

**Submission
No 17**

**INQUIRY INTO 2025 INQUIRY INTO THE OPERATION OF
THE APPROVED CHARITABLE ORGANISATIONS UNDER
THE PREVENTION OF CRUELTY TO ANIMALS ACT 1979**

Organisation: Cat Protection Society of NSW

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**NSW Legislative Council Portfolio Committee No. 4 – Regional NSW
2025 Inquiry into the operation of the approved charitable organisations under the
*Prevention of Cruelty to Animals Act 1979***

Submission from the Cat Protection Society of NSW

Cat Protection Society of NSW (Cat Protection) welcomes the opportunity to contribute to the Committee's inquiry into the operation of the approved charitable organisations (ACOs) under the Prevention of Cruelty to Animals Act 1979 (POCTAA). Meaningful and accurate reporting on animal welfare is essential to enable informed, evidence-based actions to prevent and respond to animal cruelty.

Cat Protection acknowledges the hard working and compassionate staff and volunteers of the ACOs, and thanks them for their ongoing dedication to improving animal welfare.

We are pleased to note improvements in the reporting from the ACOs. In particular:

- Breakdowns of cruelty complaints/reports by animal type (RSPCA report only) and complaint/report type
- Number of inspectors
- Details of prosecutions
- Details of complaints against the ACO
- Details of applications to the ACO under the Government Information (Public Access) Act.

We continue to call for further improvements to reports and reiterate that there *must* be government investment to support this. The ACOs should not have to fundraise for law enforcement nor to provide comprehensive information on those enforcement activities and outcomes. Improved reporting will support informed policy development and resource allocation.

Standardised data collection and reporting requirements, and investment in reporting infrastructure

Standardised data collection and reporting requirements will ensure all key information from both ACOs can be easily combined to create a broader picture of animal welfare in NSW, and it will allow for comparing like with like. Definitions of key enforcement activity terms are also required to give meaning to the numbers. Currently, the following terms are used inconsistently across the two ACO reports: investigation, attendances, visit, proactive inspection, routine visit, revisit and general dispatch requests.

The reporting requirements should be based on what's needed to provide an accurate and useful understanding of enforcement activities and outcomes that can contribute to evidence-based policy development and law reform. It is inadequate to base reporting simply on what has been done to-date or limitations in existing data systems.

For example, verbal directions are provided by inspectors on each visit, including where there might not be other formal enforcement action, such as an official caution. Currently, this data appears not to be easily accessible for reporting within the ACO data systems, despite verbal advice being a key strategy used by ACOs and used in “revisits” to assess compliance.

Good reporting depends on good data. Both ACOs state in their reports that their reporting systems do not have the capacity to distinguish between cruelty complaints and ‘routine’ (proactive) inspections conducted on animal trades. With limited funds, the ACOs are prioritising investigations and visits, but high-quality meaningful reporting is essential for transparency and to inform policy and decision-making. An explicit financial commitment by government is needed to enable the ACOs to provide that essential reporting.

Information on key principles and criteria used in POCTAA power decisions

More information is needed to understand the ‘why’ behind statistics provided for inspections and investigations, referrals to other ACOS or other agencies, enforcement action (eg no action, informal and formal cautions, penalty notices, prosecutions) and euthanasia.

This additional information could be in the form of providing the principles or criteria used in enforcement decisions, and explanatory notes for specific terms. For example, for the terms “Charges withdrawn and dismissed” and “Unable to locate accused”, an explanatory note could be included to explain the relevant court procedural rules, what that means for the animals in that case and for the risk of preventing further animal cruelty.

Information on challenges to enforcement

The reports should include information on the challenges experienced by the ACOs in prevention and enforcement. Identifying legislative barriers is needed to inform animal welfare law reform and identifying resourcing constraints is needed to inform budget allocation and priorities.

Enforcement outcomes

The reports currently give insufficient data for the community and government to evaluate whether the POCTAA framework is effective in achieving its objectives. Contemporary regulatory and enforcement frameworks are focussed on outcomes. Outputs, such as the number of official cautions, penalty infringement notices and prosecutions provide critical information but are only part of the picture. We also need to understand whether the enforcement action is effective. We need to know trends in cruelty cases, compliance, reoffending and enforcement action by reporting comparative data over time, and by use of demographic data. We also need the missing part of the picture, which is the POCTAA activity undertaken by the NSW Police, whether by referral from an ACO or not.

