

# Response to the Independent Review of RSPCA Victoria's Inspectorate Final Report

## Background

In May 2016, RSPCA Victoria's CEO, Dr Liz Walker, announced that she had, with the full support of the Board, engaged former Chief Commissioner of Victoria Police, Neil Comrie AO APM to conduct an independent review of RSPCA Victoria's Inspectorate function.

Our decision to commission the review reflects our commitment to being accountable to the community about how we use both the donations we receive, and the funding provided by Government. It also reflects the strong belief – shared by the Board and the Senior Management Team – that all organisations are obliged to regularly review how they work, and improve their effectiveness and efficiency.

Rising cruelty reports, significant changes in the social landscape in which RSPCA Victoria operates, and evidence of public concern about our capacity to deal with large-scale, serious cruelty incidents – such as the Bulla horses – also contributed to the decision to conduct a review.

RSPCA Victoria's Board and Senior Management team shared a view that these issues could only be addressed if the review were truly independent and objective. The appointment of a strong, expert Senior Reviewer was critical to this aim: Mr Comrie is renowned for his frank and fearless advice, his independence, and his deep working knowledge of both law enforcement and organisational performance honed over years of senior experience.

The review laid down four terms of reference, both as a framework for Mr Comrie's report, and for interested members of the community and other stakeholders to consider when making their submissions:

- Describe the scale and scope of the animal welfare and cruelty reports in Victoria.
- Analyse resourcing and funding levels, and if appropriate, recommend alternative operating, funding and resourcing models.
- Document RSPCA Victoria's operational response to reports, including all associated systems and processes, and recommend any improvements that can and should reasonably be made.
- Document RSPCA Victoria's approach to prosecution, including all associated systems and processes, and recommend any improvements that can and should reasonably be made.

Victorians were invited to make confidential submissions, and RSPCA Victoria is grateful to the 101 people and organisations who took the time to do so. We are also grateful for the generous investment of time made by the 48 individuals who took part in detailed interviews with the Review team.

RSPCA Victoria would also like to express its sincere thanks to the review team – Mr Comrie, Mr Brian Hine (Secretariat), Mr Peter Marczuk (Research Officer) and Ms Philomena Kelly (Review Administration). The thoughtfulness and professionalism of the team is evident throughout their final report. Their capacity to come to grips with a complex function, rapidly diagnose the key issues and develop what promise to be simple, effective solutions is a credit to their expertise and dedication.

## General response to the report, findings and recommendations

RSPCA Victoria accepts, without reservation, the report and each of its recommendations.

RSPCA Victoria's Board and Senior Management Team are determined to lead the organisation to honour its position as Victoria's most trusted animal welfare organisation. Meeting community expectations of the organisation is central to this aim. We are acutely aware that the final report highlights a number of challenges and shortcomings in the current Inspectorate model. Cognisance of the need to improve the effectiveness of the function was a key driver in commissioning the review, and we are now very clear on what the current issues are, and what we must do to resolve them.

*RSPCA Victoria commits to immediately begin the full implementation of every finding and recommendation that is directly within our power to implement, and begin discussions with other agencies to negotiate implementation of the remainder.*

Actions that relate directly to the welfare and safety of our Inspectors in the field will be our first priority for implementation. We expect that the majority of implementation will be completed by December 2017.

RSPCA Victoria looks forward to working in partnership with other agencies to find ways to implement Findings 1 & 2, and Recommendations 1, 11 and 16-20. A detailed response to each recommendation is included below.

RSPCA Victoria's Board has agreed that the Chief Operating Officer will be accountable for the implementation of all recommendations in the report. An implementation plan is currently being prepared, and the Audit Risk and Finance Committee of the Board will oversee its progress. We will report on our progress towards full implementation in our annual reports for 2016/17, 2017/18 and 2018/19.

