
DATE 4 May 2025

RECOMMENDATIONS:

1. The *Companion Animals Act 1998* (NSW) (**CAA or the Act**) and the *Prevention of Cruelty to Animals Act 1979* (NSW) (**POCTAA**) and their associated regulations, the Companion Animals Regulation 2018 (NSW) (**CAReg**) and the Prevention of Cruelty to Animals Regulation 2025 (NSW) (**POCTAR**) need to be reviewed and rewritten. Consultation drafts need to be provided with guides as to the associated Codes of Practice (if full text drafts are not also simultaneously available) with sufficient time for enforcement agencies, stakeholders, and the public to provide feedback.
2. Councils must have a positive obligation to be accountable for all stray animal management under the CAA including stray companion animal intake (inclusive of cats presented to them), and to fund transfer of stray animals left at vets or shelters and veterinary treatment for injured or sick stray animals. This will require an increase in the overall capacity to impound cats and dogs in NSW to meet obligations for animal management while working on long term strategies to reduce animal intake.
3. Barriers to owner compliance, particularly with respect to microchipping, registration, desexing and access to vet care, including canine and feline behaviour expertise must be removed.
4. Develop and implement a mandatory code for animal welfare standards and guidelines for animals in NSW pounds.
5. Develop a mandatory code for animal welfare standards and guidelines for animals in NSW shelters and rescue organisations.
6. Fund targeted, free feline desexing programs in NSW with a multi-year commitment (and a longitudinal study in respect of the efficacy of the funded desexing programs).
7. Resource programs that work with semi-owners of cats to support them as responsible care givers to prevent the cats and kittens from reproducing and entering pounds and shelters.
8. Dedicate resources to the training and qualification of council pound staff in the disciplines of canine and feline behaviour and welfare. Council employees should be required to receive training, as recommended by Deputy State Coroner Forbes following two Coronial inquests in 2024 and 2025.
9. Finalise the Rehoming of Companion Animals Draft Report and adopt its recommendations (CIE Rehoming Report, 2022).
10. Address the recommendations of the NSW Inquiry into the veterinary industry shortage in NSW with respect to any strategies to increase access to vet care for council pounds and resourcing to meet desexing programs.
11. The animal behaviour and training industry must become regulated with an enforceable Code of Practice to enforce minimum qualification and training standards, and guide practitioner behaviour.

LIMITATIONS:

1. The statutory term companion animal has always related to cats and dogs in NSW, although the species of animals which may play a role in providing humans companionship are multiple and varied. There are also many more than just cats and dogs which stray, roam, or become separated from their owners, and which require Council, rescue, animal welfare or rehoming organisation assistance to return to their

owners. As a result, there are consequences for the coverage of this Act, relating as it does, to only cats and dogs.

2. A further limitation is that identification and registration of cats and dogs is not synonymous with lifetime tracking. As one characteristic of good, ethical, and sustainable companion animal breeding practices, the omission of statutory or regulatory coverage which would permit lifetime tracking of companion animals is a significant limitation of this statutory review.
3. At the outset, RSPCA NSW notes that the concept of “responsible pet ownership” may be understood differently. RSPCA Policy A2 details the RSPCA view on what responsible companion animal ownership involves (<https://kb.rspca.org.au/knowledge-base/rspca-policy-a2-responsible-companion-animal-ownership/>). This policy describes the dual obligation owners have to provide for the welfare of their companion animal but also minimise adverse impacts that the animal has on other animals, people and the environment. This seems consistent with the usage of the term in the Discussion Paper. It is noted that these two aspects of responsible pet ownership are interlinked but have different goals and span more than one regulatory framework.
4. The Discussion Paper creates ambiguity about what feedback is considered within the scope of this review. Questions 2b) and 3b) invite respondents to suggest what “changes can be made to NSW laws, regulations, codes or guidelines”. This suggests that the consultation is seeking feedback on any relevant animal laws or subordinate legislation in NSW, despite the stated purpose of the review being to improve the CAA. Further, the paper raises questions as to the extent to which the review of the CAA, in isolation, will cause greater inconsistencies between the CAA and POCTAA. On page 6 of the Discussion Paper owners are described to have a responsibility under the CAA to adhere to the “guiding principles of responsible pet ownership which involves providing adequate food, water, shelter, desexing, veterinary care, training and socialisation.” Notwithstanding the reference to “responsible care” in the object of the CAA, these obligations are not contained within the CAA and fall within POCTAA.
5. Page 10 of the Discussion Paper indicates an intention to shift the CAA towards inclusion of adequate pet care. While these inclusions may well be critical to addressing companion animal management and safety issues, RSPCA NSW considers that, to ensure the interlinked issues of animal welfare and effective animal management and safety are cohesively addressed, the CAA and POCTAA require simultaneous review.
6. Governments have consistently failed to embed evaluation in policy formulation further failing to establish an evidence base for future reform. Examples are numerous. The purported outcome objective of introducing an annual permit fee for non-desexed cats over four months of age, some five years ago, was to increase desexing rates among cats. The success of this policy has never been objectively reported on to either support or disprove the anecdotal feedback that it has been an unsuccessful and unhelpful initiative. Similarly, jurisdictions that have implemented cat containment policies provide no measures of whether this approach, which creates significant regulatory burden, provides commensurate benefit associated with any of the desired outcomes. It is hoped that this review process includes a commitment to establishing evaluation methods for any of the significant policy reforms.

Please note:

Portions of the RSPCA NSW Submission to the 2023 Pounds Inquiry are repeated below.

1. Strategic framework for encouraging responsible ownership of companion animals

Question a) Do you support the Companion Animals Act being amended to focus more on encouraging responsible pet ownership outcomes over strict compliance processes?

In the context of the Discussion Paper, this question appears to relate to the intention to remake the CAA to be principles and outcome based (“encouraging”) rather than rules/means based (“strict compliance processes”). The justification is that this will enhance “flexibility, transparency, and accountability” and it is asserted that the shift will allow for more efficient use of resources. However, “encouraging” may also refer to the use of education rather than enforcement and so education as a tool will also be discussed in this response with more feedback on education as a tool in answer 1b).

Outcome-based regulation

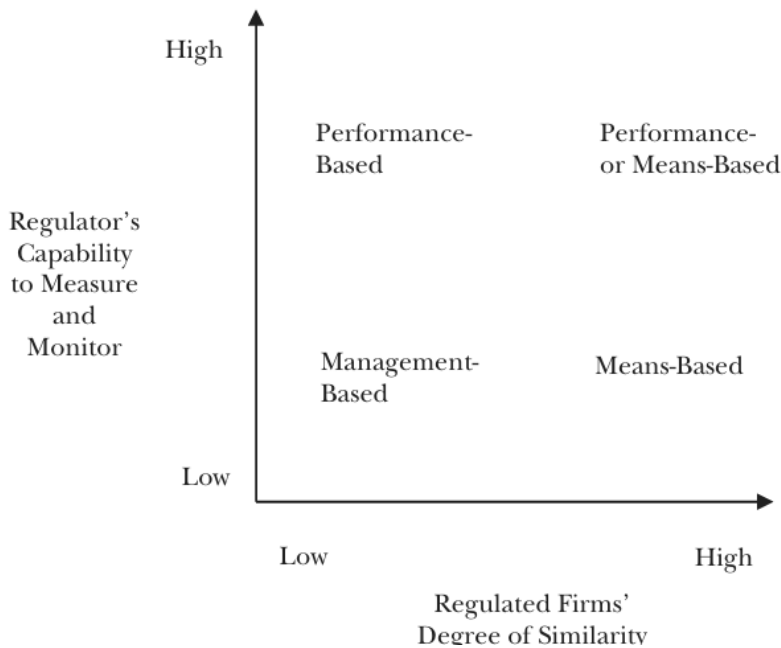
While the theoretical benefits of outcome-based regulation are appreciated, authors caution against misunderstanding the strength of the evidence for the superiority of this regulatory approach and emphasise the importance of considering the weaknesses and unintended consequences.

American Regulatory Legal scholar Cary Coglianese (2017), provides this cautionary reflection:

“In highlighting the dangers of performance-based regulation, I do not suggest that it should never be used; instead, I show that regulators must fully take into account the performance of performance-based regulation and not be swayed by intuitive claims suggesting this form of regulation is a panacea. Despite its theoretical advantages, performance-based regulation also possesses limitations which must be considered. Decision makers should carefully scrutinize both performance-based regulation and its alternatives, paying close attention to how each alternative will be enforced and seeking to anticipate unintended consequences.”

One of the theoretical disadvantages of outcome-based legislation is that it can require increased monitoring to enforce. See Figure 1 (Coglianese, 2017).

FIGURE 1: CONDITIONS FOR PERFORMANCE-BASED AND OTHER FORMS OF REGULATION



Therefore, the assertion that a shift towards outcomes-based legislation will be beneficial to resourcing needs further consideration. Councils have consistently demonstrated and acknowledged, that there are insufficient resources to enforce much of the CAA across NSW, yet the Discussion Paper gives no indication that Council resourcing is being reviewed. The Discussion Paper does acknowledge that outcomes-based legislation “means regulators must make decisions based more on qualitative assessments.” As an extension to this, it requires enforcement officers to have a level of technical expertise in assessing outcomes that is generally required to enforce rules-based regulation. Considering there is no requirement for these enforcement officers to have animal welfare, behaviour, and health qualifications there is a significant risk to this approach.

Alternatives to strict enforcement

The Discussion Paper, on page 13, makes the claim that an outcomes-based CAA will allow enforcement agencies to better respond in ways that keep owners and their pets together. RSPCA NSW strongly supports the use of discretion and support for owners to assist them achieve compliance and to preserve the human-animal bond wherever it is healthy and safe to do so. However, we find the logic of the assertion in the Discussion Paper flawed.

RSPCA NSW considers that looking for a solution to the companion animal management issue through the lens of a strict dichotomy between education and strict compliance is misconceived. There was evidence taken in the Parliamentary Inquiry into Pounds in NSW that some Local Councils strictly enforce the CAA, and others do not (Inquiry into Pounds in NSW, 2023). That difference was explained by some witnesses in terms that it reflected the local Council rangers understanding locally operating economic, social, and legal differences that a statewide system could not cope with. The problem is that the CAA is not so clear in its terms that *any* Council could, with a measure of certainty, say they were strictly enforcing the law, particularly as their local facilities may not equip them to do so. However, the application of discretion to strict legal compliance is well understood in the law, and often by law enforcement officers. For example, a renewed CAA could simultaneously require strict compliance with a registration system and give residents

of the Local Government Area the tools and capacity to comply with that strict registration system, while also enforcing breaches when they arise.

During the review of the CAA consideration should be given to specifying how Councils must assist residents to become compliant with the law. The CAA should be much more proscriptive about Council's obligations.

RSPCA NSW acknowledges that some outcomes are not able to be achieved through legislation or education on their own. Careful analysis of the root cause of an issue will assist in determining if it can be addressed through regulation and compliance efforts or requires a different, or ancillary, approach. If the underlying cause of the problem is, for example, one of socioeconomic challenge, strict compliance processes will not be impactful and regularly result in perverse outcomes. A relevant example is the issue of indiscriminate, uncontrolled breeding of dogs and cats. There is convincing evidence that a major barrier to desexing companion animals is finances access to this veterinary service (Daugherty, 2018). In this context, without addressing the accessibility issues, legislating mandatory desexing, or educating people on the importance of desexing, would be ineffective.

The gap between law, education and actual behaviour change has been demonstrated in a 2010 study of 1,027 Australian dog owners. Rolfe et al (2010) found that whilst 97.6% of respondents agreed that microchipping made it easier to find owners if their dog became lost only 86.5% of those owners reported their dog was microchipped. So, whilst microchipping has been 'the law' in NSW with respect to companion animals for many years, and even though the vast majority of respondents appreciate the safety microchipping provides in reuniting lost pets, 13.5% of the Rolfe sample nevertheless did not microchip their dogs. It must be, then, that education on the benefits of microchipping has worked, the population understands the rationale behind the legislation, and so it seems likely structural impediments have resulted in a lack of compliance even with the basic microchipping obligation.

Question b) How can responsible pet ownership education be used to manage menacing or dangerous dogs?

This question can be interpreted in several ways. RSPCA NSW is unsure whether the question relates to how responsible pet ownership education can be better utilised to reduce the risk of dogs behaving in menacing or dangerous ways, or whether it is concerned with increasing compliance with the CAA management requirements of declared menacing and dangerous dogs.

For either situation, education may play a role, but should not be considered adequate to address complex, multifactorial issues such as this. The RSPCA position paper A1 Prevention of dog bite incidents involving humans covers a range of human, dog and regulatory factors associated with preventing and responding to dog bites ([2025-02-05-PP-A1-Prevention-of-dog-bite-incidents-involving-humans.pdf](#)).

Areas for education alongside regulatory reform

When dogs in NSW are declared dangerous or menacing, they must be managed in accordance with control requirements under Part 5 of the CAA. The mandatory requirements currently relate, among other things, to desexing, housing within an enclosure, effective control and muzzling in public. Control orders made by a court may also include behavioural training of the dog. To be executed safely and effectively, these management practices must be undertaken with knowledge and care and in a manner that prevents canine welfare compromise.

1. Muzzles

For example, the placing of an inappropriate muzzle (e.g. nylon muzzle instead of a basket muzzle) or use of a muzzle on a dog that has not been muzzle trained, present significant risks to canine welfare and safety.

