

**Submission
No 82**

INQUIRY INTO POUNDS IN NEW SOUTH WALES

Organisation: Animal Care Australia

Date Received: 18 August 2023

18th August 2023

Portfolio Committee 8 – Customer Service

RE: Inquiry into pounds in New South Wales

Animal Care Australia would like to thank the Portfolio Committee 8 for providing us with the opportunity to provide feedback for this Inquiry.

Animal Care Australia is a national incorporated association established to lobby for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care.

Several line items within the Terms of Reference fall outside of Animal Care Australia’s purview.

However, some Animal Care Australia Committee members have personal experience having worked within the relevant sectors and have direct interactions with pounds in NSW. Accordingly, some of our responses within this submission are based around that lived experience.

For the purpose of this submission, Animal Care Australia recognises that pounds, shelters, rescues, and rehoming organisations are all different but inextricably linked.

Therefore, Animal Care Australia provides the following:

- ✓ **Animal Care Australia strongly recommends all future government funding is based solely on where it is actually needed and not any one particular political agenda.** Currently that need is in council owned pounds to upgrade facilities and improve services.
- ✓ **Animal Care Australia does NOT recommend redirecting funding towards currently unregulated and unmonitored privately-run rehoming organisations.**
- ✓ **Animal Care Australia recommends the efforts of pound staff to improve welfare despite a serious lack of funding be acknowledged by this Inquiry.**
- ✓ **Animal Care Australia recommends an industry standard be developed with cat (and other animal) behaviour experts in order for councils to meet higher animal welfare standards.** These standards must equally apply to pounds, shelters, and rehoming organisations.
- ✓ **Animal Care Australia recommends that the same, industry wide minimum standards, including codes of practice and all reporting and accountability processes are adopted by all pounds, shelters, rescues, and rehoming organisations in NSW to ensure higher animal welfare standards and outcomes.**
- ✓ **The NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments (1996) be reviewed.**
- ✓ **The NSW Impounding Act (1993) Section 11 (1) be amended to remove the requirement of immediate impounding of an animal.**
- ✓ **Rescue organisations and other privately-run shelters be regulated and a Code of Practice be adopted for said organisations.**
- ✓ **Data linking and collaboration be included in the re-development of the pet registry and accessibility to different aspects of the data be provided to relevant stakeholders via an application and vetting process.**

- ✓ **Animal Care Australia strongly recommends the government investigates ways in which to regulate and monitor the impacts of surrender fees on the public and animal welfare.**
Additionally, whether it is appropriate to provide government funding to organisations that carry this out.
- ✓ **Animal Care Australia does not support “getting to zero” for euthanasia rates.**
- ✓ **Animal Care Australia supports methods that provide for greater recording of, accountability and access to euthanasia data/statistics.**
- ✓ **Animal Care Australia recommends councils should be placing a greater emphasis on utilising recognised professional trainers/animal behaviourists.**
- ✓ **Animal Care Australia STRONGLY recommends an urgent Inquiry into the regulation and monitoring of animal rehoming and rescue organisations in NSW is referred to the Legislative Council’s Animal Welfare Committee.**

For outlined explanation on the above recommendations, please refer to the attached submission.

This submission can be publicly listed.

We look forward to the opportunity of providing testimony to this Inquiry.

On behalf of the Animal Care Australia Committee,

Michael Donnelly
President, Animal Care Australia.

Inquiry into Pounds in New South Wales



Animal Care Australia submission

Inquiry into Pounds in NSW

CONTENTS

| | |
|--|-----------|
| ACA Background | 2 |
| Opening statement..... | 2 |
| Terms of Reference:..... | 3 |
| Response to the Terms of Reference | 4 |
| (a) resourcing challenges affecting New South Wales pounds, including the adequacy of funding given towards the operation of pounds by local and state governments | 4 |
| (b) the adequacy of pound buildings and facilities in New South Wales | 6 |
| (c) welfare challenges facing animals in pounds across New South Wales, including the provision of housing, bedding, feeding, exercise, enrichment, veterinary treatment, vaccination and desexing..... | 8 |
| (d) the adequacy of the laws, regulations and codes governing New South Wales pounds, including the Companion Animals Act 1998 (NSW) and the NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments (1996), as well as the adequacy of the current enforcement and compliance regime | 10 |
| (e) factors influencing the number of animals ending up in New South Wales pounds, and strategies for reducing these numbers..... | 12 |
| (f) euthanasia rates and practices in New South Wales pounds, including the adequacy of reporting of euthanasia rates and other statistics..... | 15 |
| (g) the role and challenges of behavioural assessments in New South Wales pounds | 16 |
| (h) the relationship between New South Wales pounds and animal rescue organisations | 17 |
| (i) the challenges associated with the number of homeless cats living in New South Wales for both pounds and animal rescue organisations, and strategies for addressing this issue | 19 |
| (j) strategies for improving the treatment, care, and outcomes for animals in New South Wales pounds..... | 21 |
| (k) any other related matter. | 21 |
| References | 23 |

Inquiry into Pounds in NSW

ACA Background

Animal Care Australia Inc. (ACA) represents the interests of all hobbyist and pet animal keepers nationally. Our members are comprised of most major animal keeping representative bodies including those representing dogs, cats, birds, horses, small mammals, reptiles, fish and exhibited animals. Some individual members also work in the rescue, care, and rehabilitation sectors.

