

QUESTIONS ON NOTICE
NSW LEGISLATIVE COUNCIL PORTFOLIO COMMITTEE NO. 4
2025 INQUIRY INTO THE OPERATION OF THE APPROVED CHARITABLE ORGANISATIONS
UNDER THE PREVENTION OF CRUELTY TO ANIMALS ACT 1979

DATE 15 May 2026

- 1. In relation to puppies born in RSPCA care from seized pregnant animals that then must be returned to the person of interest after whelping, have you brought this issue to the Government's attention, and can you check RSPCA NSW's POCTAA review submission to confirm whether this specific issue was raised?**

RSPCA NSW has brought this issue to the NSW Government's attention in writing during the review of the *Prevention of Cruelty to Animals Act 1979* (**POCTAA**) as recently as February 2026, when we provided the following feedback to the Department of Primary Industries and Regional Development:

"RSPCA NSW regularly seizes pregnant animals (e.g., from breeding establishments and situations of animal hoarding) that give birth while in RSPCA NSW's care. As there are no animal cruelty offences in relation to the offspring, RSPCA NSW has no lawful basis to retain possession of them under s 24J of POCTAA, nor can we seek orders for their disposal under s 31(1) or (4) of POCTAA. The only available mechanism for seeking ownership is imploring the owner (that is, the defendant) to voluntarily surrender them. Defendants are unlikely to surrender the offspring to RSPCA NSW in these situations, especially if they are the proprietors of a breeding establishment or living with significant mental health impairments. If a surrender is not obtained, RSPCA NSW is obliged to return the offspring to a defendant charged with animal cruelty offences. This compromises the welfare of the animals, is distressing to RSPCA NSW staff and volunteers, and fails to meet community expectations. RSPCA NSW also bears the cost of caring for dependant, unweaned offspring until they are either returned or surrendered, with no ability to recoup those expenses. To rectify this gap in the legislation, POCTAA should be amended to give approved charitable organisations the authority to sell or otherwise dispose of progeny that is born in their care to seized animals. If an animal is sold under this provision, POCTAA would need to provide that the purchaser acquires a good title to the animal, and former interests in the animal are extinguished. Alternatively, and at a minimum, POCTAA could be amended to enable the retention of offspring under s 24J, the inclusion of offspring in disposal applications under s 31(1) and (4), and the recovery of animal care costs for offspring under s 30A."

- 2. Are you able to provide a copy of the funding agreement that you currently have with the Government?**

RSPCA NSW provides a copy of the current funding agreement with the NSW Government as enclosed.

3. Are you able to provide a breakdown of inspectorate expenditure separate from charitable activities, including what is being drawn from charitable income and where that is going in inspectorate activities?

FY2025/2026 *(Projected)*

- Total inspectorate cost FY2025/26: \$18.637 million
- NSW Government funding received: \$9.856 million
- Shortfall funded by RSPCA NSW: \$8.781 million
- Inspectorate cost breakdown:
 - Field Operations: \$9,445,000
 - Animal care, sheltering and boarding: \$4,539,000
 - Veterinary costs: \$767,000
 - Legal and prosecution costs: \$1,162,000
 - Contact Centre: \$1,254,000
 - Internal support and overheads: \$1,471,000

FY2024/2025

- Total inspectorate cost FY2024/25: \$23.129 million
- NSW Government funding received: \$11.376 million
- Shortfall funded by RSPCA NSW: \$11.753 million
- Inspectorate cost breakdown:
 - Field Operations: \$12,406,000
 - Animal care, sheltering and boarding: \$5,972,000
 - Veterinary costs: \$771,000
 - Legal and prosecution costs: \$779,000
 - Contact Centre: \$1,495,000
 - Internal support and overheads: \$1,704,000

FY2023/2024

- Total inspectorate cost FY2023/24: \$22.319 million
- NSW Government funding received: \$20.5 million
- Shortfall funded by RSPCA NSW: \$1.819 million
- Inspectorate cost breakdown:
 - Field Operations: \$11,797,000
 - Animal care, sheltering and boarding: \$4,916,000
 - Veterinary costs: \$694,000
 - Legal and prosecution costs: \$790,000
 - Contact Centre: \$1,623,000
 - Internal support and overheads: \$1,989,000

4. What are RSPCA NSW's current assets or reserves that can be drawn from, and how long could RSPCA NSW continue to draw from reserves if the funding trajectory continues?

The financial reserves of RSPCA NSW have been established as a result of the generosity of our donors and supporters over 150 years of operations. The Society has an obligation to steward these resources for the purposes for which they were gifted, which include supporting regulatory functions as well as the broader range of activities the Society undertakes to prevent cruelty to animals in NSW.

RSPCA NSW's balance sheet includes both current and non-current assets. Not all assets are available to meet operating shortfalls. Some assets are property, infrastructure or restricted assets that are required for ongoing operations and cannot be readily liquidated without undermining RSPCA NSW's service delivery.

Over the last few years, RSPCA NSW has had to draw significantly on its reserves and divest assets to manage funding uncertainty and maintain inspectorate operations. The FY24/25 Annual Report notes that the Board endorsed the divestment of \$11 million in assets to address an unanticipated funding shortfall following a reduction in NSW Government inspectorate funding from \$20.5 million in FY23/24 to \$11.4 million in FY24/25. In the first half of FY25/26, \$7m of financial assets had to be liquidated to meet operating cash flow requirements due to the delay in finalising the POCTAA Funding Deed. If the current funding trajectory continues, RSPCA NSW would need to make difficult decisions about the level of inspectorate activity and broader animal welfare services it can sustain.

5. At the lowest point over the last couple of years, how many inspectors did RSPCA NSW have on the books due to funding uncertainty?

RSPCA NSW had 53 appointed officers as of 30 June 2024 and 39 officers as of 30 June 2025. At the hearing, RSPCA NSW advised that it had 37 inspectors at that time, with recruitment underway following the execution of the funding deed for FY25/26 in March 2026. The reductions were not due to a reduction in demand. It reflected the practical consequences of funding uncertainty, delayed funding confirmation, recruitment lead times and the need to avoid appointing staff without secure funding for their roles.