

REPORT ON PROCEEDINGS BEFORE

PORTFOLIO COMMITTEE NO. 8 - CUSTOMER SERVICE

INQUIRY INTO POUNDS IN NEW SOUTH WALES

At Macquarie Room, Parliament House, Sydney, on Tuesday 14 November 2023

The Committee met at 9:00.

CORRECTED

PRESENT

The Hon. Emma Hurst (Chair)
Ms Abigail Boyd (Deputy Chair)
The Hon. Mark Buttigieg
The Hon. Susan Carter
The Hon. Aileen MacDonald
The Hon. Rachel Merton
The Hon. Peter Primrose

PRESENT VIA VIDEOCONFERENCE

The Hon. Emily Suvaal

The CHAIR: Welcome to the first hearing of the Committee's inquiry into pounds in New South Wales. I acknowledge the Gadigal people of the Eora nation, the traditional custodians of the lands on which we meet today. I pay my respects to Elders, past and present, and celebrate the diversity of Aboriginal peoples and their ongoing cultures and connections to the lands and waters of New South Wales. I also acknowledge and pay my respects to any Aboriginal and Torres Strait Islander people joining us today.

My name is Emma Hurst, and I am Chair of the Committee. I ask everyone in the room to turn their mobile phones to silent. Parliamentary privilege applies to witnesses in relation to the evidence they give today. However, it does not apply to what witnesses say outside of the hearing. I urge witnesses to be careful about making comments to the media or to others after completing their evidence. In addition, the Legislative Council has adopted rules to provide procedural fairness for inquiry participants. I encourage Committee members and witnesses to be mindful of these procedures. Welcome, and thank you for giving the time to give evidence today.

Mr LEON MARSKELL, Manager City Standards and Compliance, Campbelltown City Council, affirmed and examined

Mr JIM BALDWIN, Director Planning and Environment, Campbelltown City Council, sworn and examined

Ms MARY-ANNE PRIEST, Manager City Rangers, City of Sydney, sworn and examined

Councillor CLOVER MOORE, AO, Lord Mayor, City of Sydney, affirmed and examined

Mr KERRY ROBINSON, OAM, Chief Executive Officer, Blacktown City Council, affirmed and examined

Ms ROSALIE HORTON, Senior Coordinator, Blacktown Animal Rehoming Centre, Blacktown City Council, affirmed and examined

The CHAIR: We now have a short amount of time for some opening statements. I assume that there may be one from each organisation. If I could start with Campbelltown, do either of you have a short opening statement you'd like to make?

JIM BALDWIN: Thank you, Madam Chair. We welcome the inquiry. We are concerned about resourcing for councils collectively—funding and welfare—not just of animals but also our staff. This requires regulatory and administrative reform. Each year we continue to commit recurrent operational funding, and supported capital and upgrades to our pound. We attempt to do the best for our animals. We attempt to make sure we have a safe environment for our staff as well. It is an issue that is difficult to manage for councils by themselves. We need the assistance of the State Government and we think strongly that this is a State issue and not a borderless LGA issue. Thank you.

The CHAIR: Thank you. Does someone from the City of Sydney have an opening statement? Yes, Lord Mayor.

CLOVER MOORE: Pets give pleasure and they create joy. They teach responsibility, and they love and are loved in return. Both dogs and cats help to improve owners' physical and mental wellbeing, which was particularly felt through the COVID lockdown. For decades I have advocated for and supported changes to improve the welfare of companion animals and the rights of pet owners. We've seen positive reforms for strata laws which prevent owners' corporations establishing blanket bans on pets, and there are plans to make it easier for renters in New South Wales to have pets, both of which are necessary to help reduce the number of abandoned pets. In Parliament, as the member for Bligh, I led the efforts to end the sale of companion animals in pet shops and markets, push for greater rights for renters with pets and raise the importance of balancing responsible pet ownership with education and humane animal management practices.

Due to the high cost of land in the inner city, the cost of building and operating our own pound is prohibitive, so since 2009 we've partnered with Sutherland animal shelter, which cares for the city's lost and abandoned pets. The shelter has the lowest euthanasia rate in Australia, provides a high level of care and aims to rehome every suitable animal. Volunteers also walk and help care for these pets. The city pays Sutherland council an annual service fee, which covers the cost of housing 16 cats and 13 dogs in the shelter at any one time. Larger shared facilities work well for metropolitan councils. When located on the fringes of metropolitan areas, they are more economical to build and operate.