Opening statement

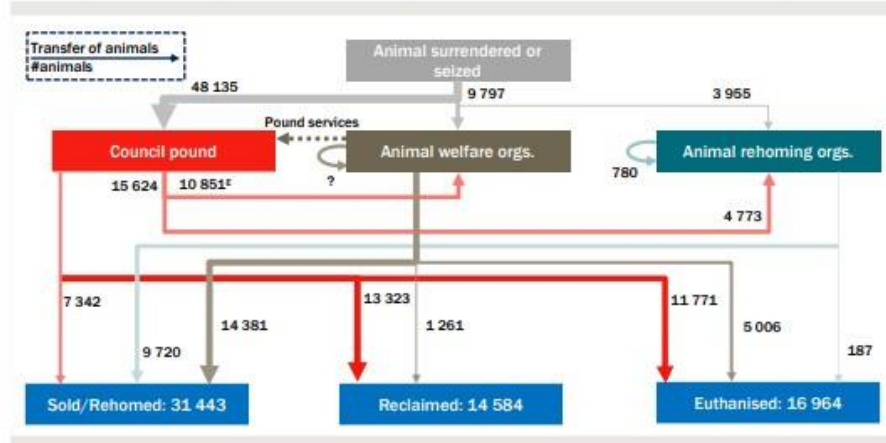
Animal Care Australia would like to thank Portfolio Committee 8 for providing us with the opportunity to provide feedback for this Inquiry and welcome the opportunity to provide testimony at the Inquiry.

Several line items within the Terms of Reference fall outside of Animal Care Australia's purview.

However, some Animal Care Australia Committee members have personal experience having worked within the relevant sectors and have direct interactions with pounds in NSW. Accordingly, some of our responses within this submission are based around that lived experience.

For the purpose of this submission, Animal Care Australia recognises that pounds, shelters, and rescue/rehoming organisations are all different but inextricably linked as highlighted in the graphic below. We do not believe the general public are aware that there is any real difference in these terms, and most would likely believe them to be synonyms.¹

3.1 Transfer of animals between pounds and rehoming organisations in 2019/2020



Note: [†] estimate based on data from RSPCA pounds.

Data source: CIE based on OLG data for council pounds, OLG data for animal rehoming organisations and annual report data for animal welfare organisations.

¹ [Picture source](#)

Terms of Reference:

1. That Portfolio Committee 8 – Customer Service inquire into and report on pounds in New South Wales, and in particular:

- (a) resourcing challenges affecting New South Wales pounds, including the adequacy of funding given towards the operation of pounds by local and state governments
- (b) the adequacy of pound buildings and facilities in New South Wales
- (c) welfare challenges facing animals in pounds across New South Wales, including the provision of housing, bedding, feeding, exercise, enrichment, veterinary treatment, vaccination and desexing
- (d) the adequacy of the laws, regulations and codes governing New South Wales pounds, including the Companion Animals Act 1998 (NSW) and the NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments (1996), as well as the adequacy of the current enforcement and compliance regime
- (e) factors influencing the number of animals ending up in New South Wales pounds, and strategies for reducing these numbers
- (f) euthanasia rates and practices in New South Wales pounds, including the adequacy of reporting of euthanasia rates and other statistics
- (g) the role and challenges of behavioural assessments in New South Wales pounds
- (h) the relationship between New South Wales pounds and animal rescue organisations
- (i) the challenges associated with the number of homeless cats living in New South Wales for both pounds and animal rescue organisations, and strategies for addressing this issue
- (j) strategies for improving the treatment, care, and outcomes for animals in New South Wales pounds
- (k) any other related matter.

Inquiry into Pounds in NSW

Response to the Terms of Reference

(a) resourcing challenges affecting New South Wales pounds, including the adequacy of funding given towards the operation of pounds by local and state governments

Animal Care Australia can stipulate that the challenges for pounds are dependent upon whether the pound is run by a council, a small animal welfare charity or private organisation or whether it is operated by RSPCA NSW.

The terms of reference imply this Inquiry is in relation to Council-run pounds, however, the RSPCA self-proclaims it operates 6 shelters in NSW, with 3 of their shelters also operating as pounds: Blue Mountains, Hunter, and Illawarra.

Therefore, this Inquiry should also be looking at this as part of the consultation in determining sufficient and effective adequate funding of pounds.

RSPCA NSW declared in its 2021-2022 financial report to the ACNC² that it made a profit of \$12,792,000 and has total accumulated funds and reserves of \$134,470,000.

In May 2020 Dominic Perrottet³ announced a bonus for the 21 struggling council pounds across NSW. Despite the grand announcement, it was a minor \$4,000 to each pound, with the option to apply for more up to a statewide pool of \$500,000. Reviewing the financial returns for the RSPCA and the lack of detail, we question whether the 3 RSPCA NSW run pounds were also eligible for this funding and whether it was granted?

There are considerable and continued announcements that excessive breeding of dogs and cats greatly contributes to the over-crowding of pounds, shelters, and rescues.

In the period of October of 2020 to the end of 2021, funding was yet again provided to the RSPCA by the NSW Minister for Agriculture in order to find and close down puppy farmers. The initial sum of \$600,000⁴ was announced (funding the Puppy Farm Taskforce).

Despite a commitment to shut down the apparent multitude of puppy farms in NSW and prosecute those offenders Animal Care Australia was unable to find any verifiable results of puppy farm closures attributed to the puppy farm taskforce and therefore any solution to the over-crowding of pounds in NSW. If animal welfare concerns rather than actual puppy farms were the target of this funding then why did rehoming organisations escape the attention of the crackdown as part of the Taskforce's

² [ACNC](#)

³ [Council Pound Funding announcement](#)

⁴ [Puppy Farm Taskforce](#)

Inquiry into Pounds in NSW

pursuit of animal welfare breaches despite well-known existence of issues (particularly hoarding) within the rescue industry? This funding was awarded to appease an over-stated and largely unsubstantiated claim of puppy farming being the direct cause of over-crowding and animal welfare issues, while at the same time ALL 21 Council pounds had to apply for a grand pool of just \$500,000.