Educating owners about the importance of proper muzzle training, and how this process is undertaken, could improve the management of these dogs. Long-term wearing of nylon muzzles restricts a dog's ability to pant and drink, compromising its welfare. RSPCA NSW recommends basket muzzles, for dogs required to wear a muzzle, and the wearing of nylon muzzles be restricted (i.e. for specified maximum durations and in particular circumstances such as veterinary care).

2. Long-term confinement

Long term confinement of a dog that has been declared dangerous is an obvious risk to its welfare. In amending the CAA, RSPCA NSW recommends that mitigations be introduced to improve the welfare of confined dogs and that planning for scenarios where a dog does not cope in confinement are considered at the outset and throughout the life of each dog. This is an area that could be addressed through both education and regulation.

3. Canine training and behaviour modification

Encouraging behavioural change in pet owners is complicated. Phillpots, Dillon and Rooney (2019) explain that "a minority of owners may intentionally cause harm or neglect. Others can cause unintentional harm or neglect, often as a result of misinterpretation of their dog's behaviours or needs, or by relying on poor quality information or advice or previous ownership experiences."

As canine behaviour training is an unregulated industry in NSW, there are many dog trainers promoting harmful, dangerous, and outdated practices (Beazley, 2023). RSPCA NSW considers these types of trainers are inappropriate to seek behavioural advice from. However, there is currently no safeguard in the CAA to prevent owners accessing and relying on outdated and harmful training methods and trainers. For this reason, our submission regarding the need for wholistic and simultaneous review of POCTAA, the CAA, the Regulations and associated welfare codes is even more compelling.

The current legislation lacks the specificity to require *qualified* trainers to be employed for the purpose of managing dangerous or menacing dogs and for those trainers to act in accordance with recognised current standards of science-based training methods.

As owner behaviour is likely to have the biggest impact on a dog's welfare and behaviour (Phillpots et al, 2019), it is likely that improving the understanding and skills of dog owners through education may have a positive impact. Some dog owners may not be receptive to, or capable of, implementing educational initiatives about responsible pet ownership, animal behaviour and animal welfare for the reasons described in the following section on limitations to education. As the CAA also prohibits transfer or sale of declared menacing or dangerous dogs, those owners are aware that if they are not able to adequately care for their pet, that the dog will be euthanised. That increases the risk to this cohort of dogs because their owners do not have recourse to alternative care options.

4. Meeting canine needs

The underlying causes of dangerous (repulsion) behaviours in dogs are several. However, it is reasonable to state that these behaviours are, generally, associated with a protective emotional bias and can indicate emotional ill health. Dogs that have had their needs met throughout their life are exceedingly less likely to have a need, or propensity, to respond in these ways.

However, there is a significant knowledge deficit in the community about what a dog needs to be emotionally healthy and capable of behavioural regulation. In the Discussion Paper, care of dogs is described as encompassing nutrition, shelter, health care and “training and socialisation.” This represents the limited knowledge, and over-simplification, of what is involved in caring for a dog’s cognitive and emotional health. Critical aspects of their care include allowing them to achieve a sense of safety, engage in approximately 16 hours of sleep daily, options for exercising choice, control and behavioural agency, individually salient social opportunities, and consistently positive, predictable human interactions (Griffin, Arndt and Vinke, 2023). There is a lot of work to be done in expanding the knowledge of the community on good quality care of canines.

In addition to the critical role of environment and learning, in determining behaviour, genetics is the other major contributor. Breeders should be educated on the importance of breeding dogs that safely and humanely fit into our communities. However, noting the commercial interest associated with dog breeding, education is an insufficient approach to achieving this outcome. Breeders should be compelled to select breeding stock for behavioural traits rather than appearance alone. Animals with a temperament not suitable to life as a pet in the community should not be bred. In this sense, there is another opportunity to educate pet owners about responsible breeding.

Delivering pet ownership education

As Council employees will be the conduit for explaining and enforcing the obligations for managing declared menacing and dangerous dogs, they will require sufficient training to inform dog owners appropriately.

The training provided to Council rangers was the subject of recommendations made to the Shoalhaven City Council Chief Executive Officer the OLG by Deputy State Coroner Forbes following two Coronial inquests in 2024 and 2025.

Council staff must also be able to recognise when a declared menacing or dangerous dog’s welfare is compromised. When compromised welfare is identified, Council staff must be equipped with the knowledge, tools, and authority to take appropriate action to address such compromise.

Barriers to change and limitations of education

In assessing and supporting the competency of owners, education is only one tool that can be used for human behaviour change and is rarely effective on its own. It will only assist where an owner’s knowledge is the barrier to managing their dangerous or menacing dog. In many cases, other barriers will be relevant. If the contributing factors are not fully understood, research may be required to establish the barriers and motivations that relate to ineffective dog management, to inform policy and legislation.

Phillpots et al (2019) caution against making assumptions about the role education plays in improving canine welfare and dog ownership practices, "The impact of owners on their dog’s welfare is undeniable. The assumption that to improve the welfare of dogs living in homes, welfare experts, or advocates need to educate owners or the dog owning public makes sense when taken at face value. However, the term

education within the context of improving companion animal welfare often appears to be asserted as a ‘fix all’ approach by those with significant animal welfare expertise. However, this may be due to a limited understanding of what education is and does and can or cannot achieve. Exploring the role of education within the context of improving dog ownership practices requires the integration of multiple perspectives and a variety of disciplinary approaches and sources of evidence.”

1. Access to veterinary advice and assistance

It has been established that many animal owners experience significant barriers to accessing veterinary care (Daugherty, 2018). Access to veterinary care and clinical animal behaviour advice is critical to managing challenging dogs effectively. Therefore, it can be concluded that all the barriers to accessing this care and advice (financial, transport, language, resources, fear of judgement) must be considered and built into any plan for dangerous dog management. An owner’s ability to access quality advice must be considered when assessing how responsible pet ownership education can be used to prevent / reduce the incidence of both a dog becoming menacing or dangerous and after a menacing or dangerous dog declaration has been made.

2. Owner perspective and values

As noted by Phillpots, Dillon and Rooney (2019) “humans are complex, with values, attitudes, and beliefs influencing our behaviours as much as knowledge and understanding.” Further, the context in which an individual dog owner lives, and societal and cultural norms must be considered (Phillpots et al, 2019). In a study by Rohlf et al (2010), it was shown that normative beliefs and peer pressures played a role in forming and changing behaviours. This should be considered in designing any changes to the management of menacing and dangerous dogs in NSW. As such, education in isolation is unlikely to adequately manage menacing or dangerous dogs.

Question c) How could the legislation be improved to motivate better dog owner behaviour and encourage owners to manage their dogs more responsibly? (For example, what does responsible dog control in public look like?)

“Better dog owner behaviour” requires attention to the entire canine lifespan (from breeders to owners) and in a range of overlapping animal care and control aspects. If a dog’s needs are not met it can be expected that they will be at an increased risk for presenting a safety or nuisance issue. Protective emotional states including frustration, boredom, anxiety, and physical illness can all contribute to a range of behaviours that present problems for the community including barking, damaging property, escaping, menacing and dangerous behaviour towards people and other animals.

Meeting the needs of a dog requires the knowledge, resources, and time to provide them with an appropriate environment, good health care and interactions that are predictable, consistent, and positive. This emphasises the need to consider the CAA review in concert with a review of POCTAA to ensure no gaps are left on these interconnected issues. It will be taken that question 2a) is seeking this broader feedback and that, notwithstanding the multi-factorial (and often welfare related) causes of canine public nuisance, the scope of this question appears to be narrowed to what CAA animal control regulatory inclusions may, if complied with, cause owners to prevent their dogs becoming a nuisance or danger, such as through escape, straying, barking and attacking people or other animals.

Determining what regulatory gaps exist would be aided by understanding what a well enforced CAA could currently achieve. This is difficult both because policy outcome evaluation is rarely meaningfully undertaken

(or at least reported) and there is wide acceptance that there are very minimal resources allocated to enforcing the existing provisions of CAA (Inquiry into Pounds in NSW, 2023). It is hard to judge the effectiveness of the current requirements, or understand the value of adding more requirements, if they will not be consistently enforced.

For example, the enforcement of s13(1), effectively requiring dogs to be on leash, is expected to motivate compliance with this requirement and significantly reduce the risk of a range of negative outcomes of dogs having free and uncontrolled access to other animals, people, and dangerous areas such as roadways.

Nevertheless, RSPCA supports some specific inclusions relating to control of dogs in public.

These are:

- a. Including a minimum age for the dog handler to be considered to have a dog under effective control. The RSPCA NSW suggest that this age be restricted to 16 years and over.
- b. The CAA should include a clearer definition, at s13(1), of “chain, cord or leash” to provide guidance on what is an acceptable restraint.
- c. A requirement for responsible conduct in off-lead dog parks (aided by education and how to use them safely).
- d. Require identification of all dogs without exemption. Identification of working dogs is important for their own safety as well as to manage the considerable number of working breeds entering shelters and pounds. Working dog breeds are some of the most common breeds to enter RSPCA NSW shelters with approximately 300 Kelpie, Border Collie and Cattle Dog types entering our shelters annually, in previous years.

Whether changing the laws will successfully motivate behaviour change, on a large scale, is a more complicated question. Legislation is a very proscriptive, and some might argue, blunt tool with which to effect behaviour change. There is no doubt that there is a role for legislation to play in educating and enforcing minimum standards. There is also a role for legislation, particularly in the objects and explanatory materials, to guide animal owners towards best practice. However, there are risks with overregulating, including disenfranchising parts of the population. When the Australian Capital Territory enshrined sentience, for example, there was a significant criticism in both mainstream and social media (Hook, 2019). It seemed, to the engaged observer, that there had been a failure to manage the expectations and explain the rationale behind sentience recognition. So too, with the CAA reform agenda, there is an education piece which must run simultaneous to the statutory reform process, or it risks obsolescence on the one hand, and disenfranchisement on the other.

Breed specific licensing:

RSPCA NSW does not support any legislative change that is specific to a dog’s breed. Breed specific legislation has consistently been demonstrated to be ineffective at improving human safety (Nilson, Damsager, Bonander & Lauritsen, 2018) and has a range of perverse outcomes. It is acknowledged that the size of a dog increases the consequence of a dog attack and therefore heightens the risk. If education was to be targeted to certain dog owners, then owners of larger dogs, of any breed, would be a logical priority.

Question d) How could the legislation be improved to motivate better cat owner behaviour and encourage owners to manage cats more responsibly? (For example, cat containment)

Identification and registration

Identification (microchipping) seems to be the gateway to companion animal management. The dismal rate of feline registration indicates that the current system is not working (CIE Rehoming Report, 2022). It is fundamental that barriers to microchipping (and registration) are removed. If the process is simple and has no significant financial implications owners will be encouraged to have their cats identified. Of importance to the feline context, removing registration fees will also encourage people to take responsibility for unowned cats that they care for, keeping them out of the pound and shelter system.

RSPCA NSW supports simplifying the two-step microchip and registration process as it is confusing. Current terminology adds to the confusion with owners assuming that if their cat was identified and added to the Pet Registry that this is analogous to registration. Simplification could be achieved by removing the requirement for registration altogether or by linking the two processes to occur simultaneously.

It is understood that the purpose of registration is to raise revenue for Councils and to incentivise desexing. Noting the very low rates of registration, and the even lower rate of registration of un-desexed cats, it seems there may be more effective ways to achieve these objectives. If registration is retained, it should be free for the animal's lifetime to remove financial barriers.

To improve the veracity of the data on the register, updating the status of the animal must be made a simple, accessible process accompanied by regular reminders to do so. Greyhound regulators have implemented processes, in various jurisdictions, that improve electronic lifetime tracking such as automatic check ins on visiting veterinarians (including updating vaccination and desex status and death). These technologies should be explored for companion animals as a more successful tracking mechanism than the current registration system.

The annual permit fee for non-desexed cats over four months of age needs addressing as it is unfairly penalising owners who acquire cats over this age and discouraging compliance with laws and good outcomes for the cats. There is no evidence that it has increased cat desexing rates but anecdotal evidence that it has reduced registration rates.

Cat containment

RSPCA does not support mandatory cat containment laws for the reasons described in RSPCA position paper 8 ([PP-A8-Cat-Containment-2024.pdf](#)). Support for the introduction of mandatory 24/7 cat containment would need to be based on evidence that it can achieve the stated objectives for cats, wildlife, and the broader community, and that the potential negative consequences can be eliminated or effectively mitigated. The RSPCA supports and encourages such research.

Although there is a lack of research and strong evidence in this area, the RSPCA considers, based on the best available evidence, basic principles, and risk assessment that the following broad potential risks of mandatory cat containment include:

- a. Increased incidence of cats being surrendered or abandoned due to owner inability or unwillingness to transition currently roaming cats to a contained lifestyle and provide an appropriate contained environment.
- b. The expense of erecting cat-proof barriers to contain cats on a property could be a barrier to cat ownership or retaining cats, which would have an inequitable impact on existing or potential cat owners on low incomes. The potential difficulties of mandatory containment for cat owners in rental properties would include getting permission from the property owner to have a cat and/or

- to erect cat-proof barriers, and additional associated expenses which could be incurred multiple times if the renter needs to move property.
- c. Cat owners might avoid permanently identifying their cats, to reduce the risk of a penalty being imposed if their cat is caught roaming away from home, which could reduce the probability of a roaming cat being reunited with their owner.
 - d. High euthanasia rates or negative welfare outcomes for impounded cats.
 - e. Imposing a significant financial and resourcing burden on local government and animal management services.
 - f. The potential for a significant impact on the operations and staff at animal shelters, pounds, and animal welfare organisations.
 - g. Community members who do not like cats might be incited to trap or even harm cats outside their owner's property.
 - h. A perception that cat containment will resolve all cat-related community issues, which could lead to a reduction in resourcing of other important cat management projects (e.g. programs for desexing and/or effective and humane management of unowned and semi-owned cats).
 - i. Inadequate education on cats' physical and mental needs. Insufficient understanding of cats' physical and mental needs and appropriate containment methods could lead to people containing their cats in unacceptable ways such as by tethering.
 - j. If Council by-laws are insufficiently 'grandfathered' cats who are unable to cope with containment will suffer with welfare compromise, potentially develop associated physical or mental problems, be surrendered, or euthanised.