Animal shelters and rehoming organisations are facing increasing staffing and financial pressures, impacting on their ability to provide regular exercise, enrichment and social interactions, adequate cleaning, quarantine control and veterinary care. Veterinary fees for desexing and vaccination have risen significantly in the past two years. The decline in volunteering after the pandemic, together with an increase in the number of impounded animals, has significantly impacted the level of care provided to animals, particularly the exercise and enrichment offered by volunteers, which is essential to animal welfare and keeping the animal socialised, which is vital if they are to be adopted. Last year the city impounded 81 dogs and 64 cats, which was a significant increase on the 50 dogs and 29 cats impounded the year before.

COVID-19, the current cost-of-living crisis, declining volunteering rates and restrictions on pets in rentals, together with the continued availability of dogs and cats from pet shops and markets, means that most shelters are at or near capacity. Low rates of adoption are a significant contributor to animal shelters being over capacity. People are still buying pets from pet shops instead of adopting animals from shelters or rescue and rehoming organisations. Fashionable breeds of dogs are in high demand. People continue to breed and sell dogs while there is a market for it. The Government needs to take action to limit the sale of bred companion animals and the sale of animals in pet shops and markets. This was one of the reasons why in 2007, as the member for Bligh, I introduced the Animals (Regulation of Sale) Bill, which aimed to reduce the number of abandoned pets by prohibiting the sale of pets in markets or shops. I support your bill, Madam Chair—the Companion Animals

Amendment (Puppy Farms) Bill—which aims to regulate business breeding companion animals and other companion animal businesses.

The City of Sydney and Sutherland Shire Council Animal Shelter have a low-kill policy, meaning only animals assessed to be a danger or who have an illness that affects the quality of their life are euthanised. Last year five out of 81 dogs impounded by the city were euthanised, and only one of 64 impounded cats was euthanised. In terms of cats, on the surface, cat curfews make sense, and we encourage all owners to keep their cats indoors. But we don't support calls to make curfews mandatory, as this requires councils to trap cats and increases the likelihood of cats being euthanised. Such changes would have a devastating impact on companion cats, homeless cats, council staff and those tasked to do the killing.

The city's approach is to support responsible pet ownership, and we work to educate pet owners about their responsibilities, including desexing their pets and keeping cats indoors. We encourage owners to keep cats indoors, particularly overnight. We heavily subsidise desexing fees for pets owned by pensioners, including free microchipping. We host annual pet days where social housing residents can access free pet health checks, microchipping and flea and worming treatments, and book free desexing. Since 2015 our cat rehoming program has rescued and homed 260 kittens from the city's streets. Our Glebe cat management program involved trapping, desexing, vaccinating and microchipping cats from a colony that was being cared for by Glebe residents, showing it is possible to manage homeless cat populations humanely.

It is time to prioritise the welfare of companion animals and take action to reduce the number of unwanted pets in a humane way. I call on the Government to better regulate breeding practices of companion animals; limit the sale of companion animals, as proposed in your bill and my earlier animals bill; increase funding opportunities for animal shelters, animal rescue and rehoming organisations, and fund more regional facilities in more densely populated areas; increase support for people on low incomes and experiencing financial hardship to cover or subsidise animals' basic needs, including free or subsidised desexing and veterinary services; promote and support volunteering in animal shelters; fund desexing programs targeted at feral, colony and ownerless cat populations; and introduce mandatory desexing of companion animals to help reduce the euthanasia rates for these animals.

The CHAIR: Is there an opening statement from Blacktown City Council?

KERRY ROBINSON: Yes, thank you, Madam Chair. I commence by acknowledging the Darug people as the traditional custodians of the land on which Blacktown City is located. I tender an apology from my mayor, Tony Bleasdale, OAM, who was unable to be here today. I've been the CEO of Blacktown council for a decade, and I'm joined, more importantly, by the acting manager of animal rehoming, Rose, who is a qualified animal scientist, animal behaviourist, teacher, zookeeper, vet nurse and educator. Rose was the former manager of the RSPCA Blue Mountains shelter, has also worked with the Animal Welfare League and continues to teach at TAFE.

Firstly, we thank the many volunteers and volunteer organisations that assist us and other councils with rehoming. We could not deliver to the community's expectations without them. I will give some comments on the scale of the challenge. Blacktown City is the largest council in New South Wales. We serve a resident population of 415,000 and 30,000 businesses. There's a presumption in the community that all councils, especially in Sydney, are the same size. Hunters Hill has a population of 13,600 people while Blacktown has a population of 415,000, so Blacktown has about 400,000 people more than Hunters Hill. If the map of Blacktown is overlaid on the eastern suburbs of Sydney, it stretches from Vaucluse to Cronulla and Bondi Beach to the Olympic Stadium. It covers or touches 14 councils. I mention that only to make the point that league tables of data related to animal welfare are useless unless they take into account and are correlated to the number of households in each council area. In the past year our animal rehoming team has dealt with 1,777 animals: so 1,017 dogs, 639 cats and 121 livestock. We rehomed 548 of those animals, we returned 339 to their owners and 136 were rehomed by rescue organisations.