In March 2021, the Minister for the Office of Local Government announced a further \$10.5million⁵ to the RSPCA to enhance their shelter facilities and build a new complex in Katoomba. Animal Care Australia notes the building of that complex was abandoned in April 2022.⁶ A supposed saving of \$4.5million. At the time of the announcement of \$10.5million the Minister proudly announced: *“In the last year alone we’ve committed close to \$6 million from the Companion Animals Fund to our 128 local councils, with more than \$30 million provided in the past five years.”*

Two years later, the NSW government committed to giving RSPCA NSW a whopping \$20.5 million dollars to “fund animal welfare enforcement”⁷. \$1.1 million was even given to just two individual rehoming organisations. Over \$40 million in funding was announced in a single day, with not one cent to assist pounds, and yet according to Minister Hancock in the timeframe between 2017 to 2021 \$30 million had been shared by 128 Councils?

Animal Care Australia notes the existing Katoomba shelter was bequeathed to the RSPCA by community members in 1983, and just recently was announced to be closing down⁸ with the Blue Mountains City Council being provided with the opportunity to take it over – adding a further burden to a council with as yet unforeseen costs to the residents (rate payers) and most importantly to the animals of the region.

Imagine what council owned pounds could have achieved over the years, with access to more than just \$500,000 or a slice of the \$4.5million that was kept by the RSPCA for their abandoned Katoomba Facility. Now add to that the fact as a registered charity the RSPCA is also actively fundraising with slogans and catch-cries that the donations go towards saving and rehoming animals – so much so, they still had \$134 million sitting in the bank for a rainy day?

Would we even need to have this Inquiry if councils had this sort of resourcing?

What is really going on here? How does this make any sense to anyone? It is genuinely a gross misuse and misallocation of public funds. Clearly funding was available to improve the pound system in 2020, and also in 2022 and yet media friendly, and politically motivated decisions were made to prioritise

⁵ [RSPCA Facility upgrades](#)

⁶ [Katoomba facility abandoned.](#)

⁷ [Animal Welfare Enforcement Funding](#)

⁸ [Katoomba to close](#)

Inquiry into Pounds in NSW

funding to an already wealthy corporations, over the denigrated public system that actually does the majority of the hard work.

And ... this Inquiry asks where the problems are in the POUND SYSTEM?

How can we genuinely, in good conscience, point the finger at pounds while millions of dollars of government funding is granted to a self-proclaiming 3 pound corporation with \$134 million dollars of surplus reserves?

Staffing is also an under-resourced commodity with volunteers heavily relied upon. While volunteers can achieve a great deal (Animal Care Australia is fully volunteer run) greater resourcing and funding for paid staff would improve animal welfare outcomes and create greater efficiency in assessing animals and rehoming them.

Animal Care Australia strongly recommends all future government funding is based solely on where it is actually needed and not any one particular political agenda. Currently that need is in council owned pounds to upgrade facilities and improve services.

Animal Care Australia does NOT recommend redirecting funding towards currently unregulated and unmonitored privately-run rehoming organisations.

(b) the adequacy of pound buildings and facilities in New South Wales

Animal Care Australia expects there will be an abundance of complaints received on the problems with pounds and shelters across the state and acknowledges much more needs to be done to improve and upgrade facilities.

Animal Care Australia is aware that some councils have recently upgraded their pound facilities. It does appear to us the greatest focus has concentrated on the public façade in an attempt to remove the ingrained perception that pounds are just all concrete and wire. While this is nice the animals behind the scenes are still in the same (or similar) kennels, which are limited in number and availability – and often not providing sufficient protection from the weather. The majority of facilities only provide the bare minimum in meeting housing requirements and the provision of environmental and enrichment improvements is carried out by the good will of volunteers and staff.

When funding is received there is often an issue of maintaining transparency and reporting.

Inquiry into Pounds in NSW

One example of this was the Hawkesbury Companion Animal Shelter as outlined in an article featured in the Hawkesbury Gazette on the 13th of September 2018⁹. A petition was commenced by local residents in order to have the Hawkesbury Council reveal how \$100,000 that was bequeathed to the shelter from the estate of deceased Windsor resident Anna Zylstra, was still sitting in a trust fund – placed there by Council – some nine months after the Council had received the estate. No work or even plans of how the money was going to be utilised had been publicised, despite a Working Group reviewing drafted plans and offering feedback. It took Council almost three years to utilise the funds and complete the Companion Animal Shelter while all the time attempting to re-allocate funds to other (non-shelter) projects. This is simply not good enough.

That said, Animal Care Australia would like to acknowledge some of the small, but still important, victories that our members have reported. In particular, cat supporters with personal involvement in rescue have noticed improvements in recent years to pounds in Sydney with regards to cat housing and handling. Without the support of adequate funding, we feel that these genuine efforts by pound staff to do better with so little needs to be acknowledged in this Inquiry. It is important not to blame pounds for not spending money they simply do not have. Pound staff have no control over this, and most do their best with what they have.

By following best practice standards and advice from cat behaviour experts such as Rose Horton, some NSW pounds have been able to adapt substandard facilities into more cat friendly spaces at low cost. Cats have very different needs to dogs and other small mammal species and are known to cope poorly in pound and shelter environments. This leads to poor welfare during mandatory holding times, and ultimately results in higher euthanasia rates when compared to dogs.

By working with qualified and experienced animal behaviourists, the limited space available to pounds can be adapted to help those cats entering the system to feel safer, settle in faster, and be calmer. As a result, cats are more attractive and friendlier to potential purchasers.

We cannot emphasise enough the importance of utilising qualified animal behaviourists in the development of new facilities and to upgrade or enhance existing structures.

Animal Care Australia would recommend that an industry standard is developed that is not just adequate for housing physical cats – but is actually appropriate for their emotional and mental states and improves their experience in the pound environment and therefore, their rehoming rate. This standard could also specify that upgrades and new developments are designed with consultation with

⁹ [Hawkesbury Gazette article](#)

Inquiry into Pounds in NSW

behavioural experts. These standards also need to apply to rehoming organisations and be followed up with regular inspections to ensure standards are being met.