The potential for negative (and positive) consequences and their level of impact are likely to depend on a variety of factors relating to how mandatory 24/7 cat containment is implemented (e.g. whether and to what extent the provisions are 'grandfathered' and if mandatory containment is enforced) and the extent and effectiveness of other cat management efforts in the area (e.g. strategies which address semi-owned and unowned cats). This also makes assessment of outcomes (positive and negative) challenging.

RSPCA NSW is very alive to the animal welfare, ecological, environmental, and public nuisance issues associated with cats. However, we identify that it is a complex issue that requires a more nuanced approach. The approach must consider the specifics of each cat population (owned, unowned, semi-owned and feral) and the influences on cat owner decisions. It has been shown through the RSPCA NSW's Keeping Cats Safe at Home program that it is possible to shape meaningful behavioural change in pet owners specifically in relation to cat desexing and containment. However, it requires an approach that supports the owner's capability to do so (Ma & McLeod, 2023).

Cat hoarding

RSPCA NSW is uniquely placed to report on the, not uncommon, scenario of large numbers of cats being kept by individuals who cannot meet the needs of the cats and who, due to the overwhelm of the sheer numbers of cats, are not having them desexed or their veterinary care attended to. Most of these cases present as "rescue hoarders" (Snowdon, Halliday, Elliott, Hunt & Coleman, 2020) which describes the scenario whereby the carer accepts cats into their care because they are unwanted, stray or have nowhere else to go. Invariably they are identified in the community as someone who will accept cats and so become a target for those wishing to surrender a pet or relocate a stray. The consequences of these scenarios are severe. The cats are often not experiencing a life worth living but the physical and mental health of the carer is also seriously jeopardised. Further, when interventions occur, the impost on the various agencies

are extreme with the need to manage the unwell human, the condemned residence and large numbers of cats needing sheltering, veterinary care, and rehoming (or euthanasia where appropriate). Although animal hoarding is a complex psychological condition it is certain that the absence of any local government commitment to managing stray cats is exacerbating the problem. Where Councils will not accept stray cats the pressure on these individuals to take in cats beyond their capacity to do so becomes extreme. The laws need to change to require Councils to take responsibility for stray cats. However, this will not solve the cat overpopulation problem which must be addressed by removing barriers to cat desexing.

Question e) Are there other matters that should be considered?

A critical aspect of “responsible pet ownership” is sterilisation of the pet to prevent breeding. RSPCA NSW’s research and experience supports the finding that where desexing is free and transport barriers can be overcome the uptake of desexing is high. Relying on registration discounts to motivate desexing is not effective. Therefore, we cannot emphasise enough that, to meet the objectives described in the Discussion Paper, law reforms must be accompanied by a strong commitment by government to support targeted desexing programs. This was a position supported by the Rehoming Report (CIE Rehoming Report, 2022).

Similarly, to prevent and address the behavioural problems associated with high-risk dogs a priority must be subsidising veterinary and behavioural services. RSPCA NSW provides over \$800,000 of free and subsidised veterinary and veterinary behavioural care to clients, annually, who would not otherwise be able to access this care. These interventions address some very significant animal welfare and human safety concerns but programs like this require expansion across NSW if companion animal issues are to be successfully addressed.

2. Compliance and enforcement role of Council

a. What changes to NSW laws, regulations, codes or guidelines could be provided to Councils and other enforcement authorities to better support responsible pet ownership?

Definitions

To reduce the ambiguity regarding the role of Council the CAA should contain clear definitions of cat populations: owned, unowned, feral and stray (CIE Rehoming Report, 2022).

Councils must have a positive obligation to perform functions under the CAA including specifically stray animal intake:

Currently there is sufficient ambiguity as to who is responsible for stray animal, but particularly stray cat management. Councils must be required to accept cats presented to them, they must also have responsibility for collecting stray animals deposited at veterinary clinics and other rescue organisations both during and outside business hours. Under current arrangements a seized animal detained at an approved premises that is not reclaimed within 72 hours must be transferred to a Pound (s63A CAA). However, the framing of this obligation is ambiguous and may indicate a statutory intention that the approved premises use those 72 hours to attempt to reunite lost pets with owners and that a Council may decline to receive the animal within 72 hours. The statutory ambiguity needs to be resolved, and in any event the transfer of lost animals to pound facilities is a function that should be performed by Council. They will then have the obligation to perform searches to reunite lost animals with owners. Notice requirements pursuant to s63(3) must be modernised and take into account alternative methods of contact including SMS or email.

The regulatory environment is not definitive, exhaustive or easily interpreted

The regulatory regime in respect of the ownership, minimum standards of care, sheltering and impounding, status of pounds as animal trade, companion animals and the systems and services which support these issues is complex, antiquated and failing to deliver for the people and animals of NSW.

An attempt to list the regulatory framework applying to animals in NSW, will inevitably omit some aspect if only because of the length of the list, however it includes:

- a. The CAA and associated Regulations 2018 (**CAReg**).
- b. Guideline on the exercise of functions under the Companion Animals Act - 2015, issued by the NSW Office of Local Government.
- c. The Prevention of Cruelty to Animals Act 1979 (NSW) (POCTAA) and associated Regulations 2012 (**POCTAR**).
- d. The NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments 1996 (NSW) (**the Boarding Code**). None of the applicable legislation, regulation, codes, or guidelines speak cohesively to each other.

They are administered by different government departments, and the CAA is quite imprecise. They do not, for example, operate on an agreed set of definitions, such that concepts like stray, feral, infant, or pet are not defined, rehoming organisation is often used interchangeably with rescue and pounds with shelters. The language within the CAA would benefit from being simplified. It is likely to aid interpretation and compliance to adopt terminology that is intuitive and plain English. For example, terminology around 'seizing' animals is confusing when it may simply refer to the act of any member of the public collecting and delivering a stray animal to a pound, 'surrendered' is not used to mean an owned animal being relinquished (as would be its common language meaning) and 'identified' invariably refers to 'microchipped' but this is not entirely clear to the uninitiated.

Care standards for cats and dogs

As already elaborated, care that provides for the health and wellbeing of companion cats and dogs will substantially contribute to the objectives of reduced animal straying and relinquishment, safer animal interactions and better animal welfare. Details for the care of dogs and cats are currently contained in some codes or standards within the POCTA framework. However, these documents are limited in scope (e.g. breeding dogs and cats, animals in pet shops and boarding establishments) and are lacking contemporary review. The only welfare requirements for companion animals, in homes, are the very minimal requirements for proper and sufficient food, drink, shelter and necessary veterinary care that are within POCTAA. This could be addressed by adopting the approach of the Victorian Government of developing a Standard for the Private Keeping of Dogs and Cats (<https://agriculture.vic.gov.au/livestock-and-animals/animal-welfare-victoria/pocta-act-1986/victorian-codes-of-practice-for-animal-welfare/code-of-practice-for-the-private-keeping-of-cats>, <https://agriculture.vic.gov.au/livestock-and-animals/animal-welfare-victoria/pocta-act-1986/victorian-codes-of-practice-for-animal-welfare/code-of-practice-for-the-private-keeping-of-dogs>).

In addition to the statutory reform, a considered regulatory approach and Code of Practice for pounds needs to be created. It is possible, within the delegated legislative approach, to achieve both effective enforcement of the law and guide best practice for companion animal ownership, but it requires a holistic and considered approach. When the Animal Welfare Bill was reviewed the only substantive recommendation from the Committee was that the Regulations and Codes be updated for consideration by

the Parliamentary Committee simultaneously. Therefore, RSPCA NSW supports the proposal to review the CAA and regulation simultaneously but without concomitant progress of the POCTAA, regulations and standards there will remain gaps and inconsistencies (Standing Committee First Report, 2022).

Regulatory framework for animal trainers and behaviourists

As discussed, there is a significant need for many owners to access behavioural advice and support for their dogs and cats. There is currently no reliable way to ensure that a person offering their services as a behaviour trainer is of a certain standard of practice.

The position statement of the International Association of Animal Behaviour Consultants (IAABC) describes the problem:

The absence of meaningful requirements in the field means that best practices need not be adhered to by those choosing to forego the necessary education and assessment of their own skills. The lack of such standards has been shown to increase the risk of relinquishment to shelters, the emergence or worsening of aggression and other serious behavioral issues in animals, and fails to protect trainers, the public, and the pets in their care.

<https://iaabc.org/regulation-in-animal-training-and-behavior>

A scheme is required to standardise and support the practice of animal training and behaviour consulting.

b. How could NSW laws, regulations, codes or guidelines be improved to support Councils to better manage dangerous and restricted dogs?

Part 5 CAA makes provision for nuisance, menacing, dangerous and restricted dogs. RSPCA NSW comments below in relation to the ambiguity of the CAA, particularly in respect of definitions which are fundamental to the operation of the legislation, however that comment applies to this issue also.

Nuisance dogs

32A Nuisance dogs

(1) For the purposes of this section, a dog is a nuisance if the dog—

- (a) is habitually at large, or
- (b) makes a noise, by barking or otherwise, that persistently occurs or continues to such a degree or extent that it unreasonably interferes with the peace, comfort or convenience of any person in any other premises, or
- (c) repeatedly defecates on property (other than a public place) outside the property on which it is ordinarily kept, or
- (d) repeatedly runs at or chases any person, animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock) or vehicle, or
- (e) endangers the health of any person or animal (other than vermin and, in relation to an animal, otherwise than in the course of droving, tending, working or protecting stock), or
- (f) repeatedly causes substantial damage to anything outside the property on which it is ordinarily kept.

RSPCA NSW regularly receives complaints regarding what might be considered 'nuisance' type behaviours, in both dogs and cats, particularly in relation to barking and roaming. The s32A definition of nuisance dog, replicated above, is unclear as to both the detail of the behaviour it is attempting to regulate, and the level

and type of evidence required to satisfy such a definition. It is unclear, for example what 'habitually at large' means, or how many times an animal needs to be found outside their owners' homes before the definition might be said to be met. Members of the public often indicate that their local Council has told them they have to keep a logbook of incidents where a dog or cat roams, defecates, or vocalises excessively. It is unclear, however how many instances, over what period, or for what duration or intensity might satisfy the Council. Nor is there uniform guidance available as to what specific Councils might consider evidence of a sufficient type or quality.

Councils publish (on an apparently irregular or ad hoc basis) Companion Animal Management Plans (see for example the 2016 Cowra plan) but they do not often give residents any guidance as to what behaviours they would consider meet the statutory definition. This has consequences at both the education and enforcement level of engagement with residents. It is impossible for owners who may be struggling with their pets' behaviour to know at what point the issue becomes one of liability. The adage that good fences make good neighbours is true at lots of points in the regulation of these contexts. Councils need to consider updating their publications more regularly, and attempt to achieve greater specificity about what they consider breaches particularly of Part 5 of the CAA. It is unknown how many penalty infringement notices (PINS) Councils issue in this context (and the PIN amount is only \$180 so maybe people are paying the PIN rather than court electing to dispute the allegation). However, there are only six charges recorded in the Judicial Information Research System between October 2020 and September 2024 indicating that Councils are not utilising this charge category regularly.

Menacing and Dangerous Dogs

33A Meaning of "menacing" and "menacing breed or kind of dog"

(1) For the purposes of this Act, a dog is *menacing* if it—

- (a) has displayed unreasonable aggression towards a person or animal (other than vermin), or
- (b) has, without provocation, attacked a person or animal (other than vermin) but without causing serious injury or death.

(2) The regulations may declare a breed or kind of dog to be a *menacing breed or kind of dog*.

33 Meaning of "dangerous"

(1) For the purposes of this Act, a dog is dangerous if it—

- (a) has, without provocation, attacked or killed a person or animal (other than vermin), or
- (b) has, without provocation, repeatedly threatened to attack or repeatedly chased a person or animal (other than vermin), or
- (c) (Repealed)
- (d) is kept or used for the purposes of hunting.

(2) A dog is not, for the purposes of subsection (1) (d), to be regarded as being kept or used for the purposes of hunting if it is used only to locate, flush, point or retrieve birds or vermin. Vermin for the purposes of this subsection includes small pest animals only (such as rodents).

RSPCA NSW will deal with these two categories of dogs together because the definitions display similar ambiguities as that described with nuisance dogs, above, and because of the extent to which they may be said to overlap in relation to behaviours of a similar type. The definition of menacing and dangerous in sections 33A(1)(b) and s33(1)(b) describe the same conduct, that is the dog, without provocation, attacks a person or animal. The difference is that for a menacing dog the injury cannot be injuries of a serious type or

death. The better provision is the earlier s33A(1)(a) “displayed unreasonable aggression” because that reflects both the level of the provocation and the outcome. A reference to a bite scale would improve understanding and permit education of owners, particularly at the earlier bite incidents.

