

Victoria Police Manual

The Victoria Police Manual is issued under the authority of the Chief Commissioner of Police in s.60, Victoria Police Act 2013. Non-compliance with or a departure from the Victoria Police Manual may be subject to management or disciplinary action. Employees must use VPM Professional and ethical standards to inform the decisions they make to support compliance.

Animals

Context

Members have a number of responsibilities regarding animals. These include assisting and investigating claims of cruelty to animals, wildlife protection, responding to issues concerning menacing, dangerous and restricted dog breeds and enforcing suspected breaches of biosecurity management plans (BMP) for the protection of livestock.

In addition to these responsibilities, Victoria Police plays a key role in assisting the Royal Society for the Prevention of Cruelty to Animals (RSPCA), local councils and Agriculture Victoria when faced with potentially dangerous situations regarding animals and livestock.

This policy describes the key powers police have when dealing with animals, as well as outlining the processes to be followed regarding information sharing, police attendance and requests for assistance from other bodies in this context.

Policy at a glance

This policy includes:

- guidelines for information sharing and assisting the RSPCA, local councils and Agriculture Victoria
- information on procedures when dealing with dangerous dogs, deceased or injured animals and wandering livestock
- information on procedures, authorities and exemptions when dealing with breaches of prescribed livestock biosecurity measures.

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Scope and application

This policy applies to operational members.

Responsibilities and procedures

1. Cruelty to animals

1.1 *Authority*

The RSPCA, Agriculture Victoria and the Department of Energy, Environment and Climate Action are the lead agencies in investigating complaints of cruelty and neglect against animals. They have the authority to lay charges under the *Prevention of Cruelty to Animals Act 1986*. Victoria Police have powers to take specific action under the *Prevention of Cruelty to Animals Act*.

1.2 *RSPCA information sharing requests within office hours*

- The below process refers to requests received Monday-Friday, 0800-1600 hrs.
- The Intelligence Collection and Liaison Unit (ICLU) is the initial point of contact for all requests for information (RFI) from the RSPCA. These requests are to determine if police attendance is required to ensure the safety of the attending RSPCA Inspector.
- On receipt of an RFI from the RSPCA, ICLU analysts will conduct checks on all involved entities of interest and advise the RSPCA if police attendance is required. Information supplied to the RSPCA is limited to relevant LEAP Warning Flags.
- When police are required to attend due to potential risks to RSPCA Inspectors' safety, ICLU will generate a Request for Attendance (RFA).
- The RFA will provide:
 - details of all relevant entities
 - the RSPCA complaint and response time based on the welfare of the animal.
- The RFA will be forwarded to the Uniform OIC PBEA in which the entity of interest is situated. On receipt of the RFA, a unit is to be nominated to attend dependent upon operational demand.
- The nominated unit is to contact the RSPCA Inspector and arrange a time to attend the property to ensure a planned and safe attendance. Members should consider specialist units should the need arise.
- RSPCA Inspectors will not attend any address flagged as police attendance required.
- Members should take note of the RSPCA timeframes to ensure matters are dealt with in a timely manner.

1.3 *Requests outside office hours*

- An RSPCA Inspector may request information directly from uniform stations outside business hours based on the welfare of the animal.
- Members may disclose relevant information in accordance with the Information Privacy Principle 2.1(d)(e) or (g), *Privacy and Data Protection Act 2014*. Refer to **VPMP Information sharing** for further details on disclosing information.

- This information will help the RSPCA Inspector to assess the level of risk involved with a person or property and may include:
 - previous police attendance at a property
 - police involvement with a specified person (limited to LEAP Warning flags only).
- When members are satisfied that police attendance is appropriate they should contact the patrol supervisor to arrange a suitable attendance in line with current operational demands.
- The station commander is to ensure an email is sent to ICS-ICLUANALYST-MGR for recording and compliance purposes where requests are made out of hours and a record of all requests received and any information disclosed is recorded in the correspondence register, as required by **VPMP Information sharing**.

