

**INQUIRY INTO THE OPERATION OF THE CHARITABLE ORGANISATIONS
UNDER THE PREVENTION OF CRUELTY TO ANIMALS ACT 1979
RSPCA NSW – QUESTIONS ON NOTICE – HEARING III**

DATE **19 August 2024**

RSPCA NSW is pleased to provide the following responses to questions taken on notice. We are dedicated to providing comprehensive responses to all inquiries and ensuring that the governance and operations of RSPCA NSW are fully understood and appreciated.

The CHAIR: I might start off with a couple of questions for you. Can I ask about the tenure of each of the board members? How long has each of the board members been a member of the board? I will start with you, Mr Wright.

PETER WRIGHT: I've been a board member since 2002. That was subject to the old constitution. We redid the constitution in 2018, which actually limits board tenure to 12 years maximum, and then they've got to have a three-year break. Similarly, for positions within the board, there's a six-year limit on a position within the board.

The CHAIR: Does your 12 years start at 2018?

PETER WRIGHT: At 2018, and my position of six years as president will end this November at the AGM.

The CHAIR: Mr Steele?

MARK STEELE: I joined the board in July 2021.

STEWART THOMPSON: I joined the board on 8 June 2022.

The CHAIR: Do we know the start dates of the other board members that are here? I'm happy for you to take that on notice.

PETER WRIGHT: It would be much easier on notice.

The CHAIR: I changed my mind—Chair's prerogative. On notice, perhaps, how many of the board members have come up through what I would call the traditional sense of joining your board, through the branch structure or the individual membership structure? How many have come up through that sort of process, where they've been put forward by their branch as a good candidate for the board and then been nominated and accepted? I don't expect you to recall now, if you don't, but perhaps on notice. Of the current board, how many have come up in that traditional sense?

The Hon. WES FANG: Can I rephrase the question?

The CHAIR: I was happy with mine.

The Hon. WES FANG: How many people have been elected to the board that haven't been approached or nominated by somebody that's previously been on the board or by the CEO?

The CHAIR: Yes, I accept that rephrasing.

PETER WRIGHT: I'll take it on notice.

RSPCA NSW is governed by a Board that volunteers their time. The Board meets at least six times per year to review organisational progress towards the strategic goals of the organisation and support strategic development. Board members also sit on various Board sub-committees (see below) and *ad hoc* working groups of the Board and are also regularly consulted by management outside Board meetings on areas within the expertise and experience of particular directors. The RSPCA NSW Board of Directors play a pivotal role in overseeing the organisation's strategic direction and overall governance. Their primary duties include:

- **Strategic Leadership:** Setting RSPCA NSW's long-term vision and strategic goals to ensure it effectively fulfils its mission of preventing animal cruelty and promoting animal welfare across the State of NSW.
- **Financial Oversight:** Ensuring the financial health and sustainability of the organisation by approving budgets, monitoring financial performance, and making decisions on significant financial commitments.
- **Policy and Risk Management:** Establishing policies and frameworks that guide the organisation's operations, managing risks, and ensuring compliance with legal and regulatory requirements.
- **CEO Engagement and Performance:** Engaging and evaluating the performance of the CEO, who is responsible to the Board for the day-to-day management of RSPCA NSW.
- **Stakeholder Engagement:** Maintaining relationships with key stakeholders, including government bodies, donors, staff, volunteers, and the broader community, to support the organisation's goals and initiatives.

The Board's purpose is to provide governance and leadership to RSPCA NSW, ensuring that the organisation operates ethically, efficiently, and in alignment with its mission and values. The Board seeks to ensure that all RSPCA NSW activities and initiatives are in the best interest of animal welfare and the community it serves. The RSPCA NSW Board of Directors has a number of sub-committees, each focusing on an area critical to the organisation's success, including:

- **Finance Committee:** Responsible for overseeing financial reporting, internal controls, audit processes, and compliance with financial regulations.
- **Governance Committee:** Focuses on corporate governance practices and ensuring that the organisation adheres to its ethical standards and legal obligations.
- **Animal Welfare Policy Committee:** Dedicated to setting and reviewing animal care and welfare policies, ensuring that the organisation's policies are grounded in the latest animal welfare science and meet the highest standards and best practice.
- **Audit and Risk Committee:** Identifies and manages organisational and strategic risks.

Each committee reports to the Board, providing detailed insights and recommendations within its specific area of focus. Their collective expertise helps the organisation navigate complex challenges, advocate for animal welfare, and engage effectively with stakeholders, fulfilling its mission of preventing cruelty to animals and promoting their well-being. The RSPCA NSW Board currently comprises the following Members who are listed with the date and how they joined the Board:

- **President Dr Peter Wright: Elected Board Member since 22 January 2002.**
Dr Wright is a veterinarian who runs his own practice at Goulburn, NSW and treats domestic pets, livestock, wildlife, and other exotic species. He has a long involvement with animal care groups, including WIRES, and in assisting in animal welfare issues in the region. Former Chair Andrew Wozniak originally approached Dr Wright to consider nominating to join the board of RSPCA NSW. Dr Wright subsequently nominated and was elected by the members of RSPCA NSW.
- **Vice President Dr Ian Roth: Elected Board Member since 25 March 2017.**
Dr Roth is the Chair of the Animal Welfare Policy Committee of the Board. Dr Roth worked as a veterinarian with the NSW Department of Primary Industries (NSW DPI) for 40 years, in biosecurity and animal welfare. He managed the NSW DPI's Animal Welfare Unit and worked closely with RSPCA NSW. Until his retirement in December 2015, he was the Chief Veterinary Officer for NSW. His career in veterinary science was recognised with a Public Service Medal for outstanding public service, particularly pertaining to animal welfare and biosecurity in NSW, in the Australia Day awards in 2016. Dr Roth is also a veterinary consultant and Board member of the Taronga Conservation Society Australia, the not-for-profit organisation that supports wildlife conservation and education and runs the Taronga Park and Dubbo zoos. Don Robinson, who Dr Roth came to know during his time at the DPI, suggested to Dr Roth that he consider nominating to join the Board on his retirement. Dr Roth subsequently put himself forward for nomination and was elected by the members of RSPCA NSW.
- **Vice President Mr Mark Steele SC: Appointed Board Member since 16 July 2021.**
Mr Steele is Chair of the Governance Committee of the Board and a Member of the Animal Welfare Policy Committee. Mr Steele is a barrister practising corporate and employment law at the commercial Bar in Sydney. He has been a barrister for almost 30 years and was appointed Senior Counsel in 2013. His practice as a barrister has involved him in numerous ASIC investigations and litigation relating to issues of corporate governance and directors' duties, including acting as counsel for ASIC in the Financial Services Royal Commission. Mr Steele has a commerce degree (B.Comm) and first-class honours law degree (LLB, Hons) from the University of Melbourne and a master's degree in law (BCL) from Oxford University. He is currently undertaking research for a PhD in law at Sydney University. Before coming to the Bar in 1995, Mr Steele worked for ten years as an investment banker in London, New York and Sydney for Salomon Brothers (Vice President – Corporate Finance) and Goldman Sachs (Vice President – Investment Banking Services). In recent years, Mr Steele has assisted RSPCA NSW *pro bono* on numerous important governance and regulatory matters, including the 2019/2020 NSW Parliamentary Inquiry into the administration of state animal cruelty legislation. Mr Steele has been nominated in the 2024 NSW Volunteer of the Year Awards. Mr Steele is also a Director of RSPCA Australia. Mr Steele's appointment as a director was by resolution of the Board of RSPCA NSW. Director Mia Steele did not participate in the Board's discussion of his appointment and did not vote on it. Prior to being appointed as a director of RSPCA NSW, Mr Steele was approached by Dr Wright as President to ask if he would be willing to undertake that role.
- **Treasurer Mr Stewart Thompson: Elected Board Member since 8 June 2022.**
Mr Thompson is the Chair of the Finance Committee of the Board. Mr Thompson is a Partner at Hall Chadwick. He has over 30 years of chartered accounting experience and has been a partner in public practice since 2001. He has worked within Big 4 and mid-tier firms providing audit and advisory services. His focus is on the middle market, providing audit and assurance services to a range of clients encompassing corporate and not-for-profit entities. As Treasurer, he is particularly focused on the organisation's financial viability. Mr Thompson was recommended