The CAA also describes the control requirements for menacing and dangerous dogs separately, but the same except for the enclosure requirement, which is as follows for a declared menacing dog:

During any period that the menacing dog is on property on which the dog is ordinarily kept and is not under the effective control of a person of or above the age of 18 years, the dog must be enclosed in a manner that is sufficient to restrain the dog and prevent a child from having access to the dog. There is no definition of “effective control”, “some competent person” or “adequate chain, cord or leash” in the CAA or CAReg.

“Menacing breed or kind of dog” and “Restricted dogs”

s55 (1) The following dogs are restricted dogs for the purposes of this Act—

- (a) American pit bull terrier or pit bull terrier,
- (b) Japanese tosa,
- (c) dogo Argentino,
- (c1) Perro de Presa Canario or Presa Canario,
- (d) fila Brasileiro,
- (d1) any other dog of a breed, kind or description whose importation into Australia is prohibited by or under the Customs Act 1901 of the Commonwealth,
- (e) any dog declared by an authorised officer of a Council under Division 6 of this Part to be a restricted dog,
- (f) any other dog of a breed, kind or description prescribed by the regulations for the purposes of this section.

There are several restricted breeds (s55 CAA replicated above), but no “menacing breed or kind of dog” appears to have been identified in the regulations for the purposes of the s33A provision. There are significant practical difficulties with the breed and temperament assessments that are often required to be performed as a consequence of Local Council determinations about particular animals.

RSPCA NSW is aware of one example (identifying features removed to protect the individual’s privacy) in which one Council issued a notice of intention to declare a dog, Cleo, a restricted breed in 2015. Apparently, that Council was already investigating other CAA non-compliance in relation to the owner. The Council asserted that Cleo was a Pit Bull. Cleo came into RSPCA NSW custody, surrendered by his owner in 2021. That person did not disclose any notice in relation to Cleo to RSPCA NSW (it is not actually known if they were ever served or aware of the notice). Accordingly, when Cleo was adopted, the shelter was unaware of that entry on her record. Nor did a second Council identify that a notice of intention existed with respect to Cleo when her new owners registered her with their Council. In 2024, some nine years after the original intention was declared, the first Local Council decided to play catch up.

The new owners were understandably, devastated, and very worried about the implications for Cleo. They had had her for over three years, she was loved, and there had never been any concerning behaviours. The owner conveyed that fact, and the positive behaviour notes and behaviour assessments from RSPCA NSW. The owner conveyed to Council that they should withdraw their notice of intention on the basis that it was nine years old and given the lack of indicia supporting a view that she is a restricted breed or cross breed.

RSPCA NSW communicated that it was, from our perspective, unreasonable in those circumstances to put the owner (or RSPCA NSW who offered to pay for the assessment) to the expense and stress of a breed assessment in those circumstances. The Council, however insisted that a breed assessment be done. The new owners lived out of metro-Sydney, and so the assessment had to be done online. A fee of \$85 was paid for an online breed assessment in which the assessor could not say positively that the dog was a Pit Bull, and the notice was revoked. It does not seem that processes like those described above can have meaningfully reduced the risk of an adverse incident with Cleo.

In other contexts, the Deputy State Coroner has made a series of recommendations relating to Council performance of functions under the CAA, and statutory amendments including:

Deleting the trespass exception to the s16 offence of a dog attacking a person or animal

In relation to the Deputy State Coroner's fifth and sixth recommendations, these need to be read in the context of the role they played in the analysis of the circumstances in advance of the dog attack which caused a child's death. It seems likely that the Rangers were acting on either a misapprehension of their powers, or the role of another animal trespassing might play in vitiating liability under s16 of the CAA. Accordingly, these two recommendations are very specific to the circumstances of that case. However, her Honour records that as at 2024 the Coronial jurisdiction in NSW had at least nine inquests before it relating to fatal dog attacks since 2009. It is clear that apart from the very understandable desire to deal with the individual inquests, there is a desire from that jurisdiction at least, to take meaningful steps to address contributing factors in these devastating cases.

The Deputy State Coroner records, at page 48, the following factors common to many of the cases:

- (i) There have been a concerning number of dog attacks on people in NSW in the past 15 years which have resulted in serious injury or death.
- (ii) Most attacks, fatal or otherwise, are on infants or children at the home at which the dog ordinarily lives. Attacks on strangers in public places are less common (in the matters outlined above, the only case of a fatal attack on a stranger in a public place was that of Ada Zara Holland).
- (iii) Infants or children are at greater risk owing to their size and vulnerability and, potentially, owing to their behaviours with or around dogs.
- (iv) Most victims are known to the dog before the attack, with many living at the home where the dog ordinarily lives.
- (v) Many fatal attacks have involved American Staffordshire Terriers (or crossbreeds thereof), Staffordshire Bull Terriers (or crossbreeds thereof) and Rottweilers.
- (vi) In many cases, the dogs that committed fatal attacks were not known to Councils or authorities for previous attacks on people
- (vii) The absence of a known or past attack on a person is not a definitive indicator of whether a dog may go on to seriously or fatally attack someone.
- (viii) That said, and consistently with the expert opinion of Professor McGreevy, a dog that has previously attacked a person or animal may thereafter be at increased risk of attacking a person or animal in future.
- (ix) Many owners may underappreciate the risks posed by their dog(s). This may be based on the absence of any prior events of concern

The CAA is a complex statutory instrument, Like POCTAA, it has been amended some 14 times in the last 10 years. There was evidence taken at an inquest that the dog responsible for the death of a child had killed a neighbour's dog, in the weeks leading up to the attack on the child. However, there was no determinative evidence that the neighbour's dog had not trespassed onto the yard, thus, in the minds of the rangers, it seems, enlivening the exception in s16(2) CAA.

Each circumstance needs to be considered in terms of the behavioural evolution and ethology of the dog. Despite the possibility that a dog, confronted by another on their own property, may experience a protective emotional state, it remains abnormal for a dog to intentionally kill another of its species, and this should trigger action to reduce future risk, regardless of a trespass situation. However, dogs are predators, and so the killing of prey (such as a trespassing cat) is distressing but does not necessarily represent abnormal behaviour or suggest an increased risk to other dogs and people.

Broadening the scope for the exercise of powers under s18 CAA

The consequence of the uncertainty regarding whether Arrow trespassed is that the Council rangers were operating in a state of uncertainty about whether they could seize under s18(1). It is often the case that incidents, particularly dog fights, or attacks on smaller animals (cats, pocket pets, birds etc) happen at times and in ways unobserved by the owner / person in charge of an animal. So, the evidentiary uncertainty is understandable. The CAA should make it clear that a ranger has the power to seize a dog to permit those enquires to be resolved, at least for an investigative period, while they ascertain the state of the evidence as to the incident under investigation.

Reducing dog bites

There is support for the maintenance of control measures such as appropriate muzzling in public and preventing escape. However, the analysis of fatal attacks demonstrates that, usually, these occur in the home where the animal normally lives. Mitigating risk in this context becomes difficult.

Invariably dog owners report, after being bitten, that the behaviour "came out of nowhere". It only takes a brief examination of social media to appreciate the extent to which people misinterpret canine behaviour, particularly signs of anxiety, avoidance and stress. The sequelae to this is often inappropriate and unsafe handling and responses to dogs. For example, videos posted of dogs represented as enjoying being hugged or kissed while showing signs to the contrary such as licking, rolling over, looking away, yawning. Rarely do those interacting with the dogs recognise these as signs to give a dog space leading to a need for the dogs to escalate their behaviour to communicate their discomfort.

Teaching people to interpret canine behaviour and respond appropriately is key but will only benefit those that are receptive. A 2022 NZ systematic review of dog bite prevention studies found that multiple strategies including education and legislated strategies (registration/leash laws/education) could reduce dog bites. In fact, their findings suggest that restrictions should be made for all dogs not specific breeds, that based on breed alone was not effective (Duncan-Sutherland et al, 2022).

Adequate resourcing must be allocated to enable effective enforcement and strategies to prevent dog bite incidents.

The RSPCA position paper A1 Prevention of dog bite incidents involving humans describes regulatory aspects that should be adopted including:

Policies should focus on a holistic approach that includes responsible owner/handler practices, improving community understanding of dog behaviour and how to interact safely with dogs, and management of the environment and human-dog interactions to reduce risks, including acknowledging that the potential for injury is related to dog size.

Mandatory identification (by microchip) of all dogs provides a database of owned dogs and traceability for transfers or movements of dogs across owners and jurisdictions. Regulations alone are insufficient to reduce the risk of dog bite incidents and need to be supported by preventive education programs and research.

Training and education on responsible dog ownership should be made readily available to prospective and current dog owners. This could be facilitated by a nationally consistent online education program that is made available for community access with the view of improving people's understanding of dog behaviour, dogs' physical and mental needs, and appropriate and safe dog-human interactions (including appropriate socialisation and enrichment), and how to reduce potential risks from their dog. All training, education, and resources should be evidence based, regularly reviewed and updated when indicated, and should promote effective positive reinforcement training.

Owners of declared menacing dogs should be given the option for their dog to be assessed after appropriate intervention for possible rescindment of a 'menacing' declaration. Owners of declared dangerous dogs should be given the option for their dog to be assessed after appropriate intervention for refinement of the conditions imposed upon keeping the dog to improve the dog's welfare.

c. Are the current enforcement provisions under the Act (including penalties for offences - see Appendix B of the Discussion Paper) appropriate? If not, what enforcement provisions should be changed?

Provisions

In the absence of robust enforcement and evaluation metrics it is hard to establish how appropriate the provisions are. Responses throughout this paper describe areas where the provisions require amendment.

Penalties

Appendix A of the Discussion Paper sets out the Penalty Infringement Notice (PIN) amounts for offences under the CAA. There does not appear to be an Appendix B to the Discussion Paper. However, for completeness, and with reference to the sections the subject of recommendation number 4 by the Deputy State Coroner in the Inquest into the death of a child, the maximum penalties and PIN amounts are as follows.

I have also prepared an analysis of the Judicial Information Research System (JIRS) Sentencing statistics for these offences:

Section	Offence	Maximum penalty		PIN amount		JIRS sentencing ¹ October 2020 – Sept 2024	
		Not dangerous menacing restricted	Dangerous menacing restricted dog	Not dangerous menacing restricted	Dangerous Menacing restricted	Not dangerous menacing restricted	Dangerous Menacing restricted
12A	Failure to prevent a dog from escaping	\$880 fine	\$5500 fine	\$220		23 cases 8 x s10(1)(a) dismissal 2 x s10A convicted no further penalty 13 x fine only (range = \$50 - \$600)	1 case \$550 fine only
13	Maintaining effective control in public	\$1100 fine	\$11000 fine	\$1760	\$330	83 cases 43 x s10(1)(a) dismissal 3 x CRO without conviction 3 x s10A convicted no further penalty 34 x fine only (range = \$80 - \$1000)	3 cases 1 x s10(1)(a) dismissal 2 x fine (\$2000 each)
14	Dogs prohibited in some public places	\$1100 fine	\$11000 fine	\$330	\$1760	17 cases 9 x s10(1)(a) dismissal 2 x s10A convicted no further penalty 6 x fine (range = \$50 - \$350)	1 case \$1760 fine (the PIN amount)
16	Offences where dog attacks person or animal	\$11000 fine	\$44000 fine	\$1320	No PIN available	157 cases 21 x s10(1)(a) dismissal 16 x CRO without conviction 6 x CRO with conviction	8 cases 2 x s10A convicted no further penalty 6 x fine (range = \$400 - \$2500)

¹ JIRS Sentencing Statistics, accessed under subscription, 01.05.2025. Please note the range of the fines imposed are for those matters with sentencing data available on a disaggregated level only.

Section	Offence	Maximum penalty		PIN amount		JIRS sentencing ¹ October 2020 – Sept 2024	
		Not dangerous menacing restricted	Dangerous menacing restricted dog	Not dangerous menacing restricted	Dangerous Menacing restricted	Not dangerous menacing restricted	Dangerous Menacing restricted
						2 x s10A convicted no further penalty 112 x fine (range = \$200 - \$6000)	
16(1A)	Attacking dog not comply with ss51/56 requirement	N/A	\$22000 fine and/or 2 years imprisonment	N/A	N/A	N/A	2 cases 1 x fine only (\$1500) 1 x CCO
17	Dog must not be encouraged to attack	\$22000 fine	\$77000 fine and/or 5 years imprisonment	No PIN available	No PIN available	No entry	No entry

There is no evidence that in dealing with offenders before the Court, that the maximum penalties currently available are insufficient. RSPCA NSW does not support an increase in the maximum penalties. The PIN amounts are relatively low as a percentage of the maximum penalty. RSPCA NSW does not have access to data on the number of PINS issued for the above offences. However, we would expect, with some insight into Council operations, that most matters for which PINS are available would be dealt with at first instance by a PIN.

d. Are there other compliance and enforcement matters that should be considered?

The CAA also requires significant review to clarify the obligations of how shelters and rehoming organisations are to comply with identification requirements. RSPCA NSW has been directed by OLG to complete and submit change of owner forms within seven days of pets entering the rehoming organisation (accompanied by a range of personal details of the previous owners) to then change the ownership to the new owners on adoption. This could involve the processing of over 10,000 forms annually which, if done manually by submitting for processing by Council results in delays that result in completely inaccurate ownership details for animals. This direction from OLG does not seem to be well supported by the provisions of the CAA and CAR with exemptions to s8 and s9 of the CAA provided by clause 17(1)(c) of the regulation. However, the convoluted nature of this framework does not assist in its interpretation.