Preventing cruelty to animals

While meaningful and accurate reporting is an essential part of an effective animal welfare framework, more needs to be done beyond reporting to reduce the suffering of animals at the hands of humans who neglect animals in their care or perform direct acts of intentional cruelty. We urge the NSW Government to strengthen activity to the prevent cruelty to animals as described below.

Adequately fund activity that prevents cruelty to animals and responds effectively to acts of cruelty

The exact number of animals whose health and welfare ought to be protected by the provisions of POCTAA is unknown, and there is no dedicated office/statutory authority or minister charged with assessing the state of animal welfare in NSW.

In 2022, Australia's pet population was estimated to be 28.7 million¹. For NSW, drawing on the various publicly available data published in the past five years, there are an estimated 30.4 million cattle², 855 000 pigs slaughtered for food in a year³, 991,875 registered cats and 2,892,888 registered dogs⁴, 244 million meat chickens⁵, and 7.65 million egg laying chickens⁶, 24.7 million sheep⁷. That's more than 311 million animals, not counting horses, fish, pet birds, farmed birds other than chickens, reptiles, goats, exotic animals, pocket pets or any other animal fitting the definition of 'animal' under the Act.

There are 59 POCTAA inspectors covering a state that is more than 800,000 km² responsible for more than 311 million animals covered by the Act. While sadly we will never have enough inspectors to adequately protect all animals in NSW, clearly 59 inspectors is significantly too few to even come close to fulfilling the objects of the Act.

It's certainly not enough to manage the current case load of the ACOs. The reports of both ACOs show that, when averaged out, there is little time spent per case, certainly less than the public would expect or imagine. As some matters will be long and complex and demand significant resources, including travel time, others will necessarily receive very much less time. The RSPCA reports that their 50 inspectors "investigated 17,093 complaints (an average of 65.7 jobs per day)". That's approximately 341 "jobs" each per year. (One assumes "jobs" means cases, as there is reference to "a further 6,596 revisits" following initial inspections. Does every "investigation" involve a visit?).

The AWL report states that their nine inspectors investigated 3,104 cruelty complaints which, similar to the RSPCA, is approximately 344 cases each per year. Without accounting for leave or time off for training or for travel, these figures suggest more than one case per inspector per day. Factoring in time lost to travel, training, leave and so on, as well as considering that some matters will take considerably longer than others, clearly inspectors are under enormous time pressure to complete investigations.

¹ Pets in Australia: A national survey of pets and people [AMAU008-Pet-Ownership22-Report v1.6 WEB.pdf](#) (accessed on 16 October 2025)

² Australian Bureau of Statistics, Reference period 2023-24 financial year, Australian Agriculture: Livestock, Statistics on monetary value of livestock and the cattle population size, [Australian Agriculture: Livestock, 2023-24 financial year | Australian Bureau of Statistics](#) (accessed 16 October 2025)

³ NSW DPI, 2023-2024 data, [Pork](#)

⁴ NSW Office of Local Government, Total Companion Animals Identified or Registered by Local Government Area, As at 30 June 2023 [Total-Companion-Animals-Identified-or-Registered-by-Local-Government-Area-1.pdf](#)

⁵ 2023-2024, number processed during the reporting period. The number of live birds in the system at any one time would be a fraction of this annual total. NSW DPI [Poultry](#)

⁶ NSW accounted for an estimated 36% of the national flock in 2023-24. NSW DPI [Eggs](#) NSW had 36% of the national layer flock, which was estimated at 21.25 million birds. This would put the number of layer hens in NSW at approximately 7.65 million.

⁷ [https://www.mla.com.au/news-and-events/industry-news/herd-and-flock-numbers-for-each-region-released/#:~:text=rangelands%20\(1%2C226%2C061\).-,Sheep,south%2Deast%20\(3%2C902%2C768\).](https://www.mla.com.au/news-and-events/industry-news/herd-and-flock-numbers-for-each-region-released/#:~:text=rangelands%20(1%2C226%2C061).-,Sheep,south%2Deast%20(3%2C902%2C768).)