While cats and dogs tend to be the focus of pounds, many other species also pass through the system, especially in rural pounds where horses and livestock must also be held for withholding periods and require great expense and space from councils. At present, it is cheaper to purchase the animals back from the council dispersal auction than it is to pay the reclaim fees.

This dis-incentivises calcitrant owners and repeat offenders from reclaiming their animals, leaving the burden of caring for those animals through the holding period on councils. Flexibility for councils to utilise available free grazing spaces to reduce costs must be permitted. Waiving or a reduction in reclaim fees, if claimed quickly, and shorter withholding times for repeat offenders of stray/wandering stock should also be considered.

Animal Care Australia recommends the efforts of pound staff to improve welfare despite a serious lack of funding be acknowledged by this Inquiry.

Animal Care Australia recommends an industry standard be developed with cat (and other animal) behaviour experts in order for councils to meet higher animal welfare standards. These standards must equally apply to pounds, shelters, and rehoming organisations.

(c) welfare challenges facing animals in pounds across New South Wales, including the provision of housing, bedding, feeding, exercise, enrichment, veterinary treatment, vaccination and desexing

It has been shown many regional/rural/remote pound services are woefully inadequate at providing the basics with regards to the housing and care of animals – most likely due to the fact that their animal management budgets aren't as well funded as their urban counterpart council areas. Often these pounds can be found incorporated into industrial plant sites or waste management sites because it is convenient to use land council already owns.

Staffing is generally inadequate to provide proper care for the same budgetary reasons. Animal Care Australia believes pounds, shelters and rehoming organisations should have minimum staffing ratios. When Animal Care Australia attended the Impounding Act review several NSW councils were also in attendance. One member from a remote council stated that the pound is generally a one-person

Inquiry into Pounds in NSW

operation - there is rarely more than a handful of animals, and the ranger is responsible for their care, as well as whatever else they have to do - so they are not even on-site half the day.

He went on to make the following point: that this one-person operation is very quickly overwhelmed when 250 stray cattle show up. The reclaiming fees are higher than the value of the animals, so they are not reclaimed. The council must wait out the withholding period (whilst feeding and caring for the animals in their small holding yard) and then the council can sell them at auction, at which point the owner turns up and buys them back. This particular council had some repeat offenders, but they had no powers to change it. That ranger goes from 6 to 256 animals to care for, and then back to 6. How do you manage that sort of unpredictable staffing ratio?

As has been highlighted by the recent Inquiry into the veterinary workforce shortage in NSW, veterinary treatment can be harder to access in regional/rural/remote areas resulting in longer delays and increased opportunity for a decline in welfare.

Over-crowding is also another contributing factor to animal welfare in all sectors. The solution to this is greater funding to expand pounds unlike the existing practice of merging smaller pounds into one location. The RSPCA is also not assisting this situation with a number of their shelters no longer accepting surrenders and advising the public to surrender at the local pound, and the remaining shelters charging people to surrender their animals. People are most likely to be surrendering an animal due to financial issues, and yet they are being forced to find money they don't have to do the right thing rather than abandon the animal. (See Surrender Fee chart in the References section at the end of this submission). Animal Care Australia also notes the Cat Protection Society places a strict condition of only accepting desexed adult cats with a surrender fee of \$100 each and kittens at \$30 each. Ironically, both of these organisations receive continued government funding. Animal Care Australia praises the Animal Welfare League who accept surrenders and only request a donation where possible.

Poorly maintained facilities also increase the vectors for harbouring infectious diseases. Harder to clean porous surfaces can retain diseases like parvovirus, which can survive for up to 2 years in some environments, thus exposing any animal housed in substandard facilities to these diseases.

Standards appear to vary greatly across NSW, especially when it comes to species other than dogs and cats, and Animal Care Australia recommends that the same, industry wide minimum standards, reporting and accountability processes are adopted by all pounds, shelters, rescues, and rehoming organisations in NSW.

Inquiry into Pounds in NSW

This should include species specific animal welfare Codes Of Practice - many of which can be adopted from other legislation and must be consulted with established animal care organisations that have developed appropriate Codes Of Practice prior to being implemented.

Animal Care Australia recommends that the same, industry wide minimum standards, including codes of practice and all reporting and accountability processes are adopted by all pounds, shelters, rescues, and rehoming organisations in NSW to ensure higher animal welfare standards and outcomes.

(d) the adequacy of the laws, regulations and codes governing New South Wales pounds, including the Companion Animals Act 1998 (NSW) and the NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments (1996), as well as the adequacy of the current enforcement and compliance regime

Animal Care Australia has viewed NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments (1996) and is rather underwhelmed by the briefness of a code that is intended to protect animal welfare in boarding facilities, and pounds. This code is overdue for review, especially when comparing this to the enforceable standards within the housing, feeding, bedding, and health related sections of the NSW Code of practice for the breeding of dogs and cats.

Animal Care Australia is dismayed that neither this code nor any other code of practice is required to be met by rescue organisations. These organisations are not regulated in any way, other than needing to abide by the Prevention of Cruelty to Animals Act. Compliance with this is reliant upon a complaint made by the public, and then is more likely to be inspected by council in the first instance unless an animal cruelty complaint is made.

More astoundingly, within the Companion Animals Act it is clear that it is not compulsory for animal rescue organisations to become designated rehoming organisations to continue their work rehoming animals¹⁰.

Ironically, these same organisations continually call for greater regulations and restrictions on dog and cat breeders, including number restrictions on the number of animals a breeder can keep, mandatory enclosure sizes, minimum staffing ratios and yet NO SUCH REGULATIONS EXIST for rescue and rehoming organisations, unless individual local councils impose them.