The CAA needs to work with POCTAA to establish a clear differentiation between stray and abandoned animals. There are consequences for an animal that must be held for 21 days under s31A of POCTAA due to “abandonment” when they could begin their rehoming journey after a seven-day holding period as an unidentified stray animal. Where there are no avenues to investigate potential ownership, and no confidence that the found animal is truly associated with a premises or person, asserting that it is abandoned is futile and harmful to the animal.

3. Companion animal population and rehoming

a. What more could be done to reduce stray and homeless cats and dogs in NSW?

In September 2022 a draft report on Rehoming of Companion Animals in NSW was published. This report was commissioned by the government and required input from a range of stakeholders (CIE Rehoming Report, 2022). It is unclear why, three years later, the report remains in draft form on the OLG website and why this report was not referenced in the Discussion Paper. RSPCA considers this a well-researched and reasoned report, and it should inform this review.

Approaches that should be used to reduce stray and homeless cats and dogs in NSW include:

- a. The NSW Government establishing an ongoing funding arrangement for targeted desexing programs for cats and for dog breeds and types that are over-represented in pounds and shelters.
- b. Funding and support for programs that provide access to free or subsidised veterinary and behaviour services.

b. What changes can be made to NSW laws, regulations, codes or guidelines to reduce the number of companion animals entering the pound and rehoming system in the first place?

Mandatory cat containment policies should be avoided as they are expected to increase cat entry into pounds and shelters.

Any initiatives that improve the effectiveness of the identification system should be prioritised. This includes increasing microchipping rates and implementing proactive processes to keep the contact details current. Mechanisms for the public to notify the microchipped owner directly would prevent pound admission as would supporting Council pound staff to exercise discretion and flexibility in returning lost animals to their homes without barriers to reuniting with their owners (such as insistence on registration and reclaim payments).

Reducing pound and shelter cat intake would be assisted by removing barriers to caregivers taking legal ownership for unowned cats, including; removal of registration and permit fees, removal of limits on the number of cats that can be registered to a person, and providing assurances about ownership status where un-identified cats appear to have no home. The latter reform would remove the requirement for a pound holding period for a cat that is known to the carer. In addition, clause 18(4)(c) of the CAReg waives the registration fee otherwise payable for companion animals 'desexed and sold' to the owner by a rehoming organisation. This provision should be amended to permit sale, adoption, transfer, or desex of a desexed companion animal by a rehoming organisation to accommodate the range of programs not for profit organisations undertake to ensure semi-owned cats are desexed and owned.

There are a series of animal use industries that add to the number of dogs and cats requiring homes. These animals end up within an already saturated rehoming system, as industry "wastage", exacerbating the companion animal overpopulation issues. The greyhound, animal research and working dog industries require review to minimise their contribution to this significant issue.

c. For companion animals needing to enter the 'pound' system, what could be done to increase rehoming?

The quality of the care provided to impounded cats and dogs will impact their ability to be rehomed because it will reduce the chance of the animals deteriorating in health or behaviour to the point that they become unsuitable or undesirable for adoption. Ensuring good quality of care in pounds and shelters requires the development of a pounds and shelters standard with mandatory training and qualifications, for staff, in animal welfare and behaviour.

International Cat Care have published principles of cat friendly rehoming, to support good feline welfare and rehoming outcomes, that are based on providing good quality of care and considering the individual needs of the cat to determine an appropriate outcome (<https://icatcare.org/articles/what-is-cat-friendly-homing#following-the%20cat%20friendly%20homing%20model>)

The model also highlights the value of finding alternatives to facility admission and sheltering for cats that will not do well in this environment. Poorly socialised cats present challenges for rehoming as they find confinement extremely stressful and are not appropriate for traditional companion lifestyles that involve proximity to humans. These cats have been referred to as “in-betweeners” and require solutions such as facilitating an existing care giver to desex, microchip and care of the cat in its environment.

Length of stay in shelter-type facilities is negatively correlated with good outcomes for the animals. Therefore, initiatives that reduce the time in care will increase rehoming rates. There are currently some legislative barriers to minimising length of stay.

Issues relating to animal management per the CAA

Where an animal has come into custody and notice is required to be given under s63 CAA, the legislation provides that if the animal is not claimed that the animal may be destroyed or sold after the period of fourteen (14) days following the giving of the notice. Notice is ordinarily given by posting a letter to the last known address of the registered (or otherwise known) owner.

The use of the word "give" in the legislation brings into application s76 Interpretation Act (NSW) 1987. This means that the notice isn't deemed to have been given until seven (7) working days after the letter has been posted, and then a full fourteen (14) days must be given from that day. To avoid this unnecessary effluxion of time, RSPCA NSW has previously suggested that the Act specify that the holding starts from the date of entry into custody.

Stray cats are rarely captured by the definition of ‘seized’ under the CAA and, consequently, Council facilities rarely accept transfer of stray cats from approved charitable organisations. Therefore, the burden of undertaking the Council function falls to rehoming and charitable organisations despite the legislation not applying to these organisations in respect of these notice requirements. This creates great ambiguity about how these organisations should proceed.

The CAA has the longest statutory requirement for the holding of identified stray animals in Australia. The adverse consequences of lengthy pound stays include:

- a. at-capacity pound facilities with reduced capacity to care for animals,
- b. increased animal stress,
- c. subsequent increased rates of infectious disease,
- d. reduced home-ability
- e. higher euthanasia rates due to infectious disease, behavioural decline and capacity limitations

f. impact on staff responsible for managing animals over longer times.

This cascade of issues and poor outcomes, related to length of stay, is well described by shelter medicine experts. However, the argument against shortening holding periods is one that asserts that this puts animals at risk of euthanasia before an owner can find their unidentified pet and be reunited. While RSPCA NSW internal data do not support this as a significant risk, the concern is appreciated.

A suggested reform to address both concerns would be to allow unidentified animals to be prepared for adoption without a holding period. This would allow for cats and dogs, that have no evidence of ownership, to be desexed and prepared for adoption without delay while still providing ample time, throughout this process, for an owner to come forward or to identify the animal as available for adoption. Ultimately, unidentified animals do not have an owned status and so giving the person in charge of the animal the power to make good, timely decisions that improve their outcomes is a reasonable statutory position.

d. Are there other dog and cat population and rehoming matters that should be considered?

The Companion Animals Amendment (Rehoming Animals) Bill 2021

On 4 March 2022, the Rehoming Animals amendment commenced, amending the CAA by inserting a new s64B which requires Councils to give written notice to two rehoming organisations and take reasonable steps to advertise online or via social media that the animal is available for rehoming before destroying an animal pursuant to s64 or s64A CAA.

There are consequences, perhaps unanticipated, at the time of its enactment, that have eventuated following this amendment. Of course, the stimulus for the amendment was in response to the shooting deaths of a number of dogs, whom a rehoming organisation had offered to rehome, during the worst of the COVID19 pandemic. There is no doubt that the unnecessary killing of animals should be avoided, the question is whether POCTAA and the CAA on their own or in conjunction with each other achieve that end with no unintended consequences.

The provision itself speaks to Councils being required to take certain action - s64B(1) "A Council must, before taking action under section 64 or 64A to destroy a seized or surrendered animal -".

A Council is defined per s5 CAA:

Council means -

- (a) the Council of an area under the Local Government Act 1993, or
- (b) the Lord Howe Island Board in relation to Lord Howe Island (the Lord Howe Island Board's area for the purposes of this Act), or
- (c) the person appointed under section 6 (1A) in relation to land within the Western Division that is not within an area under the Local Government Act 1993 (the appointed person's area for the purposes of this Act).

It is uncertain whether an entity (including a rehoming organisation) performing pound services on behalf of a Council is required to comply with s64B.

In addition, the s64B(9) exclusion of operators of Council pound provides that "rehoming organisation does not include a Council or another operator of a Council pound".

In the definitions to the CAA, rehoming organisation is defined: rehoming organisation means -

- (a) a Council or any other operator of a Council pound, or
- (b) the Animal Welfare League NSW, or
- (c) the Cat Protection Society of NSW Limited, or
- (d) the Royal Society for the Prevention of Cruelty to Animals; New South Wales, or
- (e) any other organisation that is, for the time being, designated as a rehoming organisation by the Departmental Chief Executive under section 88B.

For the exclusion of rehoming organisation in subs (9) to have any work to do, it must intend to exclude Council pounds and another operator of a Council pound. So one Council pound cannot rehome to another Council pound. Obviously, this attempts to avoid animals shuffling (even administratively) between pound operators and being euthanised anyway.

These technical issues of the legislation aside, there are concerns that the requirement to approach rehoming organisations or other rescues to take animals that are otherwise unable to be retained by the Council pound (whoever is operating it).

Section 64(2) CAA permits Council to destroy “feral” or “infant” animals prior to them serving the impound period.

Section 64 CAA - Unclaimed seized or surrendered animal may be sold or destroyed ... (2) However, the Council may, in accordance with any policy that has been adopted by the Council in relation to the management of feral or infant companion animals, destroy the seized or surrendered animal concerned before the end of any such period referred to in subsection (1).

In practice, what this provision in conjunction with appropriate policy settings permitted, prior to the amendment, was the humane destruction of feral cats and infant companion animals which were too young to survive without the queen or dam and had no options for hand rearing. As s64B provides that prior to taking any action to destroying an animal pursuant to s64 or s64A, Councils must make the animals available for rehoming to two rehoming organisations and give them seven days to arrange their collection. This causes significant problems, both for shelter capacity, holding periods, but more importantly it makes the rehoming organisation or Council hold infant or feral animals for 7 days, whose experience of that holding period is likely to be particularly poor. Where the Council or other pound operator has no neonate carers, then in order to comply with POCTAA and not commit or permit to be committed, acts of cruelty on infants in their care, they must breach the CAA in order to destroy prior to the completion of a holding period or being made available to two rehoming organisations and on the internet / social media.

RSPCA NSW is aware of several cruelty complaints involving members of the public purporting to run rescue organisations receiving animals (particularly cats) from Council pound operators pursuant to s64B. On one occasion animals adopted to the rescue from Council were seized in the weeks and months that followed, for example on one occasion in populations of 70 cats in a residential home. There is a lot of pressure experienced by the operators, staff and volunteers of pounds, shelters, rehoming organisations and rescues to make space, treat, rehabilitate, and ultimately provide love and affection for animals so that they can, in time, be rehomed. However, the professional, personal, economic and other costs associated with statutory attempts to reduce unnecessary destruction of animals need to be weighed against the potentially unintended consequences enumerated above.

Clarity on the obligations of Councils and non-government organisations presented with stray animals

The CAA can only govern what Council does within their own LGAs, it does not speak at all to what Council should do with animals from other LGAs, which is strange given Councils often share pound facilities, so their destination is often the same. More importantly, none of the applicable legislation covers the field in terms of the mechanisms by which an animal (companion or otherwise) might come into the custody of a pound, shelter or rehoming organisation. This might seem trivial, but the consequence is that the operators of shelters, pounds and rehoming organisations have to resort to significant and repeated statutory or regulatory interpretation in order to determine their legal obligations to animals which come into their care.

The note at the beginning of Part 7 (procedures for dealing with seized or surrendered animals) CAA is important in interpreting the provisions below it, it provides:

This Part generally applies in relation to companion animals that are seized under the authority of this Act or that otherwise end up at Council pounds. The requirements and procedures of this Part are not intended to apply to lost or injured animals that are taken by members of the public to animal welfare organisations (such as the RSPCA) or to a vet merely so that they can be treated or reunited with their owners. The Part also does not apply to animals that are surrendered to animal welfare organisations (unless the organisation also operates as a Council pound). If companion animals (other than those seized under the authority of this Act) end up at a Council pound (eg by being surrendered or abandoned), they may be dealt with by the pound operator under this Part.

The consequence of this note is that it seems likely that Parliament intended the RSPCA and even private vets to play a role (and likely necessarily incur some cost) for microchip scanning and probably holding for a period of time in order to reunite animals with their owners.

Thereafter Part 7 requires animals seized under the CAA to be delivered to the animals' owner, a Council pound or an approved premises (which includes any premises operated by an approved person as defined – namely the premises of an approved animal welfare organisation (RSPCA NSW, Cat Protection Society or AWL). However, there is no requirement that the pound accept an animal thus presented. This has become problematic, especially in the context of cats, where many Councils refuse to accept these displaced or unowned companion animals.

There has been a lot of ambiguity around the presentation of cats because they are regularly unaccompanied outside, they are often presented as stray or unowned. Councils regularly cite the application of the CAA as the reason why they do not collect, or 'have no power to collect' stray cats and dogs. However, a fair reading of the CAA, in conjunction with the then-Ministers Circular, Councils are obliged to perform their function pursuant to the CAA. That includes taking stray cats and dogs presented to it. While RSPCA NSW insists that there are a number of strategic approaches to be implemented to prevent cats entering pounds, where a cat is presented to a pound in the belief that it is owned but lost, the pound should accept it.

The impost on vets and animal welfare charities has become untenable with the cost to veterinarians and animal welfare charities, of managing stray animals, unmanageable. RSPCA NSW veterinary hospitals and shelter receive over 4,000 stray animals annually, 90% of which are not reunited with an owner. This costs the organisation more than \$4million annually and competes with resources and capacity required to care for animals the subject of cruelty and neglect and those being cared for through our crisis programs that are

designed to prevent the surrender and euthanasia of animals owned by people experiencing a range of challenges.