1.4 *Police attendance*

- RSPCA Inspectors attending jobs without police will request urgent police assistance via 000 where their safety is compromised. Members are not to direct RSPCA Inspectors to contact 000 for routine attendance as outlined above.
- Members may assist RSPCA Inspectors with the execution of a search warrant to under s.24G(3), *Prevention of Cruelty to Animals Act*. Warrants issued under this Act have a 28 day expiry from the date of issue.
- RSPCA will notify Victoria Police via ICLU where police attendance is required. ICLU will conduct checks and notify the OIC Uniform using the RFA process. It is RSPCA policy not to attend any search warrant without police attendance.
- Members attending in support of the RSPCA are to submit field contacts and/or information reports as appropriate.
- Refer to **VPM Arrests and warrants to arrest** and **VPM Searches of property** for more information.
- In most joint investigations Victoria Police will be the lead agency.

1.5 *Requests for RSPCA assistance*

- While attending to incidents or in the course of their duties, members may find animals in distress or in need of care.
- Members should contact the RSPCA:
 - when there is a need to remove an animal following attendance at a family violence or other incident
 - when planning an operation that involves animal cruelty, neglect or animal welfare matters
 - to seek expert advice when attending a premises and locate evidence of animal fighting
 - to assist with an investigation involving animal fighting.

Type of assistance	Contact
Cruelty complaint referrals (non-urgent)	Call (03) 9224 2222 Hours • Mon-Fri: 7am-7pm • Weekends/Public Holidays: 9am-5pm or Online reporting 1. Information on what RSPCA investigate and what other agencies look after https://rspcavic.org/who-to-call/ 2. Cruelty Complaint entry https://rspcavic.org/cruelty-report/
Cruelty complaint referrals (urgent)	• During business hours, (Mon-Fri: 8am-5.30pm, excluding Public Holidays, email inspadmin@rspcavic.org.au • Mon-Fri: 5.30pm-7pm call (03) 9224 2222 • Weekends/Public Holidays after 5pm & weekdays after 7pm ▪ There are no RSPCA Inspectorate Services after this time ▪ If able to wait until the following morning, please log a report online, if not; to be actioned by Victoria Police Officers under <i>Prevention of Cruelty to Animals Act</i> Authorisation
Advice required (non-urgent)	Email inspadmin@rspcavic.org.au
Advice required (urgent)	• During business hours, Mon-Fri: 8am-5.30pm, excluding Public Holidays), email inspadmin@rspcavic.org.au • Mon-Fri: 5.30pm-7pm call (03) 9224 2222 • After 7pm (excluding Friday or Day Before a Public Holiday use: Weekend/Public Holidays after 5pm) ▪ There are no RSPCA Inspectorate Services after this time ▪ If able to wait until the following morning, please email inspadmin@rspcavic.org.au, if not; to be actioned by Victoria Police Officers under POCTAA Authorisation • Weekends/Public Holidays after 5pm ▪ There are no RSPCA Inspectorate Services after this time • If able to wait until the following morning, please email inspectoratecontactcentre@rspcavic.org.au, if not; to be actioned by Victoria Police Officers under POCTAA Authorisation

- Members are empowered under s. 23(4) and s. 24(1), *Prevention of Cruelty to Animals Act* to enter premises other than a person's dwelling without a warrant to investigate animal cruelty, neglect or animal welfare matters.
- Exhibits that are located during an investigation that relate to offences under the *Prevention of Cruelty to Animals Act* are to be retained until the matter has been resolved.

1.6 *Referrals of investigations*

- Victoria Police will be notified by the RSPCA when they have obtained information and have reasonable belief regarding other criminal offences occurring during the course of an animal welfare investigation.
- RSPCA will engage with the Sergeant, ICLU who will have initial oversight of the file. The Sergeant, ICLU will make a recommendation to the most appropriate work unit within Victoria Police based on the offences detected.
- On negotiation, RSPCA will retain the offences relating to the animal cruelty matters.

2. Scientific examination

2.1 *Authority*

Obtain verbal approval from the work unit manager when requiring:

- analysis of animal tissue for the presence of poisonous substances
- analysis of poisonous substances or suspected poisonous substances, including animal baits, which are believed to be connected with deaths or attempted poisoning of animals. The work unit manager should consider:
 - that an offence has been committed
 - the value of the animal concerned
 - the reasons for requesting the analysis (e.g. series or pattern of offences).

2.2 *Analysis*

After obtaining the required verbal authority, the investigating member is to:

- seek advice from the Victoria Police Forensic Services Department (VPFSD) as to where to take the sample for analysis
- forward a report of the circumstances and evidence sought to be obtained with the item to be analysed.

2.3 *Costs*

Claim costs for analysis at court.