## Specific response to the findings and recommendations

<p><b>Finding 1</b> That the RSPCA Board has authorised the CEO to:</p> <ol style="list-style-type: none"> <li>commence the necessary processes to acquire a case management/intelligence software platform for the Inspectorate; and</li> <li>proceed with the necessary arrangements to secure the secondment of a Victoria Police intelligence analyst to the Inspectorate for a 12-month pilot period.</li> </ol>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Acquire and implement case management/intelligence software (commenced)</li> <li>Second an RSPCA funded Victoria Police intelligence analyst for 12 months (commenced)</li> </ul> <p>Implementation start June 2017 Implementation finish June 2017</p>
<p><b>Finding 2</b> The RSPCA Board has authorised the CEO to take all steps necessary to secure the location of a specialist POCTAA prosecutor within the Police Prosecutions Unit</p>	<p><b>Accepted in full with commitment to work with Victoria Police to implement</b> Key actions</p> <ul style="list-style-type: none"> <li>Work with Victoria Police to create an RSPCA funded specialist position within the Police Prosecutions Unit to manage prosecutions (commenced; may require legislative change)</li> </ul> <p>Implementation start June 2017 Implementation finish August 2018 Dependant on legislative requirements</p>
<p><b>Recommendation 1</b> Following implementation of all recommendations in this Report, the RSPCA reassess their budgetary position and the demand for Inspectorate services at that time and if warranted, take the necessary steps to develop a budget submission to the Victorian Government for an incremental increase to their recurrent budget allocation.</p>	<p><b>Accepted in full, with commitment to work with the Victorian Government if needed</b> Key actions</p> <ul style="list-style-type: none"> <li>Review outcome of implementation of all other recommendations and regularly report progress to Victorian Government</li> <li>Review resource and budget requirements once implementation of all other recommendations is complete</li> </ul> <p>Implementation start June 2017 Implementation finish August 2018</p>
<p><b>Recommendation 2</b> That the RSPCA take all necessary action to improve the safety culture at the Inspectorate</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Immediately recruit Team Leader and Intelligence Analyst roles (commenced) to             <ul style="list-style-type: none"> <li>maximise the support and supervision of Inspectors in the field and</li> <li>improve triage and risk assessment of reports before they are assigned</li> </ul> </li> <li>Conduct a training needs assessment and implement a full skills-based training program, and complete an equipment needs analysis for all roles</li> </ul> <p>Implementation start March 2017 Implementation finish March 2017</p>
<p><b>Recommendation 3</b> That the RSPCA implement measures to retain valuable staff in the Inspectorate, including establishing incremental salary levels that recognise experience and responsibility and also adopt more contemporary, flexible working arrangements such as part-time employment and job sharing.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Implement the report's recommended organisational structure</li> <li>Review Inspector remuneration levels (commenced)</li> <li>Investigate implementation of flexible working arrangements for Inspectors</li> </ul> <p>Implementation start June 2017 Implementation finish June 2017</p>
<p><b>Recommendation 4</b> That the RSPCA consider all viable options for the efficient recruitment of Inspectors, including group assessments and the development of a priority list to be drawn upon when future vacancies occur.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Research and implement best practice approaches to efficient recruitment of Inspectors</li> </ul> <p>Implementation start June 2017 Implementation finish June 2017</p>
<p><b>Recommendation 5</b> That the People and Culture Department of the RSPCA in conjunction with the management of the Inspectorate, undertake a training needs analysis of the role of Inspector. A robust, skills based, accredited training program should then be developed to meet the specific needs of RSPCA Inspectors and successful completion of this program should be an obligatory component of the probationary period leading to authorisation of an Inspector under the POCTAA.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Conduct a training needs assessment for all Inspectorate positions</li> <li>Implement training program for recruits and refresher training for existing Inspectors</li> </ul> <p>Implementation start December 2017 Implementation finish December 2017</p>
<p><b>Recommendation 6</b> That, as far as possible, the RSPCA remove peripheral and corporate administrative functions from the Inspectorate to allow it to focus on operational responsibilities, especially supervision.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Review internal arrangements and remove peripheral responsibilities from Inspectorate</li> </ul> <p>Implementation start March 2017 Implementation finish March 2017</p>