Injured / unwell stray animals and veterinary clinics

In respect of injured or unwell animals requiring veterinary treatment or hospitalisation, the situation is also very unclear, because for obvious reasons they can't be presented to a pound as required in accordance with s63A. There is no indication of who is to fund the treatment required for injured stray animals, but POCTAA requires treatment to be provided and for the animal only to be destroyed if it is considered to be in such a physical condition that it is cruel to be kept alive. In combination with animals regularly left at veterinary clinics, the impost on private veterinarians can be significant.

Animals left at veterinary clinics are not necessarily abandoned (s11 POCTAA), nor are they stray. Where their owners simply cannot afford to pay the invoice, vets are left with animals that they do not legally own, and in respect of which there is sufficient ambiguity such that pounds will often not accept the animals. In that case the vet has the invoice unpaid, and then potentially has to accept liability for transferring, rehoming or adopting animals for which they do not really have good title, but in respect of which they cannot indefinitely board the animals. RSPCA NSW is aware of individual animals living at veterinary clinics for over five months following surgery whilst the vets attempt to negotiate the reclaiming or rehoming of animals they have cared for.

The CAA must be clarified to require the relevant Council to take financial responsibility for any necessary treatment in respect of an injured stray animal and undertake the required efforts to reunite the animal with an owner and, where this does not occur, assist with decision making on the outcome for these animals.

New Policy Proposals

Appendix A provides an outline of policy ideas related to animal management and the CAA.

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Appendix A

RSPCA NSW New Policy Proposals

The Companion Animals Act 1998, introduced as a landmark piece of legislation, has undergone a significant transformation over the past two decades. However, its framework no longer adequately addresses the intricate animal welfare, public safety, and community requirements of contemporary communities across the state.

Despite the limited scope of the Discussion Paper, RSPCA NSW perceives this review as a pivotal opportunity to fundamentally reshape the state's management of companion animals. This transformation aims to transition from a reactive, fragmented system to one that is proactive, integrated, evidence-based, and equitable.

This section presents RSPCA NSW's comprehensive vision for reform, detailing forward-looking proposals designed to achieve the following objectives:

- Enhance animal welfare outcomes
- Strengthen responsible pet ownership practices
- Provide support to local Councils, veterinarians, and rehoming organisations
- Modernise the Companion Animals Register and data systems
- Alleviate the burden on public shelters and charitable organisations
- Establish a sustainable and humane funding model for the future

These proposals are underpinned by the findings of recent inquiries and reviews, such as the Pounds in NSW Inquiry, the Veterinary Shortage Inquiry, the Cat Management Inquiry, and the CIE Rehoming Review. Additionally, they draw upon peer-reviewed scientific research, RSPCA policy, and practical field experience.

Executive Summary of Key Reform Proposals

- 1. Companion Animal Register Overhaul:** Develop a whole-of-life register linked to Service NSW accounts, including breeder, vet, health, and ownership data, with real-time enforcement and public push notifications for lost pets.
- 2. Improved Enforcement and Compliance Mechanisms:** Empower rangers, vets, and rehoming groups to update records; introduce "Working With Animals" checks; and ensure disqualified individuals cannot own or work with animals.
- 3. Mandatory Desexing of Rehomed Animals:** Require desexing of all rehomed animals except where medically exempt, to reduce unwanted litters and improve long-term welfare.
- 4. Rehoming Insurance Scheme:** Create government-backed payments to pounds and rehoming organisations, covering intake, rehoming, and care costs, to remove financial barriers to rescue work.
- 5. Enhanced Enforcement of Council Obligations:** Establish an OLG enforcement team to ensure Councils meet their legal obligations and provide essential services for companion animals.
- 6. Infrastructure and Operational Improvements:** Set mandatory pound and shelter welfare standards, offer state-backed loans for facility upgrades, and fund staff training in animal behaviour and welfare.
- 7. Sustainable Funding Model:** Redirect a portion of registration revenue to Councils and rehoming organisations, linking state funding to measurable rehoming success and community outcomes.

8. **Statewide Cat Management Framework:** Adopt a uniform, evidence-based approach to cat containment, desexing, and education, replacing fragmented local practice.
9. **Funding for Keeping Cats Safe at Home:** Expand RSPCA NSW's highly successful desexing and semi-owner support program across the state, focusing on high-risk areas.
10. **Research into Containment Policies:** Fund studies into the welfare, biodiversity, and social impacts of cat containment and humane feral cat control, supporting evidence-based law reform.
11. **Veterinary Workforce Retention and Support:** Address vet shortages with scholarships, improved pay and conditions in pounds, and grants for subsidised care for low-income owners.
12. **Dangerous Dog Management and Training Regulations:** Strengthen laws to require owner training, mandate early intervention, and impose strong penalties for attacks.
13. **Long-Term Vision for Companion Animal Welfare in NSW:** Develop a 10-year roadmap for responsible pet ownership, national data-sharing, innovative rehoming models, and research on the economic impacts of pet ownership.
14. **Investment in Smart Microchip Technology:** Support the development of next-generation NFC-enabled and passive tracking microchips, making lost pet recovery faster, cheaper, and more efficient.

Together, these reforms offer NSW the opportunity to become a national and global leader in companion animal management and deliver a system that is fairer for owners, kinder for animals, and more efficient and affordable for Councils and the state.

RSPCA NSW looks forward to working in partnership with the NSW Government, local Councils, veterinarians, rehoming groups, and the community to help deliver this ambitious, transformative reform agenda.

2. Strengthening the Companion Animal Register

RSPCA NSW recommends the current major upgrade of the NSW Companion Animal Register ensure it transforms into a **comprehensive, whole-of-life tracking system** for companion animals. A modernised register will deliver better animal welfare outcomes, improve public safety, enhance regulatory enforcement, and create a platform for data-driven policy and practice across the state.

Key elements of the proposal include:

- Expanding the register to capture **whole-of-life data**, including:
 - Breeder details, birth information, and microchip data.
 - Vet visits, vaccinations, and health conditions.
 - Ownership transfers, impoundments, and fines.
 - Euthanasia records and cause of death.
- Adding **veterinary health check records** to CAR data fields to assist with routine monitoring of pet health, early disease detection, and timely interventions to prevent suffering or neglect.
- Linking the register to **Service NSW accounts**, mirroring the motor vehicle registration system. This integration would:
 - Allow pet owners to easily update details.
 - Provide digital reminders and push notifications when a pet is lost and found by a member of the public, Council ranger, or authorised person.

- Implementing a **real-time enforcement system** accessible to Councils, pounds, authorised charitable organisations, and veterinary practices, enabling immediate verification of registration status, ownership, and welfare history.

Evidence and Rationale

There is strong scientific and policy support for improving companion animal data systems:

- **Whole-of-life traceability improves animal welfare:**
Tracking an animal’s health, ownership, and welfare events over its lifetime enables early detection of neglect, abandonment, or poor welfare practices. International evidence shows that improved traceability can reduce stray populations, improve reunification rates, and strengthen prosecution of cruelty offences (ICAM Coalition, 2022; Stavisky et al., 2012).
- **Routine veterinary checks improve health outcomes:**
Routine veterinary care is critical for maintaining animal health and welfare. Studies show that regular check-ups can improve early detection of chronic diseases, reduce zoonotic disease risks, and strengthen the human–animal bond (Day, 2016; Volk et al., 2011). This aligns with RSPCA Australia’s position on proactive veterinary care (RSPCA Knowledgebase: Routine Veterinary Care).
- **Service NSW integration improves compliance:**
The NSW motor vehicle system, which integrates registration and insurance through Service NSW, is a proven model for achieving high levels of compliance and public convenience. Applying this model to companion animals will improve registration rates, reduce administrative burdens, and increase lost pet recovery (Productivity Commission, 2022).
- **Real-time enforcement enables rapid response:**
Immediate access to ownership, microchip, and health data allows Council officers, rangers, and POCTAA enforcement agencies to quickly assess a pet’s legal and welfare status. This improves decision-making in the field and strengthens enforcement of registration, desexing, and welfare requirements.

Alignment with Inquiry Findings

This proposal directly responds to key challenges identified in multiple NSW inquiries:

- The **Pounds in NSW Inquiry** called for modernising the Companion Animal Register to improve tracking and compliance.
- The **CIE Rehoming Review** highlighted the need for better data on animal movement between breeders, pounds, and rehoming organisations.
- The **Cat Management Inquiry** emphasised the importance of accurate data on stray and semi-owned cats for effective population control.
- The **Veterinary Shortage Inquiry** identified the importance of data-sharing between vets, Councils, and state agencies to improve service delivery.

3. Improved Enforcement and Compliance Mechanisms

RSPCA NSW recommends strengthening the enforcement framework under the Companion Animals Act 1998 by expanding the powers and responsibilities of key actors. These reforms will significantly enhance the Act’s capacity to improve compliance, and protect both animals and the community.

Key elements of the proposal include:

- **Granting Council rangers, breeders, veterinarians, and rehoming organisations the authority to update the Companion Animal Register and report suspected or confirmed cases of non-compliance**, such as failure to register, failure to desex when required, or breach of dangerous dog controls.
- Introducing a **Working With Animals Check and a Caring for Animals Check**, state-issued clearances modelled on the Working With Children Check, to prevent disqualified or high-risk individuals from owning, caring for, or working with companion animals.

Evidence and Rationale

Scientific and legal research strongly supports proactive enforcement and risk-prevention mechanisms:

- **Early intervention prevents escalation of harm:**
Studies on animal cruelty prevention show that proactive monitoring and reporting mechanisms reduce the likelihood of harm escalating to serious neglect, cruelty, or dangerous dog incidents (Arluke & Lockwood, 1997; Ascione, 2001). Authorising vets, breeders, rehoming organisations, and rangers to flag concerns improves early detection and intervention.
- **Link between animal cruelty and human safety risks:**
Research has consistently demonstrated the co-occurrence of animal abuse, domestic violence, and child abuse, underscoring the need to monitor who is allowed to access or care for animals (Newberry, 2017; RSPCA Knowledgebase: Animal Abuse and Domestic Violence).
- **Benefits of criminal record and risk checks:**
Evidence from child protection, disability, and aged care sectors shows that mandatory working-with-vulnerable checks reduce the incidence of harm, improve workforce quality, and enhance public trust (Australian Institute of Criminology, 2020). Extending these principles to the animal care sector aligns with global best practice.
- **Community confidence and social licence:**
Introducing public safeguards around who can own and work with animals strengthens social confidence in the companion animal system and reduces reputational risks for Councils, shelters, and industry participants.

Alignment with Inquiry Findings

This proposal aligns with longstanding recommendations from multiple reviews:

- The **Pounds in NSW Inquiry** called for improved compliance mechanisms and stronger penalties for non-compliance.
- The **CIE Rehoming Review** highlighted the importance of safeguarding the welfare of animals passing through rehoming and breeding channels.
- The **Cat Management Inquiry** raised concerns about the ability of Councils and enforcement officers to effectively regulate unowned and semi-owned cat populations without stronger powers.

4. Mandatory Desexing of Rehomed Animals

RSPCA NSW strongly supports the introduction of mandatory desexing for all companion animals transferred or sold through breeders, Council pounds, and rehoming organisations, except where a

registered veterinarian certifies that desexing is contraindicated for health or welfare reasons. This reform would significantly reduce the number of unwanted litters, alleviate pressure on pounds and shelters, and improve animal health and welfare outcomes across the state.

Key element of the proposal:

- **Require all dogs and cats transferred or sold through breeders, Council pounds, and rehoming organisations to be desexed**, unless a veterinary exemption is granted.

Evidence and Rationale

The scientific evidence supporting mandatory desexing is clear and robust:

- **Desexing reduces unwanted litters and overpopulation:**
A large body of international research has shown that desexing is one of the most effective strategies for controlling the population of stray and unwanted animals. For example, a study by Kass et al. (2001) found that mandatory spay/neuter programs significantly reduced shelter intake and euthanasia rates. In Australia, the Australian Veterinary Association and RSPCA Australia both support early-age desexing to reduce the number of unwanted litters (RSPCA Knowledgebase: Benefits of Desexing Cats and Dogs).
- **Health and welfare benefits for animals:**
Desexing reduces the risk of certain reproductive diseases, including mammary tumours, pyometra in females, and testicular cancer in males (Root Kustritz, 2007). It also lowers the risk of behavioural issues such as roaming, aggression, and marking, improving the safety of both animals and the community (RSPCA Knowledgebase: Desexing and Behaviour).
- **Reduced burden on shelters and Councils:**
Desexing at the point of transfer reduces the volume of unwanted animals entering pounds and shelters, cutting costs for Councils and improving welfare outcomes for animals. The **CIE Rehoming Review (2022)** highlighted the importance of desexing animals before rehoming to break the cycle of abandonment and overpopulation.
- **High public support:**
Surveys consistently show that the public overwhelmingly supports desexing as a responsible pet ownership practice. Mandating desexing at the point of transfer aligns with community expectations and reinforces responsible breeding and rehoming practices (McHugh et al., 2006).

Alignment with Inquiry Findings

This reform addresses key recommendations from:

- The **CIE Rehoming Review**, which called for mandatory desexing of rehomed animals to prevent overpopulation.
- The **Pounds in NSW Inquiry**, which identified high euthanasia rates as a systemic issue partly driven by uncontrolled breeding.
- The **Cat Management Inquiry**, which highlighted the critical need for widespread feline desexing to control stray and semi-owned cat populations.

5. Rehoming Insurance Scheme

RSPCA NSW proposes the introduction of a **state-funded rehoming insurance scheme** to provide guaranteed financial support to rehoming organisations, Council pounds, and authorised charitable groups that take in, care for, and successfully rehome companion animals. This scheme would strengthen the rescue and rehoming sector, improve animal welfare outcomes, and create powerful incentives to expand and professionalise rehoming operations across NSW.