I now touch on Blacktown City's investment in animal rehoming. That has been focused on a new facility at Owen Street, Glendenning, called Blacktown Animal Rehoming Centre, otherwise known as BARC. It opened in March of this year. Blacktown City has invested some \$36 million to create a state-of-the-art facility that boasts best practice, located on underutilised land which we owned adjacent to the Eastern Creek corridor. We welcome the opportunity to host the Committee at BARC and show them the great work that the 26 of our staff who work from that facility do day in, day out. At BARC, Blacktown City Council looks after the companion animals of seven councils: Canada Bay, Fairfield, Hunters Hill, Parramatta, Ryde, Willoughby and Woollahra. We also have alliances with Sydney University, Western Sydney University and TAFE NSW, which allows the BARC facility to be used for the training of veterinarians and allied professionals.

BARC was funded through council's entrepreneurial property development activities, which resulted from conversion of vacant land parcels wisely invested in by prior councils and from the redevelopment of the older animal homing facility, which has now been demolished and which is zoned for employment land. We

acknowledge that other councils don't have those funding sources and we have been the beneficiary of a set of unique circumstances. BARC adheres to the Getting to Zero and other initiatives to prevent animals from getting impounded through education and free microchipping.

Now some observations on the work of the Committee. Notwithstanding nearly doubling our capacity through the new BARC facility, we are currently experiencing overcapacity. We believe that the high incidence of animals in pounds and shelters is a direct result of animals not being desexed. We feel that the reason for animals not being desexed is due to owners not being able to afford it—cost-of-living pressures, which are cited by all at Commonwealth and State levels. If mandatory desexing was to be mandated, this would have a direct impact on the amount of unwanted animals and reduce rates of euthanasia. However, as we observe directly every day, owners simply cannot afford this necessary remedy. Only if it was affordable would it then be effective. We would love to offer a free desexing service at BARC; however, this would require funding.

In relation to cats, we recommend that the Companion Animals Act is amended to mandate that cats not be able to roam. As with dogs, cats must be within the owner's property or under effective control. The massive issue of semi-owned cats in the community, and particularly feral cats in the broader environment, is greatly enhanced by the lack of legislation to prevent breeding and overpopulation. In relation to the creation of new best practice facilities, there is a role for the Department of Planning and Environment's Office of Local Government to be funded to collate design information and provide this to councils to aid in their design processes for new facilities. This would avoid a start-from-scratch design inefficiency and the costs that come with that. I note in relation to safety that councils have strict WHS obligations under the Work Health and Safety Act and regime. There are many circumstances where animals, especially caged animals, are very dangerous. In those circumstances, euthanasia is absolutely necessary to protect our staff where other measures cannot reasonably, practicably be guaranteed as required under the WHS Act.

I now turn to the budget in relation to managing companion animals. Every conversation in local government management starts and finishes with budget pressures. Rate capping at less than the cost of inflation; the shift of FAGs grants—financial assistance grants—from metropolitan areas to rural areas, reducing metropolitan councils' budgets; and shortfalls in developer contributions, which don't cover the costs of growth. All of these things see our council with a declining per head of population budget. IPART's rate-pegging makes no provision for enhancement of services to meet the changing demands of the community. If you as a Committee make any recommendations for local government to do more, you must also ensure that the Minister for Local Government directs IPART to make a specific allowance by way of an increase in the rate cap to cover the cost of those enhanced services. In conclusion, I commend our written submission and this verbal submission to the Committee and welcome the members' questions. Thank you.

The CHAIR: Thank you all again for attending today. We will now move to questions from the Committee, and we're going to use a more relaxed questioning process. I will start. Lord Mayor Clover Moore, what are your thoughts around trap-neuter-release programs and funding for desexing programs and how they could potentially reduce the burden on council pounds?

CLOVER MOORE: I think they're critical. As Kerry Robinson has just pointed out, many councils can't afford this and they need funding. The State Government gets councils to do a lot of its work and doesn't provide adequate funds to do it. It cost shifts, rate pegs and yet tells councils to carry out this incredibly important work. Talk to anyone about their pet and they'll say it's very important in their life, particularly in the city. A lot of people live on their own; their pet is their major companion and they're very important. At the same time, our social housing tenants can't afford high vet fees. That's why we run pet days. We can afford to do that—as Blacktown can afford to do some of the things that we've heard about—but a lot of councils can't and it's absolutely critical. It's about education and reducing the supply of pets.

