify service gaps;
5. Develop a standardised template for recording animal keeping;
6. Ensure a variety of volunteer roles are available with differentiated responsibilities and training requirements; and
7. Adopting a multi-faceted approach to increasing youth participation, including by:
 - a. linking volunteer roles to school and university programs; and
 - b. utilising technology to create knowledge-banks to ensure longevity and continuity of current expertise and skills.

NSW Young Lawyers

NSW Young Lawyers is a division of The Law Society of New South Wales. NSW Young Lawyers supports practitioners in their professional and career development in numerous ways, including by encouraging active participation in its 15 separate committees, each dedicated to particular areas of practice. Membership is automatic for all NSW lawyers (solicitors and barristers) under 36 years and/or in their first five years of practice, as well as law students. NSW Young Lawyers currently has over 15,000 members.

The Committee comprises of a group of approximately 50 members interested in our environment. The Committee focuses on environmental and planning law issues, raising awareness in the profession and the community about developments in legislation, case law and policy. The Committee also concentrates on international environment and climate change laws and their impact within Australia.

Accreditation

The Committee agrees with the Strategy's proposals that:

1. a system of accreditation should be implemented across the volunteer wildlife rehabilitation sector and its participating service providers pursuant to section 2.17(f) of the *Biodiversity Conservation Act 2016* (NSW); and
2. any system of accreditation must ensure that the wildlife rescue and rehabilitation services provide certainty, both to the public and the government, that future services will be delivered in a consistent, credible and reliable manner that accords with a set of established, guiding principles.

Appropriateness of outcomes

The Committee notes that on page 20 of the Strategy, the OEH lists the objectives of the proposed accreditation scheme as follows:

1. greater community recognition of service;
2. improved volunteer support and management;
3. transferability of volunteer skills between organisations;
4. increased compliance with established codes of practice; and
5. a more flexible framework for accredited volunteer organisations to operate in New South Wales (**the Outcomes**).

The Committee agrees that these are appropriate intended outcomes when considered against the findings in Haering et al's¹ survey of the sector and in the OEH's Review of the NSW Volunteer Wildlife Rehabilitation Sector (**the Review**). In particular, the Committee suggests that a more flexible framework for accredited

¹ Ron Haering et al 'Towards a more effective model of local wildlife care with the volunteer wildlife rehabilitation sector: A survey of volunteers in New South Wales, Australia', (paper presented at Australian Wildlife and Rehabilitation Conference, Sydney, 2 July 2018).

volunteer organisations should be prioritised as this would assist in increasing youth participation, as will be discussed below.

Appropriateness of accreditation scheme in response to outcomes

The OEH proposes that the objectives described above can be met through the introduction of an accreditation scheme for organisations within the wildlife rehabilitation sector, which will be assessed through six categories of volunteer support and service delivery, namely:

1. governance;
2. training and support;
3. standards of animal care;
4. service capacity;
5. record keeping; and
6. veterinary services.

The Committee agrees that the identified categories are consistent with the intended Outcomes of the Strategy and are consistent with the findings of the Review. The Committee acknowledges that the specificities of the criteria as set out on pages 4-8 of the Support Document are capable of achieving the Outcomes and aim to balance the need for set standards with the need for organisations to have flexibility of implementation. However, the Committee recommends that additional criteria be added to the 'training and support' category to ensure that young volunteers are not dissuaded from involvement by excessive training requirements. This may include criteria to the effect that organisations should create multiple roles with differentiated responsibility to ensure broad participation of youth volunteers.

Further, there should still be an evaluation of the cost of the scheme relative to the value to New South Wales of outcomes achieved, as well as the ability of wildlife rehabilitation organisations to effectively respond to the requirements of any new accreditation scheme. In particular, given this is a volunteer-based sector the Committee notes that some organisations may not have the financial and other resources to hand to effectively manage a compliance program. Accordingly, the Committee recommends that a Regulatory Impact Statement be prepared to address these issues.

Governance

The Committee agrees that the OEH's finding at section 5.2 of the Review supports a focus on fostering good governance and that the sector would benefit from increased resources to help improve the skills of its leaders and the effectiveness of their governance practices.