¹⁰ [Companion Animals Act Rehoming Organisations](#)

Inquiry into Pounds in NSW

Currently animals collected by council rangers are required to return them to pounds¹¹, record the details of where and how the animal was found, obtain the owners details, and then contact the owner. This means that if a dog is picked up outside No 1 Scooby Street by a ranger and it actually lives at No 5 Scooby Street the dog is transported kilometres away from its home where it is sometimes hours before they arrive at the pound. It is stressed while being transported, it is stressed while the intake procedures occur, it is at a greater risk of coming into contact with other contagions/diseases, and is then housed for days on end in a distressed state – when the simplest answer would have been for the ranger to scan the animal outside of No 1 Scooby Street and drive two doors down the road to No 5 and return the animal. Issue a warning if need be – but keep the welfare of the animals at the highest level of importance. Section 11 (1) of the Impounding Act 1993 must be amended to provide a level of discretion by council rangers prior to intaking animals at a pound, including a requirement to scan the animal at the location of collection and an attempt made to immediately return the animal.

Despite the above, Animal Care Australia is aware some councils have ceased accepting cats: a) due to the inability to meet the requirements of the Rehoming Amendments imposed by the Parliament last year; and b) the continued call-out and crucifying by animal rights advocates of high kill rates.

It is clear the kill rates in those council areas are now lower – however where have these cats ended up and what welfare outcomes are they now enduring if council won't take them in?

Additionally, while the Companion Animals Act stipulates data must be collected by pounds, and the rehoming organisations should be recording what happens to the animals they receive from the pounds, Animal Care Australia is not aware of where the latter data is being reported?

The Rehoming Amendments to the Companions Animals Act have resulted in animals being removed from a regulated location (i.e. pounds) into unregulated privately-run organisations. Moving animals from the council pound system into rescue centres is simply shifting the problem to volunteer run organisations. **Is it not better to actually improve the pound system?**

Microchip numbers are (hopefully) being recorded into a microchip database (pet registry) but that information is relatively unable to be accessed due to the delay and implementation of a functional pet registry. Ideally one would also expect the traceability of the animals to be nation-wide and yet that is also not the case.

In fact, the information is not being shared effectively by anyone. Animal Care Australia sought advice from the Office of Local Government on being able to trace microchip numbers on dogs that were

¹¹ [Section 11 \(1\) of the Impounding Act 1993](#)

taken into the pound system. Our intention was to follow the microchips through the pound system, into the rescue system and out to a new owner. Animal Care Australia is hearing of animals being rehomed heavily medicated in order to make them appealing to a new owner and then some weeks later exhibiting behavioural issues that result in the animal being re-surrendered. There is currently no way to provide government with confirmation this is occurring in order to provide a factual basis for any legislative change.

Animal Care Australia was advised we would need to contact each council, rescue, and shelter (including the RSPCA and AWL) individually to try and obtain the data – of which there is no current obligation for them to provide. We would then have to collate all the data. What is the point of collecting the data if it cannot be appropriately accessed and used to protect animal welfare?

Animal Care Australia makes the following recommendations:

- 1. The NSW Animal Welfare Code of Practice No 5 – Dogs and cats in animal boarding establishments (1996) be reviewed.**
 - 2. The NSW Impounding Act (1993) Section 11 (1) be amended to remove the requirement of immediate impounding of an animal.**
 - 3. Rescue organisations and other privately-run shelters be regulated and a Code of Practice be adopted for said organisations.**
 - 4. Data linking and collaboration be included in the re-development of the pet registry and accessibility to different aspects of the data be provided to relevant stakeholders via an application and vetting process.**
-
-

(e) factors influencing the number of animals ending up in New South Wales pounds, and strategies for reducing these numbers

Right now, we have the perfect storm situation with regards to reasons for surrendering animals. These reasons include:-

- Animals obtained during Covid lockdowns, especially from local rescues, shelters, pounds, and RSPCA, whom all publicly cried out for people to take on their animals. The vast number of animals obtained have had little socialisation or training for situations outside of the home and have been acting out especially due to the absence of their human family members who are now returning to work and school. Younger animals have grown up in a particular home environment that is changing with animals now reacting both in behaviour and emotionally unable to cope with the

return to normal human lifestyles. People who were encouraged into pet ownership now find themselves unable to cope.

- The cost-of-living crises is increasingly leading to issues where pet owners have to choose whether they pay the rent/mortgage, feed themselves, or even buy required human medications. Adding the costs to feed and maintain the health of their animals is a cost that they just cannot afford. Animal Care Australia raised this concern with the Governor of the Reserve Bank of Australia earlier this year.¹²
- The rental crisis has also led to a number of people having to give up their pets in order to secure accommodation for themselves and their human families. We commend the government for looking into this particular matter with the goal of alleviating this problem, but for now and no doubt well into the foreseeable future, it is playing a large part in why animals are being surrendered/dumped.

As previously stated, it is our contention that the ethos and current practices of the RSPCA are playing a significant role in numbers appearing at pounds and some rescues.

RSPCA NSW's website homepage¹³ states:

“RSPCA NSW is a not-for-profit organisation in Australia that cares for, treats, protects, and rehomes animals across the state. As a charity, we strive to maintain an open-door policy, so no abandoned, neglected, injured, or surrendered animal is turned away or forgotten.”

Contrasting that statement, Animal Care Australia found it difficult to find recent, straightforward information on surrendering pets and stray animals to RSPCA NSW, and the RSPCA NSW website actively directs owners away from RSPCA NSW and onto underfunded, local pounds and independent rescues. RSPCA NSW's Surrender page¹⁴ simply sends animal owners round in increasingly maddening circles while suggesting pet owners go elsewhere. We're confident that if you view the page and try out the questioning options you will manage to be as frustrated as we were.

Animal Care Australia phoned RSPCA NSW asking how to surrender a pet, and we were not asked where we were located (and whether we fell into their pound locale) but were immediately told to contact private rescues.