Key elements of the proposal:

- **Approximately \$1,000 per intake** of a companion animal into an approved rehoming organisation, Council pound, or shelter.
- **Approximately \$2,000 per successful rehoming**, disbursed in stages, with 50% paid at 12 months and the remaining 50% at 24 months post-rehoming, contingent on successful desktop check-ins.
- **Approximately \$25–\$50 per night of care**, capped at **100 nights per animal**, to support daily care costs during the holding and assessment period.
- Figures are **indicative** and should be calibrated against genuine average costs faced by rehoming organisations and pounds.
- The scheme would **reduce financial barriers** for rescue groups, increase rehoming capacity, and incentivise organisations to register under the Companion Animals Act framework.

Evidence and Rationale

Research and best practice highlight the critical importance of funding support for rehoming and rescue groups:

- **Reducing barriers to rehoming improves animal outcomes:**
Financial pressures are a leading constraint on the ability of rescue groups and pounds to accept and successfully place animals. Studies have shown that subsidising adoption costs and providing targeted funding increases rehoming rates and reduces euthanasia (Miller et al., 1996; Hawes et al., 2020).
- **Supporting rehoming reduces public sector costs:**
By increasing the capacity of community-based rehoming organisations, the government can reduce the burden on Council pounds, lower euthanasia rates, and improve public confidence in animal management systems (Weiss et al., 2015).
- **Check-in systems improve long-term placement success:**
International research shows that follow-up at 6- and 12-month intervals increases the likelihood of permanent placements and reduces re-surrender (Patronek et al., 1996). Including staged rehoming payments linked to successful check-ins incentivises quality placements and long-term welfare monitoring.
- **Alignment with RSPCA policy on adoption and rehoming:**
RSPCA Australia supports measures that make adoption more accessible and affordable, recognising that financial barriers should not stand in the way of responsible pet ownership (RSPCA Knowledgebase: Choosing a Pet and Pet Adoption).

Alignment with Inquiry Findings

This proposal directly addresses findings from:

- The **CIE Rehoming Review**, which identified chronic underfunding of rescue organisations as a barrier to reducing euthanasia rates.
- The **Pounds in NSW Inquiry**, which recommended government co-funding models to improve animal rehoming outcomes.
- The **Veterinary Shortage Inquiry**, which underscored the resource limitations of pounds and shelters in delivering veterinary care.

6. Enhanced Enforcement of Council Obligations

RSPCA NSW recommends strengthening the role of the Office of Local Government (OLG) by establishing a **dedicated enforcement team** tasked with ensuring that local Councils fully comply with their obligations under the Companion Animals Act 1998. This reform would help address significant inconsistencies across NSW in how Councils manage stray animals, enforce registration, and deliver animal welfare services ensuring that no community is left behind in meeting basic animal welfare standards.

Key elements of the proposal:

- **Establish a dedicated OLG enforcement team** responsible for monitoring, auditing, and ensuring Council compliance with the Companion Animals Act, including consistent application of animal welfare obligations.
- **Require all Councils to accept stray animals**, eliminating the current geographic patchwork that leaves some areas without pound or rehoming options, leading to animal abandonment or neglect.
- **Mandate active enforcement of animal registration laws by Councils**, including penalties for local governments that systematically fail to enforce compliance, as occurs in other regulated areas such as parking, food safety, or waste management.

Evidence and Rationale

Scientific research, inquiry findings, and national best practice support the need for stronger and more consistent enforcement at the local government level:

- **Inconsistent Council practices undermine welfare outcomes:**
Reports from the **Pounds in NSW Inquiry** and the **CIE Rehoming Review** highlight the wide variability in how Councils approach companion animal management, with some Councils excelling and others neglecting core responsibilities. Studies of regulatory effectiveness confirm that without a central enforcement mechanism, compliance across jurisdictions remains patchy and ineffective (Braithwaite, 2002; ICAM Coalition, 2022).
- **Councils play a critical role in managing stray animals:**
Local governments are often the first line of response for stray, abandoned, or lost animals. Research shows that effective local management, including prompt impoundment, scanning for microchips, and rehoming, dramatically improves return-to-owner rates and reduces shelter crowding and euthanasia (Lord et al., 2007; White et al., 2010).
- **State-level enforcement improves regulatory compliance:**
The success of state oversight models in other regulated sectors — such as environmental protection, public health, and building standards — demonstrates the value of dedicated compliance teams to monitor, guide, and enforce local government performance (Productivity Commission, 2022).

- **RSPCA policy alignment:**
RSPCA Australia supports uniform, enforceable standards of animal management across all local Councils, ensuring that animal welfare is not determined by postcode (RSPCA Knowledgebase: Stray Animal Management).

Alignment with Inquiry Findings

This proposal directly responds to:

- The **Pounds in NSW Inquiry**, which recommended stronger state oversight of local governments to address Council non-compliance and gaps in animal management services.
- The **CIE Rehoming Review**, which highlighted the need for clear Council responsibilities and improved coordination across jurisdictions.
- The **Cat Management Inquiry**, which underscored the importance of consistent Council engagement in managing stray cat populations.

7. Infrastructure and Operational Improvements

RSPCA NSW calls for a major uplift in the infrastructure, standards, and workforce capability of pounds and shelters across NSW. While some Councils and rehoming organisations operate high-quality facilities, others are constrained by ageing infrastructure, limited resources, and inconsistent practices. Introducing **mandatory animal welfare standards, infrastructure support, and training programs** will ensure all impounded animals receive consistent, humane care, no matter where they are in the state.

Key elements of the proposal:

- **Develop mandatory welfare standards for pounds and shelters**, covering:
 - Adequate veterinary care, including triage, pain relief, parasite control, and disease prevention.
 - Enrichment and exercise programs to reduce stress and improve the welfare of confined animals.
 - Humane, evidence-based euthanasia procedures when rehoming or treatment is not possible.
- **Provide state-backed loan guarantees for pound infrastructure**, helping Councils access affordable finance to upgrade or replace substandard facilities.
- **Fund targeted training programs for pound and shelter staff**, including modules on animal behaviour, low-stress handling, enrichment, and welfare assessment.

Evidence and Rationale

A robust body of scientific research and policy analysis supports the urgent need to improve pound and shelter operations:

- **Animal welfare science and stress reduction:**
Research shows that shelter environments can impose significant stress on animals, leading to behavioural deterioration, illness, and reduced adoptability. Enrichment programs, exercise, and low-stress handling have been shown to improve animal welfare, health outcomes, and rehoming success (Taylor & Mills, 2007; Mornement et al., 2010; RSPCA Knowledgebase: Environmental Enrichment).

- **Veterinary care is critical to welfare and public safety:**
Adequate veterinary assessment and treatment on intake reduce disease outbreaks, improve animal health, and protect the broader community from zoonotic risks (Steneroden et al., 2011). The lack of consistent veterinary care across pounds has been flagged in multiple NSW inquiries.
- **Humane euthanasia procedures:**
When euthanasia is necessary, it must be conducted using humane, scientifically validated methods to minimise fear and suffering (AVMA, 2020; RSPCA Knowledgebase: Euthanasia of Companion Animals). Mandatory standards help safeguard animal welfare and protect staff from moral distress.
- **Training improves outcomes and reduces turnover:**
Investing in staff training improves welfare outcomes, reduces workplace injuries, and increases job satisfaction and retention (Munsell et al., 2019).
- **Infrastructure investment pays off:**
Facility upgrades improve animal flow, disease control, and staff efficiency, and they reduce long-term operational costs. State-backed loan guarantees can make capital improvements feasible for smaller or under-resourced Councils (Productivity Commission, 2022).

Alignment with Inquiry Findings

This proposal is directly supported by:

- The **Pounds in NSW Inquiry**, which called for enforceable pound welfare standards and improved infrastructure.
- The **CIE Rehoming Review**, which highlighted the need for consistent, high-quality animal care across NSW.
- The **Veterinary Shortage Inquiry**, which identified the gaps in veterinary capacity in pounds and shelters.

8. Sustainable Funding Model

RSPCA NSW proposes a **sustainable, transparent funding model** to support Councils, pounds, and rehoming organisations in delivering high-quality animal welfare services. By reforming how pet registration fees are distributed and introducing direct state funding tied to measurable outcomes, this proposal addresses long-standing underinvestment in companion animal management and creates a fairer, more accountable system.

Key elements of the proposal:

- **Allocate a portion of the monthly pet registration fee directly to local Councils**, providing a stable, predictable funding stream to support animal welfare services, compliance programs, and public education initiatives.
- **Provide direct state funding to pounds and rehoming organisations**, with funding levels linked to performance indicators such as rehoming success rates, reductions in euthanasia, community engagement, and improvements in animal welfare outcomes.

Evidence and Rationale

Research and policy reviews consistently show that sustainable, outcome-focused funding improves service delivery and welfare outcomes:

- **Stable funding improves service quality:**
Local governments and rehoming organisations often face unpredictable budgets, limiting their ability to plan long-term improvements. Studies in public sector management show that stable, earmarked funding improves program quality and accountability (OECD, 2019).
- **User-pays models increase fairness and sustainability:**
Allocating part of pet registration fees to fund public animal welfare services ensures that the costs of managing companion animals are shared fairly between owners, Councils, and the state (Productivity Commission, 2022). This approach reduces reliance on ad hoc grants and rates revenue.
- **Outcome-based funding improves efficiency:**
International evidence shows that linking public funding to performance outcomes improves efficiency, innovation, and accountability in the delivery of human and animal services (Weiss et al., 2015). For rehoming organisations, metrics such as rehoming rates and welfare improvements are powerful, measurable indicators.
- **Alignment with RSPCA policy:**
RSPCA Australia supports government funding for animal welfare programs to reduce euthanasia, improve rehoming outcomes, and provide public benefit beyond what private donations can cover (RSPCA Knowledgebase: Animal Shelter Funding).

Alignment with Inquiry Findings

This proposal directly addresses recommendations from:

- The **Pounds in NSW Inquiry**, which highlighted inadequate funding for local governments to meet their animal management obligations.
- The **CIE Rehoming Review**, which recommended improved, predictable funding for rescue and rehoming groups.
- The **Veterinary Shortage Inquiry**, which flagged underfunded veterinary care as a major welfare risk in pounds and shelters.

9. Statewide Cat Management Framework

RSPCA NSW recommends the introduction of a **statewide, evidence-based cat management framework** to replace the current fragmented patchwork of local Council regulations. A unified approach will improve cat welfare, protect native wildlife, reduce community conflict, and provide clear, consistent guidance for cat owners and Councils across NSW.

Key elements of the proposal:

- **Implement a consistent, evidence-based strategy across all Councils**, ensuring a uniform approach to managing owned, semi-owned, and unowned cats, supported by state legislation and guidelines.
- **Develop statewide public education campaigns** focused on responsible cat ownership, including the benefits of desexing, microchipping, containment, and enrichment.

Evidence and Rationale

Scientific research and international experience strongly support coordinated, state-led approaches to cat management:

- **Fragmented local regulation is ineffective:**
Studies show that piecemeal approaches to cat management lead to inconsistent enforcement, poor welfare outcomes, and continued conflict over stray and semi-owned cats (Robertson, 2008; Alberthsen, 2014). Statewide frameworks provide clarity and consistency for Councils, owners, and animal welfare groups.
- **Containment improves welfare and reduces wildlife impact:**
Research indicates that contained cats live longer, healthier lives, experience fewer injuries, and have less impact on wildlife (Loyd et al., 2013; Lilith et al., 2008). Public education campaigns play a critical role in encouraging voluntary containment and improving community acceptance.
- **Desexing and microchipping are essential foundations:**
Broad-based desexing and microchipping programs are among the most effective tools for reducing stray cat populations and improving return-to-owner rates (RSPCA Knowledgebase: Cat Management and Containment; Zito et al., 2018).
- **Social science supports education-led approaches:**
Behavioural research shows that providing clear, practical guidance and positive messaging is more effective at changing public behaviour than punitive measures alone (McLeod et al., 2015).

Alignment with Inquiry Findings

This proposal directly addresses key recommendations from:

- The **Cat Management Inquiry**, which called for a coordinated state approach to cat management.
- The **CIE Rehoming Review**, which identified gaps in the management of semi-owned and unowned cats.
- The **Pounds in NSW Inquiry**, which highlighted the need for statewide desexing and containment strategies to reduce pressure on pounds.

10. Funding for RSPCA NSW's *Keeping Cats Safe at Home* Program Statewide

RSPCA NSW recommends that the NSW Government provide dedicated, multi-year funding to expand the highly successful *Keeping Cats Safe at Home* program across the state. This program plays a critical role in reducing stray cat populations, improving feline welfare, protecting native wildlife, and supporting cat owners, especially those who care for semi-owned or unowned cats.

Key elements of the proposal:

- **Fund large-scale, multi-year free feline desexing programs**, targeting local government areas with the highest intake and euthanasia rates in pounds and shelters.
- **Support programs that assist semi-owners of cats**, including providing free or subsidised desexing, microchipping, and education, to reduce uncontrolled breeding and limit the flow of cats into pounds and rehoming organisations.

Evidence and Rationale

Scientific research and community-based program evaluations strongly support desexing and semi-owner engagement as key cat management strategies:

- **Desexing reduces overpopulation and euthanasia:**
Numerous studies have shown that desexing programs reduce the number of kittens entering

shelters, decrease euthanasia rates, and improve cat welfare (Levy et al., 2003; Alberthsen, 2014). The RSPCA's own Knowledgebase highlights desexing as a core component of responsible cat management.