to the Board of RSPCA NSW by the previous Treasurer, who was due to retire. He then nominated for election as a director and was elected by the members.

- **Director Ms Mia Steele: Appointed Board Member since 27 July 2020.**

Ms Steele is a member of the Audit and Risk Committee of the Board. Ms Steele is a life member of RSPCA NSW and has supported the RSPCA since childhood. Ms Steele and her husband have been long-term supporters as donors and as the proud parents of a much-loved terrier cross adopted from Yagoona. They have also fostered animals for RSPCA NSW. Ms Steele has a law degree and MA from Oxford University and has worked as a volunteer with several community organisations in NSW over many years, including as a volunteer teacher with Primary Ethics. Prior to being appointed a director, Ms Steele worked as a volunteer for a number of years with the Education Team and assisted in fundraising activities. Ms Steele's appointment as a director was by resolution of the Board of RSPCA NSW. Prior to being appointed as a director of RSPCA NSW, Ms Steele was approached by Dr Wright as President to ask if she would be willing to undertake that role.

- **Director Ms Sarah Cruickshank: Elected Board Member since 3 August 2010.**

Ms Cruickshank is a member of the Governance Committee of the Board. Ms Cruickshank is currently the Deputy Secretary of the NSW Department of Customer Service. Before joining the Australian Public Service in 2012, she spent ten years as part of a global public relations agency, the last five years of which she was Managing Director of one of its Australian-based companies. Throughout her life, she has been the proud owner of multiple shelter cats and dogs and is passionate about protecting the interests of vulnerable animals in our society. During her private sector career, Ms Cruickshank was engaged by the RSPCA's then Treasurer, Doug Dean, for public affairs and public relations work, to support his multinational company. In the course of that professional arrangement, the Treasurer asked whether Sarah's company would be willing to do some *pro bono* work to support the NSW RSPCA. Already an owner of two rescue animals, Ms Cruickshank agreed, and around 18 months later, she was asked to consider nominating to join the Board, to provide the Board with communications and marketing expertise. She did so and was subsequently elected by the members.

- **Director Ms Margaret Gaal: Elected Board Member since 30 November 2020.**

Ms Gaal joined RSPCA NSW in 1981. She was previously the President of the RSPCA Bathurst Branch, a position she held for over 30 years. Ms Gaal has a wealth of knowledge of the RSPCA and is the founder of the RSPCA NSW Community Animal Wellbeing Scheme (CAWS), which commenced in 2003. Ms Gaal also implemented the RSPCA CAWS Program in Tahiti. Outside of RSPCA NSW, Ms Gaal has sat on various NSW Government and taskforce committees. She is the President of the Australian Institute Local Government Rangers Association and a life member of the Australian Institute NSW Rangers Association. Ms Gaal was originally encouraged to put herself forward for election by Dr Peter Wright, due to her longstanding history with the RSPCA, nominated and was subsequently elected by the members.

- **Director Mr Graham Hall: Elected Board Member since 19 April 1984.**

Mr Hall is a Life Member of RSPCA NSW and has been an RSPCA Board Member since 1984. He is the primary producer and owner of a family property near Young, where he breeds Shorthorn cattle. Mr Hall originally became a board member of RSPCA NSW following a request to fill a casual vacancy and has since been consistently elected by the members.

- **Director Mr Don Robinson: Elected Board Member since 30 October 2014.**

Mr Robinson is a member of the Animal Welfare Policy Committee of the Board. Mr Robinson joined the NSW Police in 1971, where he served in small rural communities across the state for 23 years, before resigning to take up the position of Chief Inspector for RSPCA NSW. Mr Robinson served eight years as Chief Inspector before becoming RSPCA NSW Manager of Branches and Properties. He has a wealth of experience in all facets of the RSPCA, particularly the branches and their operations, and is well known to branch members. As an RSPCA Australia Farm Assessor for a period, he also inspected piggeries accredited under the Approved Farming Scheme. In 2012, Mr Robinson retired to a 60-acre farm in Grenfell in mid-West NSW, where he now runs a few cattle and an alpaca. After his retirement, Mr Robinson was encouraged by Dr Peter Wright to consider nominating for election as a director of RSPCA NSW and he was elected by the members to be a board member two years after his retirement from the RSPCA.

- **Director Mr Peter O'Callaghan: Appointed Board Member since 27 February 2023.**

Mr O'Callaghan is the Chair of the Audit and Risk Committee of the Board. Mr O'Callaghan has over 35 years of experience in risk management for not-for-profit organisations, government enterprises, and health services, among many others. He is a member of the Australian Institute of Company Directors (AICD) and was awarded the inaugural Certified Public Accountant (CPA) award for outstanding individual contribution to Victoria. As well as serving on the RSPCA NSW Board of Directors, Mr O'Callaghan is currently Chairman of Andrew Kerr Care Ltd.

Mr O'Callaghan was referred by RSPCA Australia's past Chair, Richard Russell, to the President of RSPCA NSW for consideration for appointment as a director, due to his specific skills in Governance, Risk, and Audit, both nationally and internationally. Mr O'Callaghan's appointment as a director was by resolution of the Board of RSPCA NSW.