Animal Care Australia notes that RSPCA NSW does offer some assistance schemes, but they are limited to the elderly, homeless, indigenous persons, and other special interest groups. Given Australia has

¹² [ACA letter to the Reserve Bank of Australia Governor](#)

¹³ [RSPCA Homepage](#)

¹⁴ [RSPCA Surrender page](#)

Inquiry into Pounds in NSW

one of the highest pet ownership rates in the world, with 69% of Australians now owning at least one pet. Our animals are part of our culture, and our families, they are not limited to selective groups, and the recent economic crisis is impacting different people in different ways and across different demographics.

RSPCA ACT, despite being a much smaller organisation than in NSW, offers options on its website¹⁵ and by phone to obtain advice and assistance from RSPCA ACT and they are even transparent about the fees to surrender an animal.

Irrespective of this anomaly, Animal Care Australia must again question how someone struggling financially to keep their beloved pet is supposed to find up to \$250 to surrender it – that is “do the right thing” - when they cannot afford to feed the animal, or possibly even themselves?

Our society harshly criticises people who dump their animals, but what option are they given when the economic situation in Australia is currently so dire, and a multi-million-dollar charitable fundraising and government funded organisation that publicly promotes that it is dedicated to ‘caring for animals’ (under the guise of a shelter and pound), is cashing in on people’s misfortune and heartbreak?

By all accounts this is a decision designed to prevent people from surrendering animals to them, to reduce the ever-growing criticism of their kill-rates and thereby reducing the costs of completing the work that the community expects of them and donates millions of dollars to them to carry out (and potentially enlarging those carry over profits every year).

Animal Care Australia enquired with several rescues in NSW and found that set fees and unreasonable conditions to surrender animals appear to have become an industry norm, with the notable exception of the Animal Welfare League, who only request a voluntary donation.

This is completely out of line with the ‘claimed’ goals of all of these organisations, that is, prioritising animal welfare and preventing animals from being abandoned. Set fees make responsible and accountable handover of animals impossible for those with financial difficulty. Animal Care Australia strongly questions whether a charitable organisation that is refusing service (not accepting surrenders) and charges surrender fees is in contradiction of the conditions within the Charities Act 2013, in particular to do so is ‘not behaving in a charitable manner’ which is a contravention of the Act, when the public are provided with promotions and appeals seeking donations for a service not being provided as is being promoted.

¹⁵ [RSPCA ACT website](#)

Animal Care Australia strongly recommends the government investigates ways in which to regulate and monitor the impacts of surrender fees on the public and animal welfare.

Additionally, whether it is appropriate to provide government funding to organisations that carry this out.

(f) euthanasia rates and practices in New South Wales pounds, including the adequacy of reporting of euthanasia rates and other statistics

The *Issues Paper: Rehoming of animals in NSW* commissioned by the Office of Local Government 2022¹⁶ reported a steady decrease in euthanasia rates across the board in pounds, shelters, and rehoming organisations, but states that the reason behind this decline is not yet clear.

Animal Care Australia commends the industry for already taking positive steps to reduce unnecessary euthanasia, at least for dogs and cats. The “other animals” category¹⁷ has not been so fortunate, and the rise in popularity of more varied species of pets now kept in Australia needs to be accommodated as successfully as dogs and cats have been.

Animal Care Australia finds it is important that this Inquiry acknowledge this downward trend, to ensure that any accepted recommendations from this Inquiry can be reviewed and compared appropriately.

Following this, current reporting statistics are not adequate, especially for animals other than dogs and cats. Microchips are tracked by all organisations in the industry, and yet, there is no reporting of how many animals appear in the system more than once, either through the same organisations, or across multiple. There needs to be an effective way of flagging these animals, recognising that the system is failing them and ensuring their welfare outcomes are actively improved.

Euthanasia rates alone are not a sufficient measure of whether changes to animal welfare laws are successful. For example, a zero-euthanasia rate for any species would suggest a decline in welfare outcomes for those animals given that there is zero chance that every single animal entering the system is 1) healthy 2) uninjured 3) not very aged 4) not very young with a non-viable genetic issue 5) without serious, or dangerous behavioural issues or 6) not feral. There will always be some of those, and it is a kindness to euthanise an elderly cat that is stressed by the pound environment, than it is to

¹⁶ [Issue Paper: Rehoming of animals in NSW](#)

¹⁷ [Euthanised Animals in Australia 2017-2022](#)

Inquiry into Pounds in NSW

medicate that cat and for it to live in misery or drugged for its short remaining life. We should not be so terrified of death, and we should not inflict that fear upon our animals if we genuinely care about their needs. To achieve zero euthanasia is guaranteeing animals are not being treated humanely, and all for the sake of our own vanity. Sometimes the best welfare IS euthanasia.

Rehoming organisations often wish to save every animal, at any cost to those animals and their future owners, which is not in the interest of positive welfare outcomes, nor does it encourage new pet owners who have been fooled into trusting the “Adopt, don’t shop” message from animal rights groups, and then have a negative experience. These people will not have those animals again, reducing the number of homes open to keeping pets, which ultimately adds to the burden on pounds. Animals deserve a suitable home, where their needs and welfare are met, and their individual personalities can thrive and be appreciated, not just ANY home, to achieve a statistical target.

Reasons for euthanasia are important but reporting has no independent oversight, and we have no way of verifying whether the reasons reported are genuine, correctly identified, or appropriate in the circumstance.

Euthanasia should be a kindness and not a convenience.

Animal Care Australia does not support “getting to zero” for euthanasia rates.

Animal Care Australia supports methods that provide for greater recording of, accountability and access to euthanasia data/statistics.

(g) the role and challenges of behavioural assessments in New South Wales pounds

Without professional animal behaviourists and trainers regularly working on site, a pound would be hard pressed to get reliable behaviour assessments of the animals for potential rehoming.

In addition, assessments should take place away from the noise of other shelter animals, in an environment suitable for the species to focus on the handler.

Rehoming animals of unknown backgrounds is risky and often this is left for rescues to evaluate an animal’s behaviour where it is our understanding rescue staff and volunteers are unqualified.