<p><b>Recommendation 7</b> That supervisory responsibility and accountability be strengthened in the Inspectorate by the creation of new roles of Team Leader and Senior Inspector within a regional service delivery model.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Following consultation with staff, implement the recommended regional service delivery model and structure for the unit, including the creation of Team Leader roles <i>Implementation start</i> <i>Implementation finish</i> <i>December 2016</i></li> </ul>
<p><b>Recommendation 8</b> That the RSPCA provide the necessary structure, support functions, training and development to ensure that the Inspectorate Manager, Team Leaders and Senior Inspectors provide strong leadership as well as meeting their management obligations.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Develop and implement leadership training program for Team Leaders, Senior Inspectors and the Inspectorate Manager <i>Implementation start</i> <i>Implementation finish</i> <i>May 2017</i></li> </ul>
<p><b>Recommendation 9</b> That the RSPCA introduce a new structure and operating model in accordance with the report.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Following consultation with staff, implement the recommended regional service delivery model and structure for the unit, including the creation of Team Leader roles <i>Implementation start</i> <i>Implementation finish</i> <i>March 2017</i></li> </ul>
<p><b>Recommendation 10</b> That the RSPCA ensure that radio monitoring is the shared responsibility of Inspectorate administrative staff from 8am to 6pm each week day on a two-hourly rotational basis.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Implement two-hour rotational radio monitoring shifts (completed)</li> <li>Identify more suitable office space for radio monitoring <i>Implementation start</i> <i>Implementation finish</i> <i>March 2017</i></li> </ul>
<p><b>Recommendation 11</b> That the RSPCA review its existing memoranda of understanding, standard operating procedures and protocols with other organisations to ensure that these arrangements reflect the proposed operating environment of the Inspectorate, including the new approach to case management.</p>	<p><b>Accepted in full, with commitment to work with other agencies as required</b> Key actions</p> <ul style="list-style-type: none"> <li>Negotiate new or renegotiate existing agreements, memoranda of understanding, standard operating procedures and protocols to align with new operating model <i>Implementation start</i> <i>Implementation finish</i> <i>Subject to negotiations</i></li> </ul>
<p><b>Recommendation 12</b> That the RSPCA take the action necessary to provide relevant policies, procedures and templates to Inspectors online.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Review and update all policies, procedures and templates</li> <li>Identify and implement a technology solution to ensure that policies, procedures and templates are available to Inspectors in the field <i>Implementation start</i> <i>Implementation finish</i> <i>December 2017</i></li> </ul>
<p><b>Recommendation 13</b> That the RSPCA undertake a review of the accommodation arrangements for the Inspectorate and take the necessary steps to provide accommodation that meets the operational needs of that group under the proposed operating model.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Identify suitable accommodation to support a regional service delivery model <i>Implementation start</i> <i>Implementation finish</i> <i>December 2017</i></li> </ul>
<p><b>Recommendation 14</b> That the RSPCA undertake an equipment needs analysis to ensure that the equipment issued to Inspectors enables them to undertake their duties more safely and efficiently.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Order body cams and equipment vests for all Inspectors (complete)</li> <li>Conduct an equipment needs analysis for all Inspectorate positions</li> <li>Procure, deploy and regularly audit all identified equipment <i>Implementation start</i> <i>Implementation finish</i> <i>March 2017</i></li> </ul>
<p><b>Recommendation 15</b> That the RSPCA utilise specially selected and suitably trained and supported volunteers to assist with reports that are not the primary responsibility of the Inspectorate. This will involve direct contact with identified complainants to advise them of referrals or the actions taken by the RSPCA or to offer other advice, information or educational material. This may include seeking additional advice from complainants where critical information may be missing from relevant reports.</p>	<p><b>Accepted in full</b> Key actions</p> <ul style="list-style-type: none"> <li>Research, develop and implement volunteer support solution <i>Implementation start</i> <i>Implementation finish</i> <i>September 2017</i></li> </ul>