The RSPCA NSW Board of Directors is composed of a diverse group of individuals with a wide range of skills and expertise, contributing to the organisation's effective governance and strategic direction, as follows:

- **Veterinary and Animal Welfare Expertise:** Dr Peter Wright (President) and Dr Ian Roth (Vice President) bring extensive veterinary experience to the Board. Dr Wright runs his own regional veterinary practice, and Dr Roth has worked in biosecurity and animal welfare with the NSW Department of Primary Industries and is a former Chief Veterinarian of NSW. Their expertise ensures that RSPCA NSW adheres to high animal care and welfare standards and provides expert insight into issues of animal welfare regulation and reform.
- **Legal and Governance Expertise:** Mr Mark Steele SC (Vice President) provides the Board with strong legal expertise and experience through his background in corporate law (including directors' duties and corporate governance), commercial law (including commercial contracts) and employment law. His governance and regulatory knowledge also assists in navigating legal challenges and ensuring regulatory compliance.
- **Financial and Risk Management:** Mr Stewart Thompson (Treasurer) brings over 30 years of chartered accounting experience, focusing on financial viability and audit processes. Mr Peter O'Callaghan (Director) has extensive experience in risk management for not-for-profit organisations, enhancing the Board's ability to manage financial and operational risks effectively.
- **Public Relations:** Ms Sarah Cruickshank (Director), with her experience in public service and her background in public relations, offers the Board valuable insight into public policy and stakeholder engagement, which are crucial for advocacy and community relations.
- **Long-Term Commitment and Organisational Knowledge:** Ms Margaret Gaal (Director) and Mr Graham Hall (Director) deeply understand RSPCA NSW's history and operations as a result of their long association with the organisation. Ms Gaal's leadership in the Community Animal Wellbeing Scheme and Mr Hall's long tenure and experience as a primary producer ensure continuity and a solid connection to the organisation's roots.
- **Fundraising and education:** Ms Mia Steele (Director) has an extensive community volunteering and education background, including seven years as a volunteer ethics teacher with Primary Ethics, which earned her a nomination in 2018 in the NSW Volunteer of the Year Awards. She has worked with the RSPCA NSW education and fundraising teams for many years, engaging with RSPCA donors and supporters.
- **Law Enforcement and Branch Operations:** Mr Don Robinson (Director), with his background in the NSW Police and as Chief Inspector for RSPCA NSW, contributes expertise in law enforcement and knowledge of RSPCA operational management challenges, particularly in relation to the branches and their operations.

The Board includes members with backgrounds in veterinary science, law, accounting, public service, agriculture, and risk management, ensuring a comprehensive approach to governance. This diversity allows the Board to address various issues from multiple perspectives, enhancing decision-making and strategic planning. Board members also have a commitment to, and a range of personal experiences in, animal welfare; adopting and fostering shelter animals and participating in a wide range of RSPCA activities. They have supported the RSPCA through *pro bono* work, donations, and volunteer activities, underscoring their commitment to community engagement and supporting the organisation's mission. Between them, our directors provide the RSPCA with hundreds of hours of volunteer time throughout the year. Their shared passion for the cause of animal welfare aligns with the organisation's mission and drives their dedication to its success.

No other members have nominated for a volunteer position on the Board in recent years despite the open invitation to do so, which is repeated prior to each AGM. This reflects broader trends observed across membership-based organisations in Australia and globally, primarily driven by the increasing demands on individuals' time. The 2023 State of Volunteering Report in New South Wales highlights that, while volunteer engagement remains strong, there has been a notable decline in the number of individuals willing to take on time-intensive roles. This is a trend mirrored nationally, with the Australian Charities and Not-for-profits Commission (ACNC) reporting a significant drop in volunteer numbers across the country. The time and commitment required for these roles, coupled with the pressures of modern life, have resulted in fewer people stepping forward to volunteer. The organisation has, at times, relied on existing board members retaining roles and inviting and encouraging others to run for these positions, in line with these reported findings and consistent with many other membership-based organisations.

The CHAIR: Sure. How many branches does RSPCA have? Also, how many members? Obviously, it's a member-based organisation. I'm curious as to the structure.

PETER WRIGHT: Do you know off the top of your head?

MARK STEELE: I believe we have seven branches and approximately 5,500 members. But if you want entirely accurate figures, we should take that on notice as well.

The CHAIR: I would prefer the accurate figures.

PETER WRIGHT: The other thing I would say is a lot of our branches, which were branches, have become supporter networks instead, just because of the ability to hold a president, a chair and a constitution within that. So we've reformulated some of those areas to simplify the structure.

The CHAIR: So there were problems in getting sufficient numbers?

PETER WRIGHT: Sufficient numbers to maintain that core.

TROY WILKIE: If you combine both groups, it's 21 branches and supporter groups that we've got across the State.

The Hon. WES FANG: Are you able to tell us how many votes were cast in the last AGM?

MARK STEELE: I think we're going to have to take that on notice, Mr Fang.

The CHAIR: Along that same line, can you perhaps take on notice how many members attended, say, the last two AGMs in terms of individual members and also how many branches were represented at the last two AGMs as well?

PETER WRIGHT: Yes.

MARK STEELE: I assume by "represented" you mean in person or remotely?

The CHAIR: Yes, I do. "Attend" as in the general sense.

The Hon. EMILY SUVAAL: The minutes of the meetings, if that's possible, as well.

The CHAIR: The last two?

The Hon. EMILY SUVAAL: Yes.

The CHAIR: If we could have copies of the last two AGMs.

PETER WRIGHT: Yes. We'll take that on notice.

Becoming an RSPCA NSW Member allows many Australians to support the charity and its mission. Our membership program helps raise funds and awareness, meaning RSPCA NSW can provide essential animal care and welfare education. It also means we can offer programs and services in local communities across the State, which makes a lifesaving difference to both animals and their owners. RSPCA NSW volunteer Branches and Supporter Groups are vital in supporting communities across the State through desexing programs, foster care, fundraising initiatives and many other community-based activities. There are 5056 members in total.

RSPCA NSW currently has eight branches, located in Albury, Bathurst, Blue Mountains, Illawarra, Inverell, Shoalhaven, Port Macquarie, and Sydney. Ten Supporter Groups are also active, in Broken Hill, Eurobodalla, Snowy Monaro, Central West, Glen Innes, Goulburn, Hunter, New England, Orange, and Taree. These branches and supporter groups are distributed across the State, providing local support and advocacy for animal welfare in their respective regions.

RSPCA NSW volunteer Supporter Groups are an alternative for supporters to form or join a formal Branch. The formation of supporter networks as an alternative to branches has been a strategic initiative by RSPCA NSW in recent years to ensure continued volunteer and community engagement and support, as maintaining a formal branch structure has increasingly proved to be burdensome for branch participants and unnecessary. Participants in volunteer supporter networks are encouraged to become members of RSPCA NSW to participate in the organisation's governance and often do so.

Member engagement with the RSPCA is important to us for maintaining transparency, stakeholder management and fostering a collaborative organisational environment. All members of RSPCA NSW are invited and encouraged to participate in the organisation's Annual General Meeting (AGM), to give members an opportunity to voice opinions on the organisation's operations at the AGM, if they wish to do so. Management and members of the Board also actively engage with, and obtain feedback and the views of, members informally throughout the year through regular social media and email communications and at numerous RSPCA NSW functions, including Million Paws Walk, Branch conferences, visits to branches and volunteer groups, at community outreach activities and at the annual Volunteer of the Year Award ceremony. Most members prefer to engage with management and directors in these relatively informal ways than in the formal setting of the AGM. Accordingly, member participation and voting is typically limited, with 37 votes cast at the 2023 AGM and 45 at the 2022 AGM. Quorum was exceeded at both AGMs. The names of attendees in person and online are not recorded.

The CHAIR: In, say, the last three years, how many concerns have come to you from staff regarding the CEO's performance, in any sense?

PETER WRIGHT: I'm unaware of any questions in that regard.

The CHAIR: You spoke about bullying and harassment, and obviously your concerns around that. How many times has the board received complaints from staff, directly to the board, about bullying and harassment?