- **Targeting semi-owners reduces stray populations:**

Semi-owned cats — those fed and cared for by members of the public but not formally owned — are a major contributor to unowned cat populations. Engaging these carers in desexing and microchipping programs reduces breeding and improves welfare outcomes (Zito et al., 2015; RSPCA Knowledgebase: Semi-owned Cats).

- **Multi-year funding improves program success:**

Sustained, multi-year programs have been shown to outperform one-off initiatives by enabling long-term planning, community trust-building, and continuous improvement (Stoskopf & Nutter, 2004).

- **Wildlife protection and public benefit:**

Keeping cats safe at home — through containment, desexing, and responsible management — not only improves cat welfare but reduces predation on native wildlife, addressing a key concern in biodiversity conservation (Woinarski et al., 2017; Lilith et al., 2008).

Alignment with Inquiry Findings

This proposal directly responds to:

- The **Cat Management Inquiry**, which recommended scaling up desexing and containment programs.
- The **CIE Rehoming Review**, which identified the need to address semi-owned cats as part of a broader management strategy.
- The **Pounds in NSW Inquiry**, which noted the pressure that stray and semi-owned cats place on Councils, pounds, and shelters.

11. Research into Containment Policies

RSPCA NSW recommends that the NSW Government invest in **dedicated research on cat containment policies and humane feral cat management**, to ensure that future regulations are evidence-based, enforceable, and aligned with both animal welfare and biodiversity conservation goals. This research will help guide Councils, policymakers, and communities in designing practical, acceptable solutions to the challenges posed by free-roaming cats.

Key elements of the proposal:

- **Conduct research on mandatory cat containment laws**, assessing:
 - Their impact on wildlife conservation and biodiversity outcomes.
 - The feasibility and cost of local government enforcement.
 - Public sentiment, attitudes, and community compliance strategies.
- **Expand research on humane feral cat control**, including the development and assessment of non-lethal population management techniques, such as trap–desex–return (TDR), immunocontraception, or targeted desexing programs.

Evidence and Rationale

There is clear scientific support for careful, evidence-based policy development in this space:

- **Containment improves cat welfare and reduces wildlife impact:**
Studies show that cats kept indoors or in secure outdoor enclosures live longer, healthier lives and pose significantly less risk to native wildlife (Loyd et al., 2013; Lilith et al., 2008; RSPCA Knowledgebase: Cat Containment and Enrichment). However, the social, cultural, and practical barriers to enforcement must be understood to ensure compliance.
- **Wildlife conservation benefits:**
Research indicates that free-roaming cats are a major threat to Australian biodiversity, with predation contributing to the decline of small mammals, reptiles, and birds (Woinarski et al., 2017). Carefully designed containment policies can help mitigate these impacts while maintaining community support.
- **Community acceptance is critical:**
Behavioural and social science research highlights that effective public policy depends not only on scientific evidence but also on community buy-in, trust, and perceived fairness (McLeod et al., 2015; Zito et al., 2015). Without this, enforcement becomes costly and contentious.
- **Humane feral cat control is urgently needed:**
Non-lethal control methods, such as TDR, are increasingly recognised internationally as promising alternatives to culling in some contexts (Levy et al., 2003; Centonze & Levy, 2002). Research into their effectiveness under Australian conditions is essential to guide policy.

Alignment with Inquiry Findings

This proposal aligns with:

- The **Cat Management Inquiry**, which recommended investment in research to inform containment and control strategies.
- The **CIE Rehoming Review**, which highlighted gaps in knowledge on managing semi-owned and unowned cats.
- Broader national concerns about balancing cat welfare with biodiversity protection.

12. Veterinary Workforce Retention and Support

RSPCA NSW recommends a targeted package of reforms to **strengthen and retain the veterinary workforce** in NSW, particularly in rural and regional areas, pounds, and rehoming organisations. Addressing the critical shortage of veterinarians is essential to improving animal welfare, reducing euthanasia, ensuring timely access to veterinary care, and supporting low-income pet owners across the state.

Key elements of the proposal:

- **Expand state-funded scholarships for veterinary students** who commit to placements in rural, regional, and remote NSW, where workforce shortages are most acute.
- **Increase wages and provide enhanced support services** (such as mental health programs, continuing education, and professional development) for veterinarians working in pounds, shelters, and rehoming organisations, recognising the high stress and demanding nature of this work.
- **Provide grants to support subsidised veterinary care programs** for low-income pet owners, enabling affordable access to essential services such as desexing, vaccinations, and emergency care.

Evidence and Rationale

There is strong evidence from both animal welfare and workforce research supporting these strategies:

- **Rural workforce shortages compromise animal welfare:**
Australia's veterinary workforce shortage is most severe in rural and regional areas, where access to timely veterinary care can make the difference between life and death for animals (Collins & White, 2021). Scholarships with rural service obligations have been shown to help address shortages in human health and can be effectively adapted to veterinary services.
- **Pound and shelter veterinarians face high stress and burnout:**
Research shows that veterinarians in animal welfare settings experience high rates of moral distress, compassion fatigue, and burnout, contributing to turnover and shortages (Bartram & Baldwin, 2010; Munsell et al., 2019). Improving wages and providing professional support are critical to retention.
- **Subsidised care improves welfare and prevents abandonment:**
Cost is a key barrier preventing low-income owners from accessing veterinary care, leading to preventable suffering, surrender, and abandonment (Weiss et al., 2015). Subsidised veterinary care programs have been shown to improve welfare, reduce shelter intake, and strengthen the human-animal bond (RSPCA Knowledgebase: Financial Help for Pet Owners).

Alignment with Inquiry Findings

This proposal is consistent with key findings from:

- The **Veterinary Shortage Inquiry**, which identified the need to prioritise retention strategies and rural service incentives.
- The **Pounds in NSW Inquiry**, which highlighted the need for adequate veterinary care in pounds and shelters.
- The **CIE Rehoming Review**, which identified resource constraints as a major challenge for rehoming organisations.

13. Dangerous Dog Management and Training Regulations

RSPCA NSW recommends strengthening the regulatory framework for dangerous and restricted breed dogs to better protect community safety, improve animal welfare, and prevent serious incidents before they occur. This package of reforms would close critical gaps in the current system by addressing owner responsibility, proactive training requirements, and early intervention for emerging problem behaviours.

Key elements of the proposal:

- **Make it illegal to train, encourage, or deliberately create dangerous dogs**, imposing substantial penalties on owners or individuals found guilty of deliberately fostering aggression or using dogs as weapons or status symbols.
- **Require owners of dangerous or restricted breed dogs to complete compulsory behavioural training courses**, focusing on responsible ownership, safe handling, and effective control measures.
- **Introduce strict penalties for owners of dangerous dogs that escape, attack, or cause serious harm**, including potential lifetime bans on pet ownership following repeated or severe offences.

- **Mandate self-reporting of aggressive behaviours** by owners, veterinarians, or animal professionals, triggering early intervention by qualified animal behaviourists and enforcement officers to assess risks and recommend management plans.

Evidence and Rationale

Scientific and policy research supports a proactive, prevention-focused approach to dangerous dog management:

- **Owner behaviour is a key risk factor:**
Studies show that owner management, socialisation, training, and supervision are more predictive of dog aggression than breed alone (Casey et al., 2014; Roll & Unshelm, 1997). Addressing owner behaviours is essential to reducing risk.
- **Targeted interventions reduce incidents:**
Behavioural intervention programs for high-risk dogs have been shown to significantly reduce aggression and improve public safety outcomes (Herron et al., 2009). Early reporting and intervention prevent escalation to severe attacks.
- **Legislation against intentional aggression training works:**
Jurisdictions that prohibit the training or use of dogs for aggression (e.g., fighting, guarding, intimidation) have seen reductions in public safety incidents and improved welfare outcomes for the animals involved (American Veterinary Medical Association, 2014).
- **Community support for strong penalties:**
Public surveys consistently show support for strict penalties against owners of dogs involved in attacks, reinforcing the need for government action to maintain public trust (Cornelissen & Hopster, 2010).
- **Alignment with RSPCA policy:**
RSPCA Australia advocates for breed-neutral, evidence-based dangerous dog legislation that focuses on owner responsibility, early intervention, and improved management (RSPCA Knowledgebase: Dangerous Dogs and Dog Attacks).

Alignment with Inquiry Findings

This proposal addresses issues raised in:

- The **Pounds in NSW Inquiry**, which highlighted public safety risks and inconsistent enforcement around dangerous dogs.
- The **CIE Rehoming Review**, which noted challenges in assessing and managing behaviourally complex dogs.
- Broader community concerns about the adequacy of current dangerous dog regulations.

15. Investment in Smart Microchip Technology

RSPCA NSW recommends that the NSW Government invest in the **development, trial, and integration of next-generation microchip technology** to modernise pet identification and dramatically improve lost pet recovery outcomes. By adopting near-field communication (NFC) and passive tracking capabilities, this initiative would set a national benchmark for innovation in companion animal management.

Key elements of the proposal:

- **NFC-enabled microchips** – Develop and deploy microchips with near-field communication functionality, enabling members of the public to scan lost pets using smartphones and instantly access essential identification details (such as the owner’s contact information or the rehoming organisation) without requiring specialised scanners.
- **Passive tracking via low-energy networks** – Explore the integration of ultra-low-energy tracking features, using technologies such as Bluetooth Low Energy (BLE) or similar mesh networks, allowing owners to locate lost pets through smartphone apps or networks akin to Apple’s “Find My” system, without the need for bulky GPS collars or expensive subscriptions.

Evidence and Rationale

There is strong technological, economic, and welfare rationale for this investment:

- **Faster reunification reduces shelter burden:**
Studies show that rapid reunification of lost pets with owners significantly reduces the number of animals entering shelters, lowering euthanasia rates and reducing stress on animals, owners, and pounds (Lord et al., 2007; Weiss et al., 2012). NFC scanning by the public dramatically accelerates this process.
- **Emerging technologies show promise:**
NFC and passive tracking technologies are already used in sectors like logistics, healthcare, and consumer electronics. Adapting them for companion animals offers a cost-effective leap forward in animal welfare and public convenience (Fellegi et al., 2021).
- **Cost savings and public benefits:**
Smart microchips would reduce the costs of impoundment, veterinary care, and sheltering by enabling animals to bypass pounds altogether. Owners would also save money by avoiding the need for separate GPS collars or tracking subscriptions.
- **Alignment with RSPCA policy:**
RSPCA Australia supports modernising identification systems to improve pet recovery and reduce animal stress (RSPCA Knowledgebase: Identification and Microchipping of Cats and Dogs).

Alignment with Inquiry Findings

This proposal responds to:

- The **Pounds in NSW Inquiry**, which identified lost pet recovery delays as a major driver of shelter crowding.
- The **CIE Rehoming Review**, which highlighted the need for better tracking and reunification systems.
- The **Cat Management Inquiry**, which recognised the importance of rapid return-to-owner in reducing stray populations.

16. Long-Term Vision for Companion Animal Welfare in NSW

RSPCA NSW proposes that the NSW Government commit to developing a **comprehensive 10-year strategy** to set the future direction for companion animal welfare. This long-term vision would position NSW as a

national leader in responsible pet ownership, data integration, rehoming innovation, and evidence-based policy development — ensuring the welfare of animals and the well-being of communities across the state.

Key elements of the proposal:

- **Develop a 10-year strategy for responsible pet ownership**, addressing major welfare, management, and policy challenges and setting ambitious but achievable goals.
- **Pursue nationwide coordination on pet registration and data-sharing**, enabling seamless tracking of companion animals across state borders, improving enforcement, reducing fraud, and supporting better public policy decisions.
- **Expand rehoming support beyond traditional shelters**, including scaling up foster-based, community-based, and rescue partner programs to reduce reliance on bricks-and-mortar facilities.
- **Fund ongoing research into the economic impact of pet ownership**, including its social, health, and financial costs and benefits, to guide the development of sustainable funding mechanisms for companion animal management.

Evidence and Rationale

A future-focused strategy is critical to sustain and amplify the gains from near-term reforms:

- **National coordination improves animal management:**
Fragmented state and territory systems limit the effectiveness of pet registration, enforcement, and data analysis. National integration would improve lost pet recovery, cross-border compliance, and population management (ICAM Coalition, 2022).
- **Foster care and community-based models improve welfare:**
Research shows that foster-based care reduces shelter stress, improves behavioural outcomes, and increases rehoming success compared to prolonged institutional care (Coppola et al., 2006; Gunter et al., 2018; RSPCA Knowledgebase: Foster Care).
- **Economic analysis strengthens policy and funding:**
Understanding the full economic impact of pet ownership — including health, social, and environmental dimensions — enables more targeted, cost-effective public investment (Headey, 1999; Wood et al., 2015). This is especially important as governments face growing demand for companion animal services.
- **Strategic planning aligns with global best practice:**
Leading international organisations, including the World Small Animal Veterinary Association and International Companion Animal Management Coalition, recommend national or state-level strategic frameworks to guide companion animal policy over the long term.

Alignment with Inquiry Findings

This proposal builds on the cross-cutting recommendations of:

- The **Pounds in NSW Inquiry**, which identified the need for statewide coordination and modernisation.
- The **CIE Rehoming Review**, which called for expanded rehoming pathways and partnerships.
- The **Veterinary Shortage Inquiry**, which highlighted workforce and infrastructure pressures that require long-term planning.

- The **Cat Management Inquiry**, which recognised the need for sustained, evidence-based interventions.