Therefore, they should not be regarded as the saviours to the problems of overcrowded pounds and should not be rehoming animals that have been incorrectly assessed as this poses a very real risk when it comes to placement of these animals into new home environments.

Animal Care Australia recognises efforts by the Animal Welfare League to educate the public by not hiding when one of their cats is not coping in the shelter environment and asking for foster carers to step up and intervene. These discussions need to be had, and they need to be transparent and public. It helps other cat owners and other pound and rescue workers to understand issues they may see in their own cats but also helps those cats secure other options to euthanasia, or poor welfare conditions.

Animal Care Australia recommends councils should be placing a greater emphasis on utilising recognised professional trainers/animal behaviourists.

(h) the relationship between New South Wales pounds and animal rescue organisations

Animal Care Australia notes that there are genuine and excellent rehoming organisations in NSW, who strive to exceed animal welfare standards and rehome animals quickly into suitable homes, and their work should be recognised and commended.

Animal Care Australia contacted a number of Sydney pounds that stated they were very cognizant of the new legislation regarding the requirement to offer animals to rescue organisations, and most were actually releasing animals to any rescue that would accept them, regardless of if that rescue group was on the Office of Local Government's Approved Organisation list or not. This is a concern for Animal Care Australia as animals are being released to anyone who will take them on regardless of whether the rescues are adequately experienced in rehabilitating animals before rehoming, or simply trying to 'save' as many animals as they can. As stated previously, the rescue sector is completely unregulated and unqualified to cope with the realities of what is required to rescue, rehabilitate, and rehome animals responsibly.

It was brought to our attention that some rescues are 'sharing' their fee exemption status from the Approved Organisations list, getting animals out of pounds, then transferring them immediately to other rescues who are not on the list. This behaviour only highlights concerns that some rescuers seem to believe they need to 'save them all', rather than concentrating on rehoming emotionally/mentally stable and healthy animals.

When Animal Care Australia investigated the criteria for joining the list of "Approved rehoming organisations" there is no real process. It is a paperwork checklist and it is completely voluntary for rehoming organisations to apply. It is also only open to dog and cat rehoming organisations, and no other animal rescues.

Inquiry into Pounds in NSW

There is no requirement for operators to have any animal care, behaviour, training or welfare qualifications or clean criminal records, there is no inspection process of premises or management standards, no inspection of finances, or welfare checks on animals in the care of the rehoming organisation. There is no industry-wide standard, or Codes of Practice to be met.

The “approval” is effectively an exemption from the Companion Animals Act 1998 to microchip and register animals with council and to be exempt from desexing animals. This means that any animal hoarder can register a rescue business name, set up a website with a few cute pictures and then be approved to be exempt from basic companion animal traceability and desexing, continue to keep claiming new kittens arrive (from their not desexed animals) and no one will ever check on their operation, or the animals’ welfare unless they fail to lodge their annual paperwork, and even this only triggers the loss of the exemption, and not an inspection.

Animals are not filed on paper and in folders. They are living breathing creatures, that require daily attention and care that is species appropriate, and they are vulnerable to the wildly varied standards of operation across rehoming organisations. There are currently no welfare protections for animals in rehoming organisations, whether it’s an ‘OLG approved’ rehoming organisation or not, unless a member of the public reports a problem to law enforcement under the Prevention Of Cruelty To Animals Act. **This needs to be rectified as a matter of urgency.**

Pounds have, for many years, handed over animals other than dogs and cats to species specific rescue groups. These relationships have been developed over time, and this arrangement is mostly effective, although conditions at those rescues can really vary. Animal Care Australia does wonder how the incoming national horse register will impact pounds and the horse rescues that work together.

Pounds and shelters have traceability standards to meet for dogs and cats, and under new laws, must release excess animals into a completely unregulated and unmonitored rehoming industry. While the Office of Local Government receives annual reports from 87 approved rehoming organisations (which includes RSPCA, AWL, and the Cat Protection Society), there are over 300 additional animal rescue organisations currently operating in NSW with absolutely no oversight. Yet these unregulated organisations are now legislated to be given the most vulnerable animals in our community, with the most specialised needs for rehabilitation.

This means that animals in rescue organisations are largely invisible, and their fates are unknown to authorities, as there is no inspection process, and no one has taken any interest in monitoring the industry. All other animal care industries, such as agriculture, exhibited animals, riding schools, pet shops and companion animal breeding facilities must all comply with regular inspections and excessive

Inquiry into Pounds in NSW

record keeping in real time, not to forget the additional industry and breeding specific codes of practice.

It is blindingly obvious to us that the implementation of the Rehoming Amendments to the Companion Animals Act was carried out under ideological wonderment with no real thought or investment in ensuring the security and protection of the welfare of the animals that would fall into its web.

Additionally there was no inclusion of a reviewing or evaluation requirement by government to determine the viability and effectiveness of the amended legislation. Now we find ourselves with an Inquiry into over-crowding and effectiveness of pounds who ironically have found themselves caught in the middle of the legislation and pressures to save all of the animals without a skerrick of appropriate funding. Yet again, a political agenda was prioritised in order to secure votes and donations and was much more important than actually protecting animals and their welfare.

Animal Care Australia STRONGLY recommends an urgent Inquiry into the regulation and monitoring of animal rehoming and rescue organisations in NSW is referred to the Legislative Council's Animal Welfare Committee.

Rescue and rehoming organisations should be held to the same minimum welfare standards that the rest of the country's animal industries are. Animal Care Australia would be more than willing to assist in the development of a new code for Animal Shelters, Rehoming and Rescues. This could absorb the current Boarding Facility Code of Practice.

(i) the challenges associated with the number of homeless cats living in New South Wales for both pounds and animal rescue organisations, and strategies for addressing this issue

The homeless cat problem in NSW is another mismanaged issue going back decades.