PETER WRIGHT: I can't think of the board being directly addressed by anyone.

The Hon. WES FANG: Or members of the board.

The CHAIR: By "addressed" I mean in writing or in person or a phone conversation or email. You've received nothing around these concerns around bullying and harassment as a board?

PETER WRIGHT: No.

MARK STEELE: I don't think we'd expect to, Mr Chair. We have a grievance policy that allows members of staff or volunteers who have a grievance to raise it internally, and there's a process that's gone through to investigate and address that grievance.

The CHAIR: Has the CEO ever raised these allegations or concerns that we're hearing about now to the board as a matter of course, or is it just a matter of saying, "This is being investigated by SafeWork. We've been asked to do X, Y, Z"? That hasn't been raised with you in meetings?

MARK STEELE: I'm not sure when I first became aware of the concerns that have been raised with the Committee about grievances raised in the last six to 12 months, particularly from the inspectorate. I've certainly had discussions with the CEO about those, and also with our general manager responsible for the area, the chief inspector and our head of HR. So I know about them. When I first became aware of them and how I can't now recall. My background is partly as an employment lawyer, so I have naturally paid particular attention as a member of the board to those issues.

The CHAIR: On notice, can you check your diaries or any notes you may have made in terms of when you did become aware of these complaints around bullying and harassment and who those complaints came to or came from? That would be great.

MARK STEELE: Yes. You also mentioned SafeWork notices. In the nature of the way our board and its committees work, I would expect those to come to the attention in the first instance of our risk committee because it involves an element of risk. None of us are on that committee, so I don't know when they would have become first aware of it. But if we can take that on notice, I suspect it would have been raised at a meeting of that committee.

The Hon. WES FANG: When was the board made aware that there were SafeWork improvement notices? What were the actions of the board?

MARK STEELE: I've been asked that question already—or I answered, anyway, to say—

The CHAIR: I don't believe you answered it. You were asked it, but I don't think you were given the opportunity to answer it, so I'll give you the opportunity now.

MARK STEELE: I don't recall when the board became aware of these two SafeWork improvement notices.

The CHAIR: Can you take it on notice based on your board meeting minutes?

MARK STEELE: I will take it on notice. I suspect that the committee that would have become aware of them would have been the risk committee.

The Hon. WES FANG: Can I just confirm—did you say two notices?

MARK STEELE: That's my understanding from the written evidence I've seen given to the Committee.

The Hon. WES FANG: Okay. Can you confirm—

MARK STEELE: I can't confirm it.

The Hon. WES FANG: I believe there might be more, but it's interesting you say "two". If you wouldn't mind taking on notice the number of SafeWork improvement notices that you've been issued.

MARK STEELE: Over what time period, Mr Fang?

The Hon. WES FANG: Whenever. How many have you been issued? It's a very good question.

TROY WILKIE: We have answered in writing before that there were two. I forget whether it was 12 or 24 months, but there were two in particular that we've responded to in writing and in previous hearings.

The Hon. WES FANG: How many have there been in total to date?

TROY WILKIE: In the 150 years of our organisation?

The Hon. WES FANG: I'm not sure SafeWork NSW has been in the exact iteration that it's currently in.

The CHAIR: Perhaps give them a time frame, Mr Fang, to help them out.

The Hon. WES FANG: Maybe the last decade.

TROY WILKIE: I'll take it on notice.

The Hon. EMMA HURST: We've heard some quite serious concerns raised within this inquiry around inspectors being sent out without baton and handcuff training, for example. Is this something that has been briefed to the board and considered within some of those board meetings or WH&S reports from that risk committee, given that they've come up quite regularly in this inquiry?

PETER WRIGHT: I don't know—

MARK STEELE: I know we've got a SafeWork notice. I know from reading the evidence before the Committee and the answers that have been given that we've received a SafeWork notice in relation to baton and handcuff training.

The Hon. EMMA HURST: Sorry, can I just clarify that you didn't know about that until you read the minutes of this inquiry?

MARK STEELE: I can't recall, Madam Deputy Chair. I'm not conscious of having been aware of it beforehand. But the RSPCA is a big organisation that has lots of moving parts. I would expect the part of the board that would become aware of that would be the risk committee.

The Hon. EMMA HURST: Could you take on notice, just checking over the last couple of years of board minutes, whether that had come to the board's attention previously and been raised by that risk committee?

PETER WRIGHT: Yes, more than happy with that, Deputy Chair.

The Hon. EMMA HURST: And just let us know either "Yes, it was raised on this date" or "No, on reviewing those board minutes it doesn't seem to have been raised with the board"?

PETER WRIGHT: Yes.

In relation to grievances, RSPCA NSW has a structured Grievance Policy, which allows all staff and volunteers to report all grievances internally. This provides a formal channel for staff and volunteers to report any grievances, including issues related to bullying and harassment. This policy is designed to ensure that all complaints are handled fairly and transparently. RSPCA NSW has recently had its grievance policy reviewed by external lawyers with expertise in workplace relations matters, who have confirmed that the policy complies with RSPCA NSW's legal obligations as an employer and provides procedural fairness to aggrieved employees. We also have a Whistle-blower Policy that allows any staff or volunteer to report misconduct or other workplace issues with the full whistle-blower protections.

The Board typically does not receive or review workplace grievances directly, as they are professionally managed by Human Resources through the internal processes established by the policy. Board members have, however, discussed the recent grievances from Inspectors with the CEO, the General Manager Regulation and Business Services, the Chief Inspector, and the Head of Human Resources, in order to satisfy themselves that the concerns had been and were being dealt with appropriately and that all necessary actions were being taken to address any well-founded grievances fairly and appropriately.

In relation to SafeWork improvement notices, the nature of SafeWork notices is that they generally involve elements of risk, which are typically first addressed by the Board's Audit and Risk Committee (ARC). The ARC plays a central role in identifying and managing organisational risks and has a standing agenda item of Safety & Risk reports at each meeting, where significant matters are raised, including safety incidents and claims. The Committee reports to the Board at every Board meeting on its work and any material issues as part of a standing agenda item. On March 5, 2024, SafeWork NSW issued two improvement notices to RSPCA NSW. Since then, unusually, there has not been an ARC meeting, due to scheduling issues. The CEO and the General Manager Regulation and Business Services, however, advise and communicate regularly with each Committee Chair, between meetings, on significant matters as they arise. In that regard, the Chair of the ARC recalls the receipt of these two improvement notices being raised with him between meetings in March.

In the last decade, RSPCA NSW has received four SafeWork improvement notices as follows:

- **FY24: 2 notices.** Both were issued on 29/4/24 and complied with by 4/6/24.
- **FY23: 0 notices.**
- **FY22: 0 notices.**
- **FY21: 0 notices.**
- **FY20: 0 notices.**
- **FY19: 1 notice.** Issued on 18/01/19 and complied with by 15/03/2019.
- **FY18: 1 notice.** Issued on 21/06/18 and complied with by 22/11/2018.
- **FY17: 0 notices.**
- **FY16: 0 notices.**
- **FY15: 0 notices.**
- **FY14: 0 notices.**

Each notice was promptly addressed to Safework's satisfaction upon receipt.