Good governance practices enable not-for-profit organisations to function effectively and support and promote the well-being of their volunteers. In this respect, the Committee recommends that changes to good governance practices within the sector be informed by relevant aspects of the *National Standards for Volunteer Involvement*. This would help to ensure best practice in governance of the volunteer wildlife sector to the extent that the governance practices of the sector are not so already.²

² Volunteering Australia, *National Standards for Volunteer Involvement*, (2015) , <
<https://www.volunteeringaustralia.org/wp-content/uploads/National-Standards-Document-FINAL-3004.pdf> >

The Committee particularly supports the proposed development of a standardised 'Welcome Kit' for new volunteers, as part of an organisation's accreditation, to address the ethics and values of wildlife rehabilitation and the policies and procedures of each particular organisation as proposed by the OEH in the Strategy. This would assist in increasing awareness amongst volunteers of their organisation's structures and improve volunteer management.

Training and support

The Committee recognises that the findings in Haering et al's survey and the Review suggest there is a lack of uniformity with respect to the training of volunteers across the sector. Haering et al have reported that the lack of uniform training across the state '...has led to inconsistency in training outcomes and potentially disparity in the level of competency held by volunteers.'³

At page 39 of the Review, the OEH identified that uniformity in training was identified as 'very' to 'extremely' important to 96% of respondents to Haering et al's survey. The Review also noted that volunteers had sought greater consistency in training standards across the sector and more rigour in assessing competency and skills development. The Committee considers this to be a significant lesson from the review process and strongly recommends that this issue be prioritised in DPI's response to the Review.

The Committee in principle agrees with the proposal set out at pages 12 and 13 of the Strategy which contemplates implementing a standard induction and training program, identifying essential learning outcomes and performance criteria, and establishing shared learning resources and assessment methods required to assess competency across the sector. However, the Committee notes that the standards for training and assessment have not yet been developed and is of the view that the outcomes will be highly dependent on the quality of those standards. Accordingly, the Committee recommends that:

1. the proposed learning outcomes and performance criteria be developed in collaboration with wildlife rehabilitation organisations in order to make use of their significant expertise; and
2. that the proposed learning outcomes and performance criteria be the subject of further public consultation.

The Committee is also of the view that standardisation of training is an appropriate strategy to increase flexibility and transferability of volunteer skills to allow volunteers greater flexibility in their practice. This may also reduce barriers to practice in certain areas and help to ensure that there are enough skilled volunteers to meet demand across New South Wales.

Standards of animal care

The Committee agrees that implementing a baseline standard of care would assist in addressing the finding that there may be disparities in the level of care amongst service providers as identified above. Implementing a standard induction course and specialised species training for volunteers is likely to assist in continuously improving animal care outcomes and quality assuring the service that is provided.

³ Ron Haering et al 'Towards a more effective model of local wildlife care with the volunteer wildlife rehabilitation sector: A survey of volunteers in New South Wales, Australia', (paper presented at Australian Wildlife and Rehabilitation Conference, Sydney, 2 July 2018).

Service capacity

The Committee supports the inclusion of an accreditation requirement that service providers must have an efficient phone rescue service and a capacity to respond to calls. In section 5.5 of the Review, the OEH found that some service providers mapped the distribution of their members across their service area and targeted recruitment in areas where there are emerging service gaps. The Committee supports this practice and suggests that such a standard be incorporated into the proposed accreditation scheme.

Record keeping

The Committee is in principle in agreement that the proposed accreditation scheme must include a requirement that service providers have an animal record keeping system from the point of rescue to fate. The OEH reported in the Review that there were instances of variations in data quality under the licensing scheme and that some providers were behind in their reporting obligations.

Whilst the Committee does not have a particular suggestion with respect to the form of reporting, it agrees that a standardised report template would likely improve data quality and consistency within the sector. The standardised template should be user friendly so as to encourage compliance.

Veterinary services

The Committee recognises that it has limited knowledge of veterinary practice and procedure. It therefore only makes the following brief comment with respect to the interaction of veterinarian practices and the sector. The Committee agrees that having a documented policy for engaging with veterinary practices is consistent with the objective of fostering better relations with veterinary practices and improving outcomes for sick and injured wildlife.

