

Department of Primary Industries and Regional Development



Supplementary Questions: Parliamentary Inquiry into Approved Charitable Organisations under the Prevention of Cruelty to Animals Act

SUPPLEMENTARY QUESTIONS

Responses 1-18 as per table below

Responses for Supplementary Questions directed to DPIRD witnesses:

- Ms Rachel Connell, Deputy Secretary Agriculture and Biosecurity, Department of Primary Industries and Regional Development
- Mr Peter Day, Executive Director Strategy & Regulatory Policy, Department of Primary Industries and Regional Development

Date asked: 02/04/2026

#	Question	Response/ Answer
1.	How does the Department calculate the funding required for effective enforcement?	<p>The funding envelope for the annual POCTAA Enforcement Grant is determined in conjunction with allocations to other priorities across government via the State Budget process. This includes consideration of the operating costs reported by the enforcement agencies.</p> <p>In FY2024/25, the Department introduced the POCTAA enforcement grant process in accordance with the mandatory NSW Grants Administration Guide,</p> <p>The purpose of the grants are to support ACOs carry out Prevention of Cruelty to Animals Act 1979 enforcement and compliance activities for the current 2025-2026 financial year.</p> <p>As part of that range of activities, the funding deeds specify the number of inspectors that each ACO must employ and a target number of investigations that each ACO must conduct.</p> <p>The deeds signed by the ACOs state that:</p> <ul style="list-style-type: none">• funding is provided by the Government to support their resourcing of their powers and functions under the <i>Prevention of Cruelty to Animals Act 1979</i>, and• the objective of the grant is to promote animal welfare and prevent animal cruelty by contributing towards the costs of the activities the ACOs undertake including investigative activities, prosecutorial activities, compliance monitoring and auditing activities, and education and advisory activities.

		The deeds make clear that funding is provided within a co-contribution model. This approach recognises the ACOs' ability to draw on other revenue sources for the full program of activities supported through the grant funding.
2.	Why does funding not align with the stated KPI workload?	See answer to Question 1
3.	What explains the reduction from \$20.5 million to under \$10 million?	See answer to Question 1. In FY2023/24, a one off \$26 million grant administered by the NSW Office of Local Government was awarded to the ACOs (consisting of \$20.5 million to RSPCA NSW and \$5.5 million to AWL).
4.	What modelling has been done on future demand growth?	The Department works closely with ACOs on trends and issues in compliance and enforcement under the POCTA. As part of the grant process, ACOs were required to provide projections of the level of enforcement activities as part of ACO applications for grant funding in 2025/26.
5.	Why are funding agreements not finalised before the start of the financial year?	Timing is reliant on the State Budget process, which determines the funding envelope for the annual POCTAA Enforcement Grant each year and subject to the processes set out in the GAGs.
6.	What formal oversight mechanisms exist over ACO enforcement decisions?	The <i>Prevention of Cruelty to Animals Amendment (Transparency and Fit and Proper Persons) Act 2024</i> clarified that ACOs are subject to the requirements of the <i>Government Information (Public Access) Act 2009</i> in relation to their <i>Prevention of Cruelty to Animals Act 1979</i> enforcement activities. In addition, the ACOs are subject to the oversight of the NSW Ombudsman with respect to their statutory enforcement functions.
7.	How are conflicts of interest identified and managed?	Funding Deeds with each ACO require that the ACO immediately notify the Department in writing if a conflict or risk of a conflict arises.
8.	What audit or review has been conducted into enforcement outcomes?	The ACOs are required under the POCTA Act and Regulation to provide an annual report to the Minister, which the Minister must table in Parliament. The matters prescribed for inclusion in the report include a range of enforcement actions and outcomes. In addition, the current funding deeds with the ACOs include requirements for enhanced financial and performance reporting, including monthly progress reports on enforcement actions and outcomes. This data is monitored by the Department and matters are raised with the ACOs as required.

9.	How is consistency of enforcement ensured across the state?	<p>Transparency about levels of activity across the state is supported through requirements in the funding deeds for monthly reporting on cases opened in response to complaints and on proactive inspections to be provided on a geographical basis as follows:</p> <ul style="list-style-type: none"> • Greater Sydney including Wollongong, the Blue Mountains and the Central Coast • Regional NSW.
10.	What metrics does the Department use to measure reduction in animal cruelty?	<p>Enforcement activities are comprised of proactive inspections and investigations undertaken as a result of complaints received by enforcement agencies. The funding deeds for both the RSPCA and AWL include targets for proactive inspections and investigations. Both organisations are required to report against these targets under the terms of their funding deeds.</p>
11.	How do you distinguish between increased reporting and increased incidence?	<p>The collection of data so far has been focused on enforcement actions and outcomes.</p>
12.	What is the current compliance rate with POCTAA obligations?	<p>Data provided by the ACOs is focused on enforcement actions and outcomes.</p>
13.	What evidence exists that enforcement is acting as a deterrent?	<p>The ACOs undertake a range of activities to promote animal welfare and prevent animal cruelty, supported by funding from the NSW Government for:</p> <ul style="list-style-type: none"> • investigative activities • prosecutorial activities • compliance monitoring and auditing activities, and • education and advisory activities.
14.	Why are KPIs focused on activity rather than outcomes?	<p>The funding deeds include targets that are specific and measurable and allow for clear reporting.</p>
15.	What oversight is there of the stock welfare panels and how they operate in NSW?	<p>Stock welfare panels are overseen by the Department and conducted in accordance with the following:</p> <ul style="list-style-type: none"> • Part 2B of the <i>Prevention of Cruelty to Animals act 1979</i> • Policy and procedure–management of stock animal welfare cases under the <i>Prevention of Cruelty to Animals Act 1979</i> • Procedure - Stock Welfare Panel Operations under <i>Prevention of Cruelty to Animals Act 1979</i>

		<ul style="list-style-type: none"> the Terms of Reference for management of stock welfare cases.
16.	How does the department ensure the stock welfare panels conduct themselves in a manner that is consistent with procedural fairness and accountability?	<p>As per Question 15 and subsequently a post panel review is also undertaken.</p> <p>Panel members must also comply with:</p> <ul style="list-style-type: none"> NSW Government Boards and Committee Guidelines NSW DPIRD Code of Conduct Policy and NSW DPIRD Conflicts of Interest Policy.
17.	How does the DPIRD ensure stock welfare panels truly are a last resort and not used in a spurious manner?	See Answer to Question 15
18	Has DPIRD conducted any reviews into the stock welfare panel model and whether it is fit for purpose?	<p>A post-panel review is conducted for each stock welfare panel.</p> <p>The NSW Government has provided funding to NSW Farmers Association to undertake a program to improve the stock welfare panel process and reduce the need for stock welfare panels in the future. One of the program objectives is to evaluate the benefit and costs of stock welfare panels and to establish a clear performance measurement framework for the ongoing monitoring and management of stock welfare panels.</p>
	(a) If yes, were the results of the review published, what was found, when will improvements be implemented and what are the details of the proposed amendments?	The Department is not aware of any published reviews on stock welfare panels.