The Hon. WES FANG: Dr Wright, I was about to come to you. Can you provide this Committee an indication of—you're obviously a vet.

PETER WRIGHT: Yes, by trade.

The Hon. WES FANG: You have a veterinary practice in Goulburn, I believe.

PETER WRIGHT: Goulburn, yes.

The Hon. WES FANG: You've provided fee-for-service to the RSPCA, haven't you?

PETER WRIGHT: I have.

The Hon. WES FANG: How has that been declared?

PETER WRIGHT: It's on the list of conflicts of interest. It's declared to the board. It's also declared in the annual report every year. The engagement is not by—I don't instigate the engagement. It's because I provide veterinary services. That's the role in which I'm employed and it's not necessarily me that's been employed to do it.

The Hon. WES FANG: Who makes the decision to employ your services?

PETER WRIGHT: Depends—whom are you talking about in particular?

The Hon. WES FANG: Let's say, with the last time you provided services—when did you last provide services to the RSPCA?

PETER WRIGHT: Probably last week because we work in conjunction with the local pound and the local branch in Goulburn and we provide discounted desexing services. Consequently, part of that gets paid by the local government through their pound and part of it gets provided through the RSPCA, which supports their desexing program.

The Hon. WES FANG: More broadly, you would have RSPCA inspectors in your area?

PETER WRIGHT: Yes.

The Hon. WES FANG: I imagine that if they were to confiscate an animal that might need veterinary services, they would have a list of the veterinary providers within the Goulburn area that they could attend.

PETER WRIGHT: Yes.

The Hon. WES FANG: How many other services would be in the Goulburn area that they might be able to utilise?

PETER WRIGHT: There's our practice—or my practice, if you like—in Goulburn, and there are two other practices in Goulburn. There are practices at Crookwell, Marulan.

The Hon. WES FANG: What is the percentage of work that goes to your practice versus the other practices?

PETER WRIGHT: I would have no idea. You would have to ask the inspector or speak to them about that.

The Hon. WES FANG: Mr Wilkie, would you mind taking on notice for me for the last, say, five years, the percentage of work that has been generated in that area that has gone to other veterinary practices versus the one that is operated by Mr Wright, please?

TROY WILKIE: Certainly.

PETER WRIGHT: So that's just on inspectorate cases?

The Hon. WES FANG: Just all work in general. I am just curious as to, on a dollar amount, how much income is derived through your practice, through the RSPCA, versus other practices.

PETER WRIGHT: Because we have the pound contract, so that's completely independent and that's why we deal with the pound animals.

The Hon. WES FANG: I appreciate that. I'm talking about RSPCA. I'm also curious as to how RSPCA inspectors in the area might have been guided by senior management in relation to any issues and, because there is a clear conflict in relation to a selection of your practice versus the other practices in the area, how those are managed. I'm not clear that the declaration as it currently stands is appropriately managing the conflict.

TROY WILKIE: I am happy to take it on notice as well, if that assists.

The Hon. EMMA HURST: I've got one more question for Dr Wright around remuneration received. Within those declarations, do you also declare the amount of remuneration that you receive from any work that you do on behalf of the RSPCA?

PETER WRIGHT: I haven't actually done it, but they're obviously—it could be easily found.

The Hon. EMMA HURST: Are you able to provide on notice for us the amount of remuneration that you have received from the RSPCA while also holding a position on the board?

PETER WRIGHT: Over what timeframe?

The Hon. EMMA HURST: You've been on the board for about 22 years. Is that right?

PETER WRIGHT: Yes.

The Hon. EMMA HURST: That would be useful.

PETER WRIGHT: That would be a challenge. I will see what I can do.

RSPCA NSW occasionally uses the services of Clinton Street Veterinary Clinic, a locally-owned veterinary surgery in Goulburn. The clinic has a team of experienced veterinarians knowledgeable in household pets and livestock. Offering a 24-hour emergency service 365 days a year, the clinic is equipped to care for sick animals at any time, day or night. Clinton Street Veterinary Clinic has been integral to the Goulburn community for decades. Located at 7 Clinton Street, the clinic provides small and large animal services, including farm visits to surrounding areas such as Towrang, Boxer's Creek, Bungonia, Breadalbane, Parkesbourne, Collector, and Taralga. Since opening in 1987, the clinic has treated thousands of animals, including dogs, cats, horses, goats, sheep, cows, wildlife, and birds.

Dr Peter Wright is a part-owner of Clinton Street Veterinary Clinic. RSPCA NSW does not have a veterinary hospital in the region and occasionally reimburses the clinic for veterinary services provided. RSPCA NSW's Constitution allows for payments to be made to members/directors for services provided by them (other than for service as a director), provided this is done on terms no more favourable than to a third party. In line with this policy, RSPCA NSW occasionally uses the services of the Clinton Street Veterinary Clinic along with several other veterinary clinics across the Goulburn region, including Crookwell Veterinary Hospital, Goulburn Veterinary Clinic, and Coinda Vet. These clinics are selected on a case-by-case basis, depending on availability, proximity, and ability to provide the necessary care for animals requiring urgent or specialised treatment. Dr Wright is not involved in any decision as to which clinic is to be used on any particular occasion and there is no instruction given to RSPCA Inspectors to prefer any particular clinic over any other. Due to data limitations, analysis of the last four financial years has been provided. RSPCA NSW's reimbursements to the Clinton Street Veterinary Clinic over this period were as follows:

- FY2020/21: \$0
- FY2021/22: \$413
- FY2022/23: \$2,363
- FY2023/24: \$2,059

This represents less than half (approximately 42%) of RSPCA NSW's total veterinary expenditure in the region.

Goulburn Mulwaree Council also relies on Clinton Street Veterinary Clinic for the de-sexing of animals impounded by the Council, prior their rehoming, pursuant to a contract between the Clinic and the Council for the provision of de-sexing for animals at the Council's animal shelter. This contract was awarded by the Council by open tender and provides for de-sexing services at a discounted rate. Accordingly, the decision to use the Clinton Street Veterinary Clinic for these services is a decision of the Council, not the RSPCA. The local RSPCA branch in Goulburn has made contributions averaging \$2,000 per annum to this program over the last four years, to assist the Council and the local community (ie, a total cost over four years of \$8,040).

The Hon. EMILY SUVAAL: Thanks so much for making the time to appear here today. I might start with a question to you, Dr Wright. In your opening statement, you mentioned the significant uplift that you've seen in the inspectorate and significant expansion and the rapid growth. Are you able to give us details of how many more activities RSPCA NSW undertook this year with that uplift, in comparison to last?

PETER WRIGHT: Not specific numbers. One of the important things that came about from the uplift in the government funding was there is a certain amount that went into equipment work, but the other thing was engaging more inspectors. One of the things we recognise is that the inspectors often are going one-off out in unknown places, and one of our big allocations under that money was to make it two-up so that the safety of the inspectors and so forth—because many of those people are out there alone by themselves and unknown people. So that's the focus.

The Hon. EMILY SUVAAL: What percentage of jobs now would you say are being attended as two-out with that uplift?

PETER WRIGHT: I would have to take that one on notice to give you an exact number.