3. Menacing, dangerous and restricted breed dogs

3.1 *General*

- Councils are the lead agencies in enforcing the menacing, dangerous and restricted breed dog provisions of the *Domestic Animals Act 1994* and may classify a dog as menacing, dangerous or of a restricted breed to minimise the risk of dog attacks in the community. They have the authority to seize and euthanise dogs when required and prosecute irresponsible owners.
- Victoria Police support councils by:
 - notifying councils of sightings, incidents or reports of a dog demonstrating menacing behaviour
 - providing information to assist with the enforcement of the menacing, dangerous and restricted breeds legislation
 - providing assistance in joint investigations.

3.2 *Serious injury or death to a person*

Where a dog has caused serious injury or death to a person, the owner or person in control of the dog at the time of the attack may be charged with an indictable offence under s.319B, s.319C, *Crimes Act 1958*. Refer to **VPM Crime attendance and investigation** for information regarding investigations.

3.3 *Responding to a dog incident*

- Members are to contact the council when they witness an incident or receive a report of a dog that:
 - has attacked or bitten a person or animal, including when the attack or bite has caused serious injury or death to a person or animal
 - demonstrates aggressive behaviour which may include, rushing at, chasing or worrying a person or animal
 - has been trained to attack or bite a person or clothing attached to or worn by a person
 - is found wandering at large
 - is not securely confined or controlled.
- Dogs that attack are usually impounded by the council for classification.
- When a dog that has attacked has been impounded and members are considering laying charges under s.319B, s.319C, *Crimes Act*, they should consult with the council.

3.4 *Requests and disclosures of information by councils*

- Council Authorised Officers may request information from Victoria Police as part of their risk assessment prior to attending a premises or location where there is a report or incident involving a dog.
- Members may disclose relevant information in accordance with Information Privacy Principle 2.1(d)(e) or (g), *Privacy and Data Protection Act*, if the information assists with:
 - Council Authorised Officers carrying out their law enforcement function or activity within the community
 - the conduct of proceedings commenced, or about to be commenced, in any court or tribunal.
- All requests for information from Council Authorised Officers should be in writing where possible and directed to the station commander.
- The station commander is to:
 - ensure relevant checks of any identified persons or addresses have been completed
 - consider all factors that may pose as a risk towards the safety or wellbeing of the attending Council Authorised Officers
 - advise if police attendance is required
 - ensure a record of all requests received and any information disclosed is recorded in the correspondence register.
- The disclosure may be in the form of written (hard copy or electronic) or verbal communication and:
 - may be made by members at anytime

- should only be the minimum amount of information required to allow the Council Authorised Officers to conduct a risk assessment.
- Refer to **VPMP Information sharing** for further details on disclosing information.

3.5 *Police attendance and joint investigations*

- Council Authorised Officers requesting urgent police assistance will contact 000.
- Members may assist Council Authorised Officers with the execution of a warrant in the following circumstances:
 - the execution of the warrant is part of an approved joint investigation
 - to prevent a breach of the peace. Refer to **VPM Arrests and warrants to arrest** for more information.
- Police may request the assistance of Council Authorised Officers to seize a dog. The request is to be made via the council which will go to after-hours paging service.

4. Dead or injured animals

4.1 *Power to destroy animals*

Police have the authority to destroy an animal in accordance with the *Prevention of Cruelty to Animals Act* that is either of the below:

- behaving in a manner likely to cause death or serious injury to a person or other animal
- found in a distressed or injured state and its condition is such that it would continue to suffer if it remained alive.

4.2 *Procedure for destroying an animal*

- Only destroy an animal as a last resort. If necessary, seek assistance from Agriculture Victoria, RSPCA or a registered vet.
- Before destroying an animal ensure it is safe to do so.
- When destroying an animal ensure that it is carried out humanely. Refer to the [Ruger Manual – sections 6 – 10 Destruction of Animals](#) on the OSTT Portal.
- Complete Use of Force App report – Destruction of Animal if a firearm or other force is used.

4.3 *Removal of dead or injured animals*

The owner is responsible for removal of the animal. If the owner cannot be located contact the appropriate local government authority or Agriculture Victoria for assistance. Police may also contact a stock removal company if there is no cost to Victoria Police.

5. Wandering livestock

Contact either the appropriate local government authority or Agriculture Victoria.

If found on a state highway or City Link, contact VicRoads or the City Link authority respectively.

