

# Report on a page

The Department of Agriculture and Fisheries (the department) and RSPCA Queensland deliver animal welfare services under the *Animal Care and Protection Act 2001* (the Act). RSPCA Queensland provides valuable animal welfare services. The Act gives it authority and powers to perform animal welfare investigations on behalf of the state. The department has engaged RSPCA Queensland to provide animal welfare services predominantly in the coastal areas of Queensland from the Gold Coast to Cairns—a map showing these areas of responsibility is in [Appendix E](#).

We assessed the effectiveness of the department's engagement with RSPCA Queensland. We have not audited each party's processes for delivering animal welfare services.

This report also includes insights that all regulators can use to improve their practices. The scope of this report does not include RSPCA Queensland's processes and governance arrangements.

## The department's engagement with RSPCA Queensland needs improvement

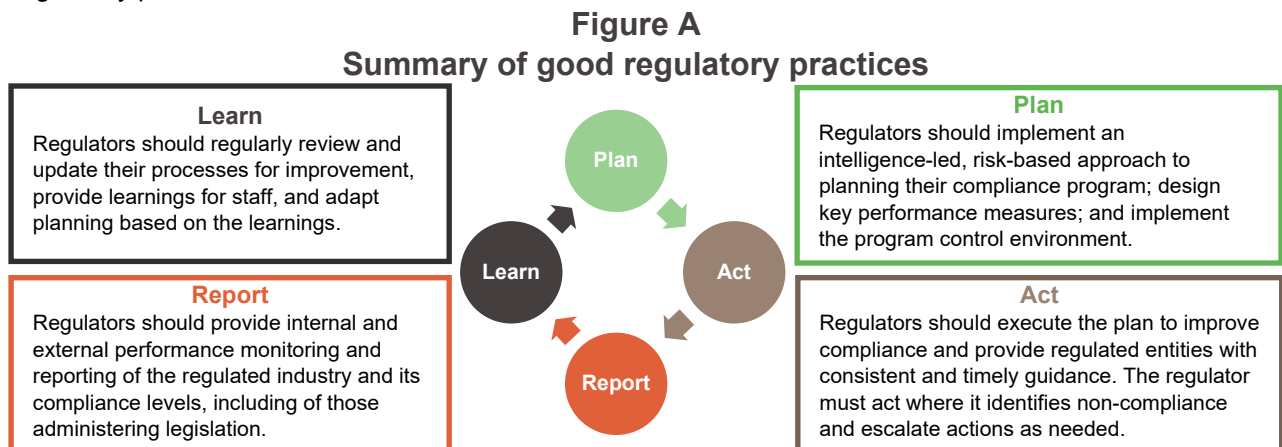
The department has not been proactive and is not as effective as it needs to be in overseeing and supporting RSPCA Queensland in exercising its powers to enforce the Act. These powers include obtaining search warrants and seizing property where there is suspected contravention of the Act.

The department's engagement framework with RSPCA Queensland—which includes the Act, regulations, an agreement, and procedures and guidelines—lacks key accountability and oversight elements. The department has not been using many of the mechanisms currently provided within the framework. This has led to RSPCA Queensland having greater autonomy in enforcing the Act, without appropriate oversight and support. While RSPCA Queensland may have processes and controls in place, the department has no visibility of those processes and therefore cannot assure itself of their suitability or effectiveness.

Since April 2021, the department has commenced addressing findings from this audit. We have made four recommendations for the department to improve its engagement framework and oversight of RSPCA Queensland's inspection and enforcement activities.

## Improving regulator performance

Effectively implementing processes for enforcing legislation has been a common failing in most regulatory audits we have undertaken. In Chapter 4, we draw on findings from our audits to provide insights and assist regulators in assessing their regulatory performance. We recommend that all regulators assess their activities and performance against these good practices. Figure A shows a summary of the good regulatory practices.



Source: Queensland Audit Office and various regulatory better practice guides (see Appendix D).