Potential solutions - such as Trap, Neuter & Release (TNR) in city and urban areas where problem cats are mostly unowned and trapping/culling in rural and wilderness areas where problem cats are mostly feral - have not been implemented with any widespread cohesion or long-term commitment. Some Councils have attempted to tackle the issue, but without similar, or complementary strategies being followed in adjoining councils, therefore dooming them to failure..

Animal Care Australia members report seeing booming unowned cat populations in Sydney's suburbs where versions of TNR programs were being tried back in the 80's and 90's. They also report having

Inquiry into Pounds in NSW

nowhere to take trapped kittens for rehoming, as rehoming organisations are at capacity, RSPCA NSW will not accept them unless they are injured, and under a certain age the pounds will euthanise.

In addition to a lack of a cohesive strategy to control unowned and feral cats is also a lack of trust in the pet owning community, which we feel is misplaced.

We see a strong message of ‘desex every pet by 14 weeks and before any sale’ is being touted as the only solution to the overpopulation problem, and this solution creates new welfare issues of its own.

“The practice of prepubertal desexing (PD) and early age desexing (EAD) of dogs and cats has been utilised in animal shelters since the 1980s as a tool to combat overpopulation.”¹⁸

While the unowned cat population may be addressed in time and with more resources, it comes with welfare issues for individual animals that are subjected to early desexing. When it’s not your cat, it’s easy to say that the greater good to reduce the population is more important than your individual cat’s future health.

Desexing dogs and cats too young can lead to health issues later in life and has been documented in Australia, as well as internationally. While most research in this area has focused on dogs, particularly large breed dogs, research on the long term impacts for cats has been published in recent years. Animal Care Australia is aware of research currently underway looking into the effects of early desexing on large breed cats, following several reports of unexplained low bone density leading to premature fractures that do not occur in the cat’s related breeding populations. This was examined to rule out a genetic cause for the fractures.

While private practice veterinarians recognise the risks of surgery and potential long term health impacts, most will desex only after 6 months of age – for the sake of the patient. While pounds and shelters advocate for desexing as early as possible – even as young as 6 weeks of age – as a population control measure. The patient (the animal) is simply not the priority.

Australian Vets in QLD report that almost all of their client’s cats are desexed, while the opposite is reported by RSPCAQ - almost all surrendered cats are not desexed.¹⁹

Clearly, the cats that are seen by veterinarians and the cats that the RSPCA see, are not the same population of cats. The same study noted that while vets are usually seeing the owner and carer of the cat, shelters are primarily receiving animals that are strays handed in by someone who is not the owner of the cat.

¹⁸ [Desex cats info- Frontiers in Science](#)

¹⁹ [QLD Desexing data](#)

Inquiry into Pounds in NSW

This suggests that pounds, shelters and rehoming organisations have a skewed view on pet owners, and feel that owners are generally irresponsible, and therefore should not have a choice in when their pet is desexed. While the pet and vet industry has a very different perspective of pet ownership, with very high rates of desexing, even when done at a later age.

The compulsory, desex all cats early message is a flawed one, and should not be applied uniformly across all populations of cats, but focused on the actual problem populations, not responsible pet owners. The early desexing message should be more honest – that this is a necessary evil to solve a bigger problem, and not a harmless procedure that should be inflicted on an infant animal.

A lack of education and allowing anti-cat sentiment to fester in the community is making matters worse and creating more division on how the issue should be addressed. Education on responsible cat ownership is definitely needed in the form of school education, community seminars, social media, information pamphlet drops, open days and Local Government organised events.

Cat desexing amnesty events could also be organised within LGA's more often with discount vouchers and other incentives to help pet owners understand the benefits of and be open to cat containment structures and practices. Animal Care Australia commends councils that are already running such programs at regular intervals.

All of the future strategies must be undertaken following the advice of qualified animal behaviourists and follow best practice as outlined by Animal Welfare Scientists – not unqualified persons and groups with opposing agendas.

Welfare MUST take precedence over cost, but the issue cannot be ignored.

Animal Care Australia does not feel that all other viable options and strategies can be addressed as part of a submission such as this but welcomes the opportunity to consult on this further in the future.

(j) strategies for improving the treatment, care, and outcomes for animals in New South Wales pounds

Please see all of the above submission.

(k) any other related matter.

Working in an environment that deals with homeless animals can be challenging for mental health.

People who work closely with these animals would no doubt be riding an emotional roller coaster daily as ultimately the fate of an animal can go either way and that is compounded when dealing with animals that come in with injuries, illnesses, and trauma.

Volunteers and staff of pounds should have access to mental health support and professionals without fear of repercussions to their employment or continued service.

Animal Care Australia finds it impossible to separate pounds, shelters, and rehoming organisations, as collectively they are one industry, irrespective of whether they wish to be associated with each other. It is only by working together and supporting the industry as a whole that real change to improve animal welfare outcomes can be achieved.

Again, we thank you for this opportunity and welcome any questions the Committee may have and the opportunity to provide testimony at the Inquiry.

This submission can be publicly listed.

On behalf of the Animal Care Australia Committee,

Michael Donnelly
President
Animal Care Australia

References

Surrender fees for the [RSPCA ACT](#)

Surrender Fees

| Animals | \$ | Birds | \$ |
|-----------------|---------|-------------|---------|
| Cat | 100 | Chicken | 40 |
| Kitten (Litter) | 10 each | Duck | 40 |
| Kitten (Single) | 50 | Other Birds | From 40 |
| Dog (ACT) | 150 | | |
| Dog (NSW) | 250 | | |
| Puppy (Litter) | 10 each | | |
| Puppy (Single) | 50 | | |
| Rabbit | 40 | | |
| Guinea Pig | 40 | | |
| Ferret | 40 | | |
| Rat | 20 | | |
| Mouse | 20 | | |
| Goat/Pig | 150 | | |
| Fish | varied | | |
| Turtle | 40 | | |