<p><b>Recommendation 16</b> That the RSPCA:</p> <ol style="list-style-type: none"> <li>engage with Department of Economic Development, Jobs, Transport and Resources (DEDJTR) to identify strategies to reduce the workload related to Domestic Animals Act 1994 matters that is currently, by default, being directed to the RSPCA;</li> <li>engage with local government to ensure that there is a clear understanding of the future focus for the Inspectorate on animal cruelty and that Domestic Animals Act 1994 matters directed to the Inspectorate will be referred to the relevant local government (and complainants advised accordingly); and</li> <li>develop and implement a communications strategy to better inform and educate the community that the future role of the Inspectorate is to be confined to prevention of cruelty to animals and that the Inspectorate will no longer respond to Domestic Animals Act 1994 reports.</li> </ol>	<p><b>Accepted in full, with commitment to work with local and state government to implement</b> <i>Key actions</i></p> <ul style="list-style-type: none"> <li>In collaboration with DEDJTR and local councils, review the application of investigation and enforcement resources to categories of welfare and cruelty reports</li> <li>If necessary, negotiate memoranda of understanding with DEDJTR and local councils</li> </ul> <p><i>Develop and implement a public education strategy.</i> <i>Implementation start</i> <i>Implementation finish</i> <i>Immediate</i> <i>Subject to negotiations</i></p>
<p><b>Recommendation 17</b> That the RSPCA ensure that the prosecutor responsible for POCTAA prosecutions actively pursues the payment of court costs awarded to the RSPCA.</p>	<p><b>Accepted in full, with commitment to work with Victoria Police</b> <i>Key actions</i></p> <ul style="list-style-type: none"> <li>With Victoria Police, explore options for actively pursuing court costs.</li> </ul> <p><i>Implementation start</i> <i>Implementation finish</i> <i>Immediate</i> <i>Subject to negotiations</i></p>
<p><b>Recommendation 18</b> That the RSPCA actively pursue with the State Government the authority to issue infringement notices:</p> <ol style="list-style-type: none"> <li>for lower level offences that are not to the requisite level of seriousness to warrant criminal prosecution; and</li> <li>for failing to meet the requirements of Notices to Comply issued under Section 366 of POCTAA.</li> </ol>	<p><b>Accepted in full, with commitment to work with the Victorian Government to implement</b> <i>Key actions</i></p> <ul style="list-style-type: none"> <li>Brief the Minister for Agriculture on the recommendation</li> </ul> <p><i>Implementation start</i> <i>Implementation finish</i> <i>Immediate</i> <i>Subject to negotiations</i></p>
<p><b>Recommendation 19</b> That the RSPCA engage with the State Government to seek an amendment to the POCTAA to allow for the fostering out and/or transfer of ownership of seized animals held for extended periods pending the resolution of court proceedings.</p>	<p><b>Accepted in full, with commitment to work with the Victorian Government to implement</b> <i>Key actions</i></p> <ul style="list-style-type: none"> <li>Brief the Minister for Agriculture on the recommendation</li> </ul> <p><i>Implementation start</i> <i>Implementation finish</i> <i>Immediate</i> <i>Subject to negotiations</i></p>
<p><b>Recommendation 20</b> That the RSPCA further explore with DEDJTR the viability of licensing the keeping of horses as an aid to better management of animal welfare and cruelty reports.</p>	<p><b>Accepted in full, with commitment to work with the Victorian Government to implement</b> <i>Key actions</i></p> <ul style="list-style-type: none"> <li>Brief the Minister for Agriculture on the recommendation</li> </ul> <p><i>Implementation start</i> <i>Implementation finish</i> <i>Immediate</i> <i>Subject to negotiations</i></p>
<p><b>Recommendation 21</b> That RSPCA Victoria, while continuing its legitimate advocacy role, discontinue its public activist campaigning against the existing laws of this State.</p>	<p><b>Accepted in full</b> <i>Key actions</i></p> <ul style="list-style-type: none"> <li>Focus on achieving improvements in animal welfare by using trust-based advocacy approaches (commenced)</li> </ul> <p><i>Implementation start</i> <i>Implementation finish</i> <i>Commenced</i> <i>Ongoing</i></p>
<p><b>Recommendation 22</b> To ensure that effective governance and accountability arrangements are in place regarding the implementation of the recommendations in this report, the RSPCA will:</p> <ol style="list-style-type: none"> <li>ensure that one senior executive in the organisation is the accountable officer for the delivery of these recommendations;</li> <li>make that officer responsible for the preparation of the implementation plan for consideration of approval by the Board;</li> <li>task a Board committee to oversight regular reports on progress against the implementation plan; and</li> <li>publish progress on implementation of these recommendations in RSPCA annual reports for the next three years.</li> </ol>	<p><b>Accepted in full</b> <i>Key actions</i></p> <ul style="list-style-type: none"> <li>Entrust accountability for implementation of all recommendations to the Chief Operating Officer</li> <li>Entrust oversight of the implementation of all recommendations to the Audit Risk and Finance Committee of the Board</li> <li>Report on implementation progress in the 2016/17, 2017/18 and 2018/19 annual reports</li> </ul> <p><i>Implementation start</i> <i>Implementation finish</i> <i>Immediate</i> <i>September 2019</i></p>