Overall comment on accreditation

The Committee agrees that there is an overall benefit to introducing a standardised accreditation scheme for all service providers in the wildlife rehabilitation sector. The Review has found that there are barriers to both entry and training of new volunteers, which may result in disparities in the quality of services provided. In particular, the Committee supports the standardisation of training to allow volunteers greater flexibility and increase their ability to be deployed to any given place on a needs basis.

The Committee is of the view that the objectives and action plans set out in the Strategy and Support Document appropriately address the findings in the Review; however, it reiterates that the effectiveness of the proposed accreditation scheme is highly dependent on the accreditation standards that are implemented under the scheme.

Involvement of young people in the Wildlife Rehabilitation Sector

The Committee notes that the Review found only 11% of volunteers in the sector to be under the age of 30.

Encouraging young people to become involved in the sector is vital to its successful continuation and to ensure that knowledge and skills gained by current volunteers is developed, maintained and built upon in the future. The Committee accordingly recommends that encouraging youth participation in the sector be made a priority.

Barriers to youth participation in volunteering generally

There are a number of barriers which may prevent or discourage young people from volunteering which should be considered in implementing the Strategy. Walsh and Black identify socioeconomic and language factors as key barriers to engaging youth in volunteering pursuits.⁴ Interestingly, encouraging diversity has been recommended by Pro Bono Australia as an integral recommendation for increasing youth volunteer participation.⁵

Walsh and Black have also identified the following as factors which may deter young people from volunteering:

1. lack of time/balancing time with other pursuits such as study or work;
2. money;
3. access to transport;
4. perception of volunteering as being poorly organised; and
5. over-regulation or 'red-tape', such as obtaining public liability insurance, permissions or police checks.⁶

While some of these factors are clearly beyond the scope of the Strategy, in respect of factor 4 above, the introduction of the proposed accreditation scheme and standardised training programs will be of assistance in addressing potential disparities in public perception as to how well-organised the wildlife rehabilitation sector is.

However, the Committee submits that factor 4 must be weighed against factor 5 above, being the potential for over-regulation of the sector. A balance must be reached between ensuring adequate accreditation of wildlife rehabilitation organisations and training of volunteers, and allowing young people who, for example, may lack financial resources to participate in the sector in a meaningful way. Further, both of these factors must be addressed while maintaining the primary focus of the sector as being the protection of wildlife.

To that end, the Committee recommends (amongst other strategies outlined below), that in developing any standardised training regime there be provision for different levels of training for different roles, recognising their differing levels of responsibility. This will ensure that, while volunteers are given the training they need, they are not dissuaded from involvement by excessive training requirements.

Potential strategies to increase participation of young people

There are a number of strategies which may assist in encouraging young people to participate in the wildlife rehabilitation sector.

These may include:

⁴ Lucas Walsh and Rosalyn Black, 'Youth volunteering in Australia: An evidence review' (2015) *Australia Research Alliance for Children and Youth* 1, 23.

⁵ Pro Bono Australia, *What's in it for me? Understanding Young Volunteers* (15 November 2011) <<https://probonoaustralia.com.au/news/2011/11/whats-in-it-for-me-understanding-young-volunteers/>>.

⁶ Lucas Walsh and Rosalyn Black, 'Youth volunteering in Australia: An evidence review' (2015) *Australia Research Alliance for Children and Youth* 1, 24-25.

1. linking volunteer roles to school and university based programs;
2. creating volunteer roles and programs which emphasise and develop transferrable skills;
3. utilising technology to create cohesive knowledge-banks of skills and current volunteers;
4. creating volunteer roles which have varied time commitments (e.g. short-term fulltime roles or long-term roles with less intensive time commitments); and
5. focusing training programs around school and university holiday times.

The Committee recommends adopting a multi-faceted approach to increasing youth participation. However, it particularly recommends linking volunteer roles to school and university programs as this will ensure young volunteers receive support and guidance from both the sector and their educational institution. Further, linking volunteer roles to educational programs will assist volunteers in having clear aims and goals for their volunteer experience.

The Committee also notes that the creation of knowledge-banks to ensure longevity and continuity of current expertise and skills will benefit not only younger volunteers, but the wildlife rehabilitation sector more broadly.

Concluding Comments

NSW Young Lawyers and the Committee thank you for the opportunity to make this submission. If you have any queries or require further submissions please contact the undersigned at your convenience.

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