We know that a lot of people increased their pet ownership during COVID. They were lonely. They saw a dear little pet in the shop or online and they bought it, and now they've gone back to work. Some workplaces don't allow pets to go to work and the pets get abandoned. It's a really shocking thing. I think all our pounds are seeing that. I prefer to call them "rehoming centres" than pounds. We're really proud of the work that we can do with Sutherland council. It's a very good partnership.

The CHAIR: I know everyone has mentioned a few things in their opening statements, but obviously funding is one major part, particularly if there's going to be extra changes on councils. But I wanted to get an understanding about what sort of changes need to happen from the State level in regards to legislation. Also, if there was funding, what changes people would like to see on that council level as well. I might start with you, Lord Mayor.

CLOVER MOORE: It's really a matter of councils being able to explain their needs in terms of responsible management. We provide desexing and veterinary services for our public housing tenants. We do it

two or three times a year now and it's critical. The desexing is absolutely critical to the whole thing. We know how cats can multiply if they're not desexed. We know they get abandoned, we know they become feral and we know they're really impacting terribly on our native wildlife. So it's enabling councils to have the funds to be able to do the desexing, first of all, and then enabling them to be able to give the support to low-income people who need to have veterinary services and who need to be able to do all the things that a person who has adequate funding can do. People need to understand—and there's a lot of education involved—that with companion animal ownership goes education and responsibility. I think councils have a very important role to play in terms of that education and support, but they need funding to be able to take it further and help people with desexing and other veterinary needs. I think there's a real role for council to do that.

The CHAIR: I wanted to hear from Campbelltown as well. I know you mentioned in your opening statement about staffing and the impact on them. I've read a lot of the submissions that are talking about a crisis within pounds, about them overfilling, and I wanted to hear about the human impact of that as well for the people who are actually working on the ground with this situation.

LEON MARSKELL: I might address the adequacy of the legislation to start with. As a local government body, we're committed to upholding both the Companion Animals Act and the current New South Wales animal welfare code of practice, set by the Department of Primary Industries. Both Acts are critical and provide a vital legislative bedrock of benchmarking within our industry across the State. There is a bit of disconnect between the needs of metropolitan councils and also the regional councils under some of the legislative guidelines that have recently been introduced around the period of stay, pending the registration period, of a registered and unregistered animal. Obviously, there are obligations on us as councils and other entities to ensure that there's the wellbeing and proper care of animals, and that should be our foremost objective in any legislative requirement. Whilst there are existing guidelines, we need to have a further, stronger foundation. We recognise that there have been some recent reviews, but I think the reviews have missed the mark and the consultation in those reviews needed to be more broad and come to the coalface rather than just to the agencies.

The landscape of animal management and pound management is continually evolving. It is changing at a rapid pace, and we've seen that post-COVID with the amount of animals coming into our facilities. The existing duality of both the two government agencies, the Office of Local Government and the Department of Primary Industries—one overseeing the animal welfare programs and guidelines and the other overseeing the registration program and microchipping—makes it difficult and counterproductive in the governance of the holistic approach of animal welfare and management of legislation across this State. Moving to a more responsible animal welfare and care for animals under one agency, we believe, would be a far better outcome for not just the councils administering this process but also the animal owners and the animals themselves across the 128 local councils. Concurrently, regular assessment and strong enforcement of these guidelines and compliance framework would prove to be indispensable and ensure that we don't end up with the problems that we've ended up with now.

In relation to the staff at the pound and the impact on them at the moment, we are seeing that there has been a high impact on the mental health and wellbeing of our staff managing the huge numbers of influx into our facilities. The numbers of animals with poor health, not maintained by their owners and merely pushed out on the street or abandoned and ending up in our facilities, has been heartbreaking. I manage a team at Campbelltown of 18 full-time staff and about 10 to 12 part-time staff. This is having a severe impact on those staff at that level. Local government and council pounds are one of the highest risk areas in the country as far as lost time for injuries. We heard from Blacktown City Council their concerns around that. I echo those concerns. It's a far more dangerous industry than even the mining industry, which has to be alarming for this Committee to consider. We have recently undertaken a significant work health and safety audit—an independent audit outside council—which made a number of recommendations to our council to strengthen the work health and safety of not just our pound and our facility but also from our staff operational point of view.