The number of Authorised Officers (inspectors) must be increased. ACOs need to be given sufficient time to investigate and review cruelty complaints and to be able to respond to what both agencies report as an increase in cruelty reports, and cost-of-living related animal welfare issues. An increase in the number of inspectors is also needed to ensure a safe and sustainable workforce.

Enforcement activities should not depend on charitable donations. Reports should explain the quantum of government funding and rationale (ie what does the government specify, if anything, that it expects from its funding) and identify any shortfall in funding activities under POCTAA that was met by the ACO's own funds. There is a big difference in funding for POCTAA and related activities between the ACOs; for example, RSPCA reports having 50 inspectors, use of body cameras by inspectors and operating a cruelty call centre 24/7, in contrast to AWL, which reports having nine inspectors and operating five days a week. While there are historical reasons for the difference, guaranteed and consistent funding to maintain and build the capability of both ACOs is required to risk-manage the overall enforcement capacity of the POCTAA framework, as are appropriately trained and qualified NSW Police officers.

Proactive compliance monitoring, intelligence gathering and research

Unfortunately, cruelty is often only discovered if reported by a concerned member of the public. There is always the potential to prevent or discover cruelty through proactive inspections. This ability of ACOs to be proactive should not depend on whether the ACOs can raise their own funds for this important aspect of ensuring POCTAA is upheld.

Uncertain funding impedes forward planning of enforcement activity and the recruitment and retention of enforcement staff. Proactive compliance should be funded as part of a fully funded publicly available compliance and enforcement strategy.

A compliance and enforcement strategy is needed to provide assurance that proactive and responsive compliance inspections are occurring, including that people who have been convicted of cruelty offences and/or are subject to disqualification orders are not reoffending.

Parole-type monitoring of persons convicted needs to be explored to ensure compliance with orders and bail-type conditions for persons charged with offences (noting "charges withdrawn and dismissed, unable to locate accused" appeared more than once as the outcome of prosecutions).

There appears to be no monitoring of people subject to disqualification orders, with reoffending largely being discovered through cruelty complaints/reports, especially for companion animals. It's not known whether any government agency maintains a register of people who have committed cruelty offences or are subject to disqualification orders. The RSPCA and AWL reports do not report on how many people are subject to a disqualification order, and the names of people disqualified from animal ownership are not available to rehoming organisations or pet shops. Disqualification orders that ban a person from owning animals are not available on the NSW Pet Registry.

When someone is banned from animal ownership, what are the consequences if no one knows? How do we know whether a person subject to a disqualification order is compliant with the order? Who checks on them? How do we know that such people are not acquiring or keeping animals?

These are important questions. While disappointedly there is no NSW data available on recidivism for animal cruelty offences, there is a 2019 Victorian study by the Sentencing Advisory Council, which frighteningly reveals⁸:

- Within four years of being sentenced for animal cruelty, 32% of offenders were sentenced for further offences. This is comparable to the reoffending rate for all offenders sentenced in Victoria's Magistrates' Court during the same period.
- A subgroup of **offenders sentenced for deliberate cruelty had a higher reoffending rate, with 46% being sentenced for further offences within four years.**
- At least 15% of animal cruelty offending occurred in the context of family violence.

Establish an independent statutory body for animal welfare

Despite stated commitments to animal welfare law reform and despite several inquiries and reviews of POCTAA, the Companion Animals Act and other animal welfare issues we have yet to see meaningful reform.

NSW needs an independent statutory body for animal welfare, reporting to a Minister who does not have carriage of the commercialisation of animals, to, among other things:

- Develop and implement a compliance and enforcement strategy
- Monitor the enforcement of and efficacy of all NSW laws relating to the welfare of animals
- Lead and coordinate animal welfare related research, including establishing consistent definitions for data collection across both government and non-government agencies, and inquiring into and reporting on relevant matters such as animal cruelty trends and links between animal cruelty and violence against people, including domestic and family violence
- Use data and analysis to inform effective prevention and enforcement methods.

For the health, safety and wellbeing of animals and people, reliable and sufficient government funding is needed to ensure animal welfare law is adequately policed and that meaningful and accurate data is collected, analysed, publicly reported and used to develop improvements to animal welfare regulation.

Thank you to the Committee for your time and consideration.

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⁸ **Animal Cruelty Offences in Victoria** Sentencing Advisory Council February 2019