

Submission
No 13

**INQUIRY INTO RESIDENTIAL TENANCIES
AMENDMENT (PROTECTION OF PERSONAL
INFORMATION) BILL 2025**

Organisation: Women's Legal Service NSW

Date Received: 12 March 2026



Inquiry into the Residential Tenancies Amendment (Protection of Personal Information) Bill 2025

12 March 2026

Contact: Liz Snell

Ph:

About Women's Legal Service NSW

Women's Legal Service NSW ('WLS NSW') advocates for an end to gender-based violence and for gender equity in Australia. As a state-wide specialist women's legal service, we assist women across NSW by providing legal advice and representation from our trauma informed, holistic legal practice across a range of practice areas including family law, domestic/family and sexual violence, compensation and victims support for victims of crime, discrimination, employment and sexual harassment.

We prioritise women who are experiencing deep and persistent disadvantage. Our specialist programs include:

- First Nations Women's Legal Program, led by First Nations staff and supported by a First Nations Women's Consultation Network
- Women's Rights, and
- Working Women's Centre.

All three programs focus on responding to legal issues faced by women with a particular focus on responding to gender-based violence and addressing women's safety, economic security and intersecting discrimination.

We use our experience gained from working with over one hundred thousand women and our feminist analysis of social issues and the law to determine where we can make the most impactful and positive change. We advocate for systemic change through policy and law reform, strategic litigation and providing education and training to the legal profession, the community services sector, and other key stakeholders.

Acknowledgments

We acknowledge the Traditional Custodians of the lands on which we work across NSW and on which we live. We pay deep respects to Elders past and present. Is, was and always will be Aboriginal land.

We acknowledge the many women who have been subjected to gender-based violence with whom we work and whose voices and experiences inform our advocacy in the hope for positive change.

Contributors

The following people contributed to the research and/or drafting of this submission: Liz Snell, Kellie McDonald.

Use of language

Victim-survivor

We acknowledge that there are different preferences for the language used to describe a person who has been subjected to gender-based violence. Some prefer the terminology 'victim', some 'survivor' some 'victim-survivor'. Some people describe the experience as 'living through' gender-based violence. In this submission we use the term 'victim-survivor'. This is intended to be inclusive of all.

Gendered language

Throughout this submission we refer to the experience of women and girls. This reference is inclusive of all people who have experienced oppression as women, including cisgender, transgender, non-binary and gender diverse people. We also acknowledge the need to address the high rates of sexual, domestic and family violence and abuse perpetrated against LGBTIQ+ people more broadly and the same gendered drivers of such violence.

Opening comments

1. We thank the Committee for the opportunity to make a brief submission on the Residential Tenancies Amendment (Protection of Personal Information) Bill 2025.
2. We strongly support reforms that better protect personal information of renters.
3. Limiting collection of personal information, the timing of when personal information is required in the application process, as well as ensuring confidential destruction of personal information no longer needed for a permitted purpose is important from a safety perspective for victim-survivors of domestic and family violence.
4. Limiting collection of personal information as well as ensuring the confidential destruction of personal information is also an important safeguard to protect a person's identity documents at a time when data breaches are increasing.¹
5. We understand the Residential Tenancies (Protection of Personal Information) Bill 2025 provides the framework with the detail to be developed in the Regulations. It is vital safety considerations are prioritised in the development of Regulations.
6. We understand the focus of this inquiry is to understand and respond to potential unintended consequences arising from the proposed legislation for tenants with pets.
7. We have read the Tenants' Union of NSW submission and endorse it in full.

Pets in rental properties

8. We have outlined in our earlier submission to Department of Customer Service dated 2 December 2022² the significant benefits of living with animals for people living with mental health illness, including Post-Traumatic Disorder³ and the importance of pets in victim-survivor's healing and recovery from predominantly men's violence against women and children.
9. Further, victim-survivors of domestic and family violence and abuse may delay leaving a violent perpetrator for fear of leaving pets with the perpetrator.⁴

¹ Information and Privacy Commissioner NSW, Information Notification of Data Breach Scheme Data Snapshot July to December 2025, 5. https://www.ipc.nsw.gov.au/sites/default/files/2026-02/MNDB_Scheme_Data_Snapshot_Jul_Dec_2025.pdf

² Women's Legal Service NSW, Submission on Keeping Pets in Residential Tenancies, 2 December 2022 <https://www.wlsnsw.org.au/wp-content/uploads/Submission-on-review-of-pets-in-tenancies-fa.pdf>

³ Brooks, H.L., Rushton, K., Lovell, K. et al. The power of support from companion animals for people living with mental health problems: a systematic review and narrative synthesis of the evidence. *BMC Psychiatry*, 2018, 18, 31; Roxanne D. Hawkins, Emma L. Hawkins & Liesbeth Tip "I Can't Give Up When I Have Them to Care for": People's Experiences of Pets and Their Mental Health, *Anthrozoös*, 2021, 34:4, 543-562.

⁴ Dam, M, and McCaskill, C. Animals and people experiencing domestic and family violence: how their safety and wellbeing are interconnected, *Domestic Violence NSW*, Sydney, 2020, 43, <https://www.dvnsw.org.au/wp-content/uploads/2025/11/NOV-2020-Report-on-Animals-and-People-Experiencing-Domestic-and-Family-Violence.pdf>

10. It is crucial to the safety and wellbeing of adult victim-survivors of domestic and family violence and abuse, their children, and their pets, that tenancy laws be changed to make it easier for tenants to keep pets. We commend efforts to achieve this.
11. We believe more can be done to ensure this happens and address unintended consequences particularly by shifting the burden onto landlords to take disputes to the NSW Civil and Administrative Tribunal (NCAT) if they wish to refuse a tenant's application to keep a pet.
12. We understand a similar model to this occurs in Victoria, the ACT and the Northern Territory.
13. If this shift in burden does not occur, we also support the remainder of The Tenants' Union of NSW recommendations.