I believe that there can be more done through this inquiry. I call on the inquiry to look strongly at the recommendations that we have put forward to look at one agency running both animal welfare and registration and microchipping within New South Wales. It can't be sustained under two agencies. We can't have agencies fighting for funding. There is not enough funding to go around. I echo the support and the submissions from the mayor from Sydney city and Blacktown.

The Hon. PETER PRIMROSE: Can I take up one point to clarify? I'm looking at page four of the submission by the Australian Institute of Local Government Rangers. You've spoken about guidelines and codes of practice. They say that, essentially, under the Act there are minimum holding requirements. But they also say:

... there are no Australian Standards for pound design, and there are no NSW guidelines or codes of practice for the realistic management of companion animals in pounds for local governments to benchmark against or drive the improvements necessary in this space and to meet local community expectations.

Could you comment on that?

LEON MARSKELL: I will table that I am one of the executive committee members on the Australian Institute of Animal Management. I'm the vice-president for metro. I believe they are sitting later this morning, so I chose to sit with my employee rather than that committee this morning. The only industry standard in the country that is set is by the RSPCA, and it is around the keeping of animals in pounds. It is not a standard—it is not a legislative requirement—but there is a code of practice there. It doesn't set the standard for all facilities. If you're talking about some of the western region councils—Weddin council, Wentworth council, Broken Hill, Dubbo, Coonamble—and you're comparing them against our wonderful facility that we've just seen opened over at Blacktown, it's chalk and cheese. The conditions there are horrendous.

We need to get some formal standard, placed through an agency, that is going to take control of it but also not come in as a dictator. We're finding that we have one agency, the Department of Primary Industries, through the RSPCA, coming in and dictating to councils, saying that we're not doing enough. On the other hand, we've got local government—our Office of Local Government—saying that we need to do this and we're going well. Having those two agencies combat each other hasn't been conducive to good legislative reform, and I think we can get to a standard practice in New South Wales in the near future.

The Hon. PETER PRIMROSE: Do any other witnesses have any comments on that?

CLOVER MOORE: I would just like to say that it underlines the importance of what this Committee is doing—that you do establish standards and a code of practice and identify that councils need the funding to be able to do it. Go and talk to anyone on the street about their pets. They're really, really important. But if they knew what was going on in pounds or rehoming centres, they would be quite shocked.

KERRY ROBINSON: Mr Primrose, the question in terms of design, I will take. In going through the exercise for the design of BARC, because there are no standards everything needs to come from scratch and contemplate what future standards might be and try and facilitate flexibility in that. That is incredibly inefficient. One of the things that we did do was send our designers and some council staff to the US to look at rehoming facilities on the west coast of the US. We did that because that's the largest area of philanthropy, in relation to animals, in the world. We brought back a lot of best practice from the US in relation to that. In relation to other matters, I might ask Rosalie to make some comments.

ROSALIE HORTON: We use the code of practice that does exist in Victoria. Nothing exists in New South Wales, and we would welcome that. Sorry to interrupt that, Mr Robinson, but that was really important. That is how we designed, and we continued to operate under that code of practice.

The CHAIR: Do you find the Victorian code adequate?

ROSALIE HORTON: I do. Of course, it would be wonderful if everyone had as much space. The kennels are only 1.2 metres wide. Everyone would love to see that doubled. Not everyone has the luxury of that, but it is a start. If we had something in New South Wales, then we could certainly be proud of knowing that all pounds and shelters adhere to that.

Ms ABIGAIL BOYD: Perhaps I could direct this question to you, Ms Horton. I know that in Blacktown's submission there is mention of the idea of trap-neuter-release in relation to semi-owned cats. Are you able to explain why? I think some members of the public say, "Well, if you've already got them, why aren't you keeping them for adoption? Why would you be releasing them again?" Can you explain what the basis is for that?

ROSALIE HORTON: Most definitely. The reason why we have to try something is because at the moment nothing is working. First of all, I think one of the most important things would be to amend the Companion Animals Act to prevent cats from being able to roam. Created in 1998—things have changed. We have also seen the outcome of what happens when cats are in the environment. We would call those feral cats an ecological disaster. But in urban areas, we don't refer to them as feral. We call them urban strays or semi-owned cats. They are when someone has a cat—they don't consider it theirs, but they feed it. Those are the cats that are out there breeding. We are seeing it every day at the moment because it is kitten season, so there are cats everywhere.

If we were to have our recommendations accepted, and to improve what we see as unbridled cat breeding—whether or not that is mandated desexing or free desexing clinics or an amendment to the Act so that people don't have their pet cats straying—then we think that the best