The Hon. EMILY SUVAAL: In terms of the funding you're receiving—this may be a question for the treasurer, so please feel free if it's more appropriate to direct to you. In terms of the inspectorate costs, are you aware of the increase in numbers of inspectors over the last financial year with that number in funding—increase in whole terms?

STEWART THOMPSON: I would have to take that on notice. I'm sorry.

MARK STEELE: I think it's a rough doubling.

The Hon. EMILY SUVAAL: A rough doubling?

MARK STEELE: I think the figures have been provided to the Committee in written answers.

TROY WILKIE: For inspectors, it went from 36 to 59 full-time equivalent—field inspectors—and then some additional brief checkers and additional lawyers. We went from a business-hours call centre to a 24/7 call centre. There have also been a lot more animals seized in the last 12 months. So a number of—

The Hon. EMILY SUVAAL: You said there's a 24/7 call centre that's now in operation?

TROY WILKIE: That's right.

MARK STEELE: We've also done a lot more proactive inspections. I'm aware of that.

The Hon. EMILY SUVAAL: In terms of the inspectorate costs, I'm interested in some sort of "back of the envelope" sums. How much is an average inspector? How much would that cost to employ?

TROY WILKIE: I think we'll take it on notice for exact figures. Obviously, there's from the chief down to a new start, team leaders and so forth. They've got different salaries. I can give you an average on notice.

The Hon. EMILY SUVAAL: I'm looking specifically to try to quantify the number in terms of the uplift, which I understand to be in the field of 18 inspectors, and then the amount of funding you have received and what the difference there is. For example, you received \$20 million from the New South Wales State Government for the inspectorate. You've hired 18—you say 23—additional inspectors. What's the average wage? What was the cost involved with those inspectors?

STEWART THOMPSON: And including any uplift in areas such as the call centre as well?

The Hon. EMILY SUVAAL: Yes, that would be great because we don't have a detailed breakdown of that funding and where it has gone in terms of the inspectorate. If it assists you, the RSPCA NSW inspectorate award figures show an inspector entering in on a level one, which a new inspector may, as a base rate—these were 2020 figures, so we'll add a bit more on for that—was \$62,534.27. So say, for argument's sake, it's now \$70,000. That goes up to level five. There is, of course, regional allowances. I was encouraging you to perhaps try to arrive at some figures as to how much has gone to actual inspectors on the ground and where else that money has gone. As it stands, we don't have that information as a committee. It would be very useful.

STEWART THOMPSON: We can take that on notice and provide you with that information.

MARK STEELE: Obviously every time you add an inspector, you have to train them and equip them. So there are add-on costs as well.

The Hon. EMILY SUVAAL: Yes, I'm aware of that.

TROY WILKIE: For "back of envelope" numbers, we actually spent more than the Government provided on the inspectorate in the last financial year. It was \$21.2 million that was spent on the inspectorate, which breaks down to about \$12 million in field operations, about \$900,000 for prosecutions, about \$1.9 million for the contact centre and about \$6.5 million for animal care and rehab.

The Hon. EMILY SUVAAL: What I'm specifically interested in is how many boots on the ground extra did you get last year with the \$20 million that you got.

TROY WILKIE: We got 21 additional inspectors on the ground.

STEWART THOMPSON: We will take on notice the collective cost.

RSPCA NSW has operated Australia's largest animal welfare law enforcement agency for over 90 years under the Prevention of Cruelty to Animals Act. It also provides state-wide Community Programs (Domestic Violence, Aged Care, Homelessness, Pet Emergency Treatment, Mental Health and Emergency Boarding), Outreach Programs (Community Animal Wellbeing Scheme, Healthy Pet Days, First Nations Animal Health, Keeping Cats Safe at Home, Access to Subsidised Vet Care) and Education Programs (School Excursions, Incursions, and Holiday Courses), as well as natural disaster emergency response and their well-known animal rehoming services for all creatures great and small.

The NSW Government issued RSPCA NSW a funding agreement in June 2023. This agreement allocated \$20m to the inspectorate and required RSPCA NSW to hire almost 40 new permanent staff to increase the existing activities of the agency, implement 'two-out' safe work practices, and operate a 24/7/365 contact centre. Another \$0.5m was allocated to helping domestic violence clients via the Inspectorate and our complementary Community, Outreach and Education Programs. The investment of this \$20.5 million from the NSW Government in FY23/24 has been pivotal in significantly improving animal welfare outcomes across the State. This funding facilitated a dramatic uplift in the inspectorate operations of RSPCA NSW, enabling a substantial expansion in both resources and activities. Below are some detailed insights into the improvements and outcomes achieved due to this funding:

- **Increase in Inspectors:** The number of full-time equivalent (FTE) field inspector positions increased from 38 to 59, representing a 55% increase. This expansion allowed for more comprehensive coverage and faster response times across NSW. Additional roles, including brief checkers and lawyers, were created to support the increased volume of cases and ensure thorough investigations and prosecutions.
- **Enhancement of the Contact Centre:** The call centre transitioned from business hours to a 24/7 operation, ensuring that animal welfare concerns could be reported and addressed at any time. This change required the number of positions to almost double, with 20 FTE contact centre positions being crucial for responding to urgent cases and providing continuous support to the community.
- **Financial Breakdown of Inspectorate Operations:** Total investment in regulatory operations grew from \$13.6 million in FY23 to \$22.2 million in FY24, a 63% increase. This investment covered various aspects, with

approximately \$11.8 million going to field operations (including \$6.5 million in salaries, wages, and direct employment costs), \$0.8 million going to legal prosecutions, \$1.6 million going to the contact centre, and \$5.5 million going to provide animal care for inspectorate animals in our clinics and shelters. \$2 million was also spent on inspectorate support costs, and \$0.5 for Domestic and Family Violence prevention, mitigation, and assistance program costs. Each of these costs is interlinked, to provide the enforcement of POCTAA and cannot be funded in isolation, as these services within the inspectorate are reliant on each other.

This investment across FY23/24 has arguably delivered NSW's most significant 12-month improvement in animal welfare outcomes and law enforcement since the introduction of POCTAA in 1978. For instance:

- RSPCA NSW's total operational expenditure increased from \$65.9 million in FY23 to \$80.7 million in FY24, a 22.5% rise. This overall increase underscores the comprehensive approach taken to enhance animal welfare services across-the-board.
- Animals saved from cruelty and neglect by inspector seizures more than doubled, increasing 124% (1,861 to 4,161), and 24N written directions increased by 55% (799 to 1,235).

This NSW Government funding also allowed RSPCA NSW to redirect donated funds towards charitable programs, thereby increasing resource allocation and support for various community initiatives. The impact of these programs is phenomenal; for instance:

- Community Programs helped 65% more people (462 to 1,189) and 89% more animals (628 to 1,189),
- Outreach Programs reached 7% more clients (4,025 to 4,325) and 23% more animals (5,023 to 6,185),
- Targeted cost of living relief through our Access to Subsidised Vet Care Program helped 53% more animals (2,064 to 3,164) and 36% more families (1,819 to 3,164), demonstrating their expansive reach and positive impact, and
- Education Programs taught 46% more children (2,983 to 4,350) and 45% more schools (129 to 187) across NSW, highlighting the expanding influence of RSPCA NSW's educational efforts.

Animal cruelty allegations and investigations have also surged through FY23/24; for instance:

- Calls taken increased 22% (74,507 to 91,215),
- Cruelty complaints increased 55% (21,081 to 32,706),
- Cruelty investigations increased 26% (13,883 to 17,436), and
- Demand for animal rehoming services has also increased dramatically, with our animal surrender waitlist surging from 490 in March to 1,280 in June 2024.

Continued and increased funding from the NSW Government is essential to sustain these significant improvements and avoid a regression in animal welfare outcomes. It is important that the Committee understand that the \$20.5 million provided by the NSW Government to RSPCA NSW was not solely intended for the implementation of 'two-out' operations, but rather to recognise that the RSPCA NSW inspectorate is performing critical state enforcement functions under POCTAA. The inspectorate's activities, including enforcing laws, preventing animal cruelty, and ensuring adherence to animal welfare standards, are essential government functions delegated to RSPCA NSW.

Without this service being provided by RSPCA NSW, the NSW Government would need to allocate its own resources to carry out these enforcement tasks directly, at far greater expense, as these duties are fundamental to the State's legal and ethical obligations.

The NSW Government's investment in RSPCA NSW has led to unparalleled advancements in animal welfare outcomes across the State. The substantial increase in inspectorate capabilities, proactive enforcement, community engagement, and educational outreach has cemented RSPCA NSW's role as the premier enforcer of the State's animal welfare laws. Continued funding is crucial to ensure these achievements are sustained and to prevent the potential decline in animal welfare standards, which would have far-reaching negative implications for both animals and the community.

RSPCA NSW wants the phenomenal animal welfare improvement outcomes delivered in FY23/24 to continue. We hope the NSW Government will meaningfully contribute towards RSPCA NSW's FY24/25 operational expenses. This will ensure that RSPCA NSW can continue to provide the NSW Government with an end-to-end solution for animal welfare in NSW, from prevention through compliance and law enforcement to sheltering, adoption, and rehoming. By leveraging volunteers and donations, RSPCA NSW delivers excellent value for money compared to government agencies.

The Hon. EMMA HURST: That would be useful. Mr Wilkie, I'm not sure if you're the best one to answer this. It's in regard to some questions on notice. The RSPCA was asked if the Auditor-General and the Audit Office of New South Wales have the purview to audit and report on the RSPCA's activities. The reply we had was that the Committee contact the Auditor-General for an answer. Is the RSPCA not actually aware whether they're subject to review by the Auditor-General?

TROY WILKIE: I'll take that on notice if that's okay. Rules about what they do and don't look into would be something that they've got and we can access from them for you on notice.

The Hon. EMMA HURST: Is the board aware at all if the RSPCA generally is subject to review by the Auditor-General?

MARK STEELE: Not that I'm aware of.

PETER WRIGHT: Not that I'm aware of.

We have been advised that the Auditor-General and the Audit Office of New South Wales do not have the purview to audit and report on the activities of RSPCA NSW. The specific rules and limitations regarding their scope of audit do not extend to our organisation. Although the Auditor-General does not audit RSPCA NSW, we comply with federal and state laws by engaging an external auditor annually. This ensures that our financial statements and activities are reviewed independently, maintaining transparency and accountability in our operations.

The Hon. EMMA HURST: Another question on notice was to provide a breakdown of the number of prosecutions in the last five years by the Sydney metro inspectors versus the regional and rural inspectors. In response to my question, the RSPCA didn't provide that information. Instead, they referred the committee to "the s34B report" and "records maintained by the New South Wales Local, District and Supreme courts", which is obviously not a particularly useful answer for this Committee. The section 34B report only indicates which court a prosecution was actually filed in; it doesn't actually indicate whether the work investigating and initiating that prosecution was done by a Sydney inspector or a regional or rural inspector. So I wanted to put that back on notice and ask if we could get some more details around that original question?

TROY WILKIE: Yes, certainly.

PETER WRIGHT: So that's with the regional prosecutions or large animal compared to small animal?

The Hon. EMMA HURST: No, not that level of detail, just literally Sydney metro inspectorate versus regional and rural inspectorate.

TROY WILKIE: I'm honestly not sure. I don't use the inspectorate system or have access to it, but I'm not sure if it actually does delineate between metro and regional. I think we'd have to go through and work out the location of the inspector, search their history of their inspections and then work out which ones were done in which areas, so it would be a laborious task.

The Hon. EMMA HURST: If it's particularly complicated, can I ask that the communication back to the Committee would be, for example, "Can we look over the last year or the last two years instead of the last five years", rather than sending us to the local courts to try to get the information.

TROY WILKIE: Yes, certainly. If there's a particular time period that's of ease, then we can at least answer that one.

The Hon. EMMA HURST: I think the Committee is happy to compromise if that information is going to be too complicated to assess.

TROY WILKIE: I'll find out.

The following breakdown of 'Metro' versus 'Regional' prosecutions is based on court locations. NSW Local Courts within the Greater Sydney¹ area are classified as 'Metro', while all other NSW Local Courts are classified as 'Regional'. Figures for prosecutions commenced by Year are as follows:

- FY24: Total Prosecutions Commenced: 99
 - Metro: 52 (52.5%)
 - Regional: 47 (47.5%)
- FY23: Total Prosecutions Commenced: 107
 - Metro: 75 (70.1%)
 - Regional: 32 (29.9%)
- FY22: Total Prosecutions Commenced: 107
 - Metro: 61 (57.0%)
 - Regional: 46 (43.0%)
- FY21: Total Prosecutions Commenced: 104
 - Metro: 54 (51.9%)
 - Regional: 50 (48.1%)
- FY20: Total Prosecutions Commenced: 98
 - Metro: 64 (65.3%)
 - Regional: 34 (34.7%)
- Combined figures for FY20 to FY24, inclusive:
 - Total Prosecutions Commenced: 515
 - Metro: 306 (59.4%)
 - Regional: 209 (40.6%)

The CHAIR: Have any other employees that have appeared before this Committee sought to give Dorothy Dixer questions or seek information during an inquiry hearing?

¹ In accordance with NSW Common Planning Assumptions (2022), Greater Sydney is comprised of the following LGAs: Bayside, Blacktown, Blue Mountains, Burwood, Camden, Campbelltown, Canada Bay, Canterbury-Bankstown, Cumberland, Fairfield, Georges River, Hawkesbury, Hornsby, Hunters Hill, Inner West, Ku-ring-gai, Lane Cove, Liverpool, Mosman, North Sydney, Northern Beaches, Parramatta, Penrith, Randwick, Ryde, Strathfield, Sutherland Shire, Sydney, The Hills Shire, Waverley, Willoughby, Wollondilly and Woollahra.

TROY WILKIE: Not that I'm aware of.

The CHAIR: Can you take it on notice and ask them? Obviously, I cannot ask them because they are not here.

TROY WILKIE: Yes.

The CHAIR: Can you ask all the ones that have appeared if they have they been seeking information from the Committee as the inquiry hearing is actually ongoing?

TROY WILKIE: Sure.