6. Breach of prescribed livestock biosecurity measures

6.1 Purpose

The *Livestock Management Act 2010* provides a framework for livestock managers to voluntarily establish biosecurity measures to reduce biosecurity risks arising from unlawful entry by trespassers, including animal activists.

6.2 Authority

- Agriculture Victoria is the lead agency to support livestock managers and prevent biosecurity breaches. As an enforcement agency, Victoria Police may be called to respond to suspected breaches of biosecurity measures or where a crime has been committed. Agriculture Victoria Animal Health and Welfare Authorised Officers can respond, either by providing telephone advice or attending in person, where breaches of biosecurity measures may have had an impact on animal welfare or biosecurity.
- Section 30A, *Livestock Management Act* authorises Victoria Police to exercise power as an Inspector in relation to s.50A and s.50B, including the power to:
 - search, inspect or examine any premises that is reasonably believed to be used for livestock management activity
 - search, inspect or examine any livestock, equipment, item of plant or facility, if reasonably believed an offence has occurred
 - stop and detain vehicles reasonably believed to be used in connection with a livestock management activity, if believed an offence has occurred.
- Members are exempt from producing an Inspector's identification certificate prior to exercising powers under s.28, *Livestock Management Act*.
- Regulation 16(5)(a), *Livestock Management Regulations 2021* exempts members, and those assisting members, from committing an offence of breaching a biosecurity measure.
- The *Livestock Management Act* does not limit any other powers of a member.

6.3 Biosecurity measures

- A livestock manager can voluntarily implement biosecurity measures at a premises which conducts livestock activities, under the *Livestock Management Regulations*. Should a livestock manager suspect a breach of the measures, they may contact Victoria Police or Agriculture Victoria for assistance and enforcement action.
- When a BMP is in place, a visitor to a livestock premises must obtain written consent from the livestock manager to enter the premises and must comply with prescribed biosecurity measures. Written consent can be provided by electronic means, including by text message, email and QR code communication. Visitors must produce this notice for inspection by members any time the visitor enters or remains on the premises.
- This consent may be withdrawn by the livestock manager.

6.4 Biosecurity Management Plan and biosecurity signage

- To give effect to the *Livestock Management Act*, any biosecurity measures in place must adhere to specific requirements, including the preparation of a BMP and biosecurity signage.

- The measures in a BMP must be enforceable and adhere to specific requirements outlined in the *Livestock Management Regulations*. These include mandatory content, such as: contact information, area description, and preparation details. For more information on BMP content refer to **Biosecurity management and animal activism fact sheet**.
- A biosecurity sign must be placed at all vehicular entrance/exits and contain mandatory content as outlined in the *Livestock Management Regulations*.

6.5 Suspected breach of biosecurity measures

- Section 50A specifies it is an offence to contravene a biosecurity measure.
- Section 50B specifies it is an offence to damage, deface or remove a biosecurity sign compliant with the *Livestock Management Regulations*.
- Members must assess elements of the framework, including the content of the BMP, matters on biosecurity signage and consent procedures to determine if offences apply. Refer to **Biosecurity management and animal activism fact sheet** to assist with assessments.
- Members can contact Agriculture Victoria on 1800 675 888 (24/7 line) for assistance.

Related documents

- *Prevention of Cruelty to Animals Act 1986*
- *Wildlife Act 1975*
- VPM Crime attendance and investigation
- VPMP Information sharing
- VPM Searches of property
- Memorandum of Understanding between Victoria Police and RSPCA
- *Livestock Management Act 2010*
- *Livestock Management Regulations 2021*
- Biosecurity management and animal activism Fact Sheet

Further advice and information

For further advice and assistance regarding information sharing, contact the Intelligence Collection and Liaison Unit, Intelligence and Covert Support Command. For general advice and assistance regarding this policy, contact your Regional Training Officer.

Update history

DATE UPDATED	SUMMARY OF CHANGE	FORCE FILE NUMBER
10/02/20	Updated into new format. Additional information added regarding information sharing and joint investigations with RSPCA as a result of MOU.	FF-126246

25/01/22	Update to reflect VPM Searches of property	FF-187958 3
17/10/22	Update to reflect amendments to Livestock Management Act 2010 which introduces biosecurity measures	FF-217591 1
27/05/2025	Consequential amendment to replace reference to Use of Force Form 237, 237A-D with Use of Force App for 20/05/25 Use of Force App rollout Minor administrative amendments to references and contacts and inclusion of new Policy at a glance section.	FF – 266536 FF-197749