

Statement in the matter of: **DUTY OF CARE GERALDINE ROBERTSON**

29-Jul-2008

NAME: Lawrence Stageman

OCCUPATION: RSPCA Inspector

STATES:-

1. My full name is Lawrence Stageman and I am currently employed as an Inspector of the Royal Society for the Prevention of Cruelty to Animals Queensland Inc, 301 Fairfield Road Fairfield. I am also an Inspector appointed under the provisions of the Animal Care and Protection Act 2001.
2. I know the Defendant Geraldine Fook Fong Robertson.
3. On 3 Jan 08, I commenced inquiries into information received by the RSPCA Complaints Call Centre Brisbane, from Mr Norman Emanoual of 38 Emerald St Murarrie that there were serious concerns about the living conditions of the animals at the property and that some of the animals may be in need of veterinary treatment after he had boarded his dogs at the defendant's dog and cat boarding facility known at Waterford Boarding Kennels Lot 13 Buccan Rd Buccan Qld . After considering this information in conjunction with similar information contained in a previous complaint received by RSPCA Qld on 28 Feb I compiled in accordance with **Section 126 of the Animal Care and Protection Act 2001**, an **Application for Warrant to Enter** the Defendant's property to examine the situation..

Signed:.....

Dated: 4 Feb 2008.....



4. On 8 Jan 08, about 8:10am I submitted my application to Justice of the Peace Qualified No: 22801. I swore the information I submitted on Oath to the Justice and after her deliberation and in accordance with **Section 127 of the Animal Care and Protection Act 2001**, I was granted a **Warrant to Enter** the defendant's Waterford Boarding Kennels within the next seven days of the approval of the document.

5. About 10:45am 9 Jan 08, about 10:45am, in the company of other RSPCA Inspectors and assisting staff, and police, I attended Lot 13 Buccan Rd Buccan (Waterford Kennels) the property of the defendant. I knocked on the door and a short time later the Defendant opened the main entrance door. As she did this the heavy smell of what seemed to me to be strong urine and animals excrement smell became immediately apparent. In accordance with **Section 120 of the Animal Care and Protection Act 2001**, I introduced myself and showed her my Identification Card. At this time the conversation was being recorded by an electronic audio taping device. I explained to her the reason we were there and that I had a Warrant to Enter the premises. I then handed to her a copy of the Warrant to Enter. in accordance with **section 128(2)(b)(i) of the Animal Care and Protection Act 2001**. Ms Robertson became very agitated and began to argue with me. She was making claims of a 'smear' against her and she shut the door and refused entry. The police then advised her not to obstruct me in my duties and advised her of the consequences. The Defendant then opened the door and allowed entry to us.

6. I then started to inspect the property. Just off to the left of the entrance I sighted a number of poodle dogs in an outside yard. It was lightly raining and I saw that there was a large amount of dog faeces all over the ground. The dogs there had matted hair and were covered in the faeces on their coats. There was a strong smell coming from the dogs coats.

Signed:  Dated.....4 Feb 2008.....

Video



7. Just forward of this location I saw a number of other dogs in a narrow pathway with a makeshift barrier. I saw that they were in a similar condition as the first dogs sighted and the area had a very large build up of sloppy faeces in this area. I saw that the dogs did not have any real place to lay without being covered in the excrement.

8. I then entered the house. I was disgusted at what I saw. The inside of the house had the same pungent smell which was intense. I saw that this was a type of office but there was a large build up of what I would call rubbish in it. I saw a very dirty cage on the office floor which contained an adult poodle type dog inside it. The base and the outside of the cage were covered in faeces on built up rotting newspaper. It appeared to be a large number of pages thick. The defendant claimed she had not cleaned the cage for about six weeks. I felt the dog was living in terrible conditions.

9. I then moved into the lounge room area. Again the smell intensified. I saw that there were a number of other dirty cages on the floor with a number of small poodle puppies in them. I did see one of the cages appeared to have been cleaned, but the excrement and the filth had spilled out onto the floor of the room.. I also saw a makeshift barrier in the laundry where there were four black in colour pups located on the floor. There were faeces all over the floor and no apparent water. There were four smaller puppies in the bathroom in similar living conditions. I was disgusted at what I saw.

10. As I proceeded out of the rear of the house I saw there were compound type enclosures at the back of the house. This sight really surprised me. I saw a number of full grown Standard Poodle dogs in this yard area. The yard ground was covered in faeces and most of the dogs were in a shocking condition. I saw their hair was extremely matted and in some cases in large clumps being carried by the dogs. The smell was horrible and each dog also carried the similar smell.

Signed:  Dated:.....4 Feb 2008.....



11. I then moved to the rear of the property where a kennel compound was located. As I approached it I could see a large number of dogs in the individual pens. I saw there were in some case animals paired up in the runs and at times more than two. This compound was approximately 50 metres from the main house but the smell was constant. As I entered the kennel the sight was appalling. I could see that there was no bedding for the dogs and there were faeces all over the pens. The build up of discarded dog hair was inside the pens and outside the cage doors. There was rubbish strewn outside the kennel and inside the front entrance. The animals inside had filthy coats from the conditions and there was what I would call stagnant water in the drainage ducts.
12. I then directed that a series of digital photographs and video footage be taken of the entire area. This was done by Digital still cameras and Hi8 video.
13. At this time I was very concerned at the living conditions of the animals. I could see that a number of them were obviously stressed, had putrid coats and in some cases in need of immediate veterinary treatment. During this inspection I could see that the animals at this property needed to be removed as soon as possible and to seize them pursuant to **section 142 of the Animal Care and Protection Act 2001** in the interests of animal welfare. I then made calls to gain extra assistance to move the animals to the Fairfield RSPCA Shelter. As a result of this Inspector Shayne Towers-Hammond attended the property and we had a conversation. He concurred with my observations and plan to seize the animals.

Signed;  Dated:.....4 Feb 2008.....




14. We then seized 104 dogs which included 100 Poodle (Standard and Miniature), two Labrador pups and two Pomeranian Puppies. These animals were then seized and moved to Fairfield Shelter where they were identified with RSPCA Black Tag identification tags. They were then directed to Dr Anne Chester Senior Veterinary Surgeon RSPCA Qld examination, treatment and subsequent reporting.

15. About 5:00pm that same day completion of the seizure of the animals had occurred and all personnel involved in this matter had left the property

16. In accordance with **Section 150 of the Animal Care and Protection Act 2001**, the defendant was subsequently supplied a Receipt for Seized Property Number 004456 and Information Notice –Seized Property numbered 002732, which were directed by facsimile to her legal representative Robertson and O’Gorman Solicitors’ as requested.

17. About 1:30pm 1 Feb 08, in the company of Inspector Shayne Towers-Hammond had a conversation with Dr Michael Shane Kennedy BV Sci, at his Veterinary Offices at Balacava St Woolloongabba. I then showed him the Hi 8 video taken of the Waterford Kennel on the day I executed the Warrant to Enter. After viewing the video Dr Kennedy had a conversation with Inspector Towers-Hammond and later supplied him a statement as to his observations.

19. My inquiries into this matter are continuing

Signed:  Dated:.....4 Feb 2008.....