All RSPCA NSW colleagues who have appeared before any parliamentary committees since March 2023 have been consulted and affirmed that they do not recall sending any messages of this nature to any Members of the NSW Parliament.

The Hon. EMILY SUVAAL: My question is to Dr Peter Wright. Apologies; I should have asked this before and neglected to. In terms of the two-out numbers that you referred to in your earlier answer, would it be reasonable to require the RSPCA to provide their two-out figures as KPIs?

PETER WRIGHT: Yes. I'm sure. I will take it on notice to find out what the figures are. They're obviously transitioning into that role at the moment. I am more than happy to find where we are at, at the moment.

RSPCA NSW recognises the importance of implementing 'two-out' operations for inspections, to ensure the safety of our inspectors and to enhance the quality and efficiency of animal welfare investigations. 'Two-out' operations involve having two inspectors attend each inspection, which provides additional support and safety for our team. At the initial stage of implementing two-out operations, the primary challenge we faced has been the time required to recruit and train additional staff. Recruiting qualified individuals who meet our stringent criteria for animal welfare inspectors is a thorough process, and this has taken some time to achieve (and is ongoing). While implementing 'two-out' operations, a few factors have prevented us from achieving 100% two-out operations at this point in time:

- 1. Recruitment and Training:** Undertaking and managing the recruitment and training of newly hired inspectors has impacted the inspectorate's capacity.
- 2. Vacancies:** We are currently facing a few vacancies that we are recruiting to fill. This is proving particularly difficult because of the continued uncertainty regarding NSW Government funding.
- 3. Record High Case Numbers:** The number of animal cruelty cases needing investigation has reached record highs, with cruelty complaints increasing 55% (21,081 to 32,706), and cruelty investigations increasing 26% (13,883 to 17,436), stretching our resources. At times, this increased demand has reduced our ability to conduct inspections with two inspectors in all circumstances.

Despite these challenges, we have made significant progress in increasing the number of 'two-out' operations. RSPCA NSW is developing software which will accurately capture relevant KPI data points for reporting, including recording the number of Inspectors at any given job. Due to data limitations, accurate figures are not currently available. All animal cruelty inspections are risk assessed prior to the deployment of resources, and there has not been any request for a 'two-out' operation or assistance that has not been fulfilled. To implement 'always-two-out' operations, we need adequate recurrent funding from the NSW government. Our budget submission includes a request for funding in line with 'Option 3', which is essential to ensure that we can attend inspections with two inspectors. This funding will allow us to:

- Recruit and train additional inspectors.
- Ensure adequate coverage for the increased number of animal cruelty cases.
- Maintain the high standards of animal welfare investigations that RSPCA NSW is committed to.

We look forward to the Committee's continued support in our mission to promote animal welfare and to ensure the safety and efficiency of our inspection operations.

The Hon. WES FANG: You might want to take this on notice. Let me raise with you in general terms that it was suggested at that meeting, in my understanding, with multiple attendees that Mr Coleman had given evidence to the Committee in order to—I will paraphrase here—shut me up in relation to some of the questions I was asking related to the inspection of the Downside property in Wagga. I've given to you, in highlight notes, the answers that were given in relation to the inspection of the coolroom. It is my belief that Mr Coleman has deliberately perjured himself in relation to these answers. As a board, how would you feel if your CEO is proven to have perjured himself at an inquiry by giving false answers to this Committee?

MARK STEELE: I'd obviously be concerned, Mr Fang. Perjury is a serious matter.

The Hon. WES FANG: What action would you take?

MARK STEELE: What action would I take? Am I assuming a conviction for perjury or an allegation of perjury? What are you asking me to assume? I don't understand.

The Hon. WES FANG: Let's go with an allegation for the moment. Would you take any action at all?

MARK STEELE: An allegation by whom?

The Hon. WES FANG: By me.

MARK STEELE: Based on what's written here?

The Hon. WES FANG: Yes.

MARK STEELE: What action would I take?

The Hon. WES FANG: Yes.

MARK STEELE: I would review with the CEO the answers that he gave to see if there was any basis, as it appeared to me, that the answers were deliberately false.

The Hon. WES FANG: Given that we are short of time, I will ask you if you could take on notice, and reply to us within 21 days, the response of the CEO before I ask him to be recalled.

MARK STEELE: I'm sorry. I need to be very clear about this, because this is a very serious allegation.

The Hon. WES FANG: I appreciate that.

MARK STEELE: What is it that you're asking me to do?

The CHAIR: Can I help, Mr Steele?

MARK STEELE: Yes.

The CHAIR: The answer that he gave on this date, on 23 May, where he said that in hindsight they should've actually entered the coolroom and inspected it—we are of the understanding that that is contrary to information that he's given to the inspectorate staff at a meeting on 30 May, where he said that he only said this to shut Mr Fang up. That would then imply that this is a false and misleading statement to the Committee because it was only said to shut Mr Fang up, not necessarily a true answer to the question.

MARK STEELE: I'm not cavilling with what you're saying, Mr Chair. I'm just trying to understand it. This is a statement of opinion, so the allegation is that the opinion was not genuinely held?

The CHAIR: Yes.

MARK STEELE: All right. I will make inquiries about that, but I'm not an investigator on behalf of the Committee.

The CHAIR: We don't expect you to be that.

The Hon. WES FANG: No. You offered.

MARK STEELE: You asked me what I would do and I said that's what I would do as a responsible director. I didn't say that I was—

The Hon. WES FANG: I know, and I'm making the allegation now. I said what would happen if I made the allegation. You said what you would do. I'm asking you to do it.

MARK STEELE: Well, I will do that. But am I being asked for anything else?

The Hon. WES FANG: No, just 21 days.

The CHAIR: Just take on notice as to what the—

MARK STEELE: The 21 days is you want me to report back to the Committee on the results of my—

The CHAIR: Yes.

MARK STEELE: I'm not sure this is a proper—this isn't a question.

The Hon. WES FANG: You offered it.

MARK STEELE: I beg to differ, Mr Fang. You're asking me to make an investigation and report back to the Committee on the results of my investigation. I'm not sure that's within the powers of this Committee.

The CHAIR: We've raised the concern that Mr Coleman may have given false and misleading evidence. We're asking you to seek a response from Mr Coleman on that accusation that we are now putting, whether you personally—

MARK STEELE: And report back to you.

PETER WRIGHT: Or through the board.

The CHAIR: Or through the board, yes.

MARK STEELE: I will make inquiries as a director, but that is all I will do. If this Committee wants to make serious allegations of perjury against somebody then this is not the way to do it, in my view.

The CHAIR: We are merely seeking information. He can come back with a clarification.

MARK STEELE: You say that, but I think, in fact, what is happening is a serious allegation is being made in a way that does not accord Mr Coleman natural justice.

The CHAIR: We're providing him an opportunity to seek that and come back with a clarification as to how this evidence is not contrary to what he said at a meeting on 30 May.

MARK STEELE: We'll take this discussion on notice, Mr Chair, and we'll give you a response, but it may not be the results of my inquiries.

The RSPCA NSW Board has written to the Chair of the Committee seeking proper particulars of the allegation to allow it to be fairly and properly investigated and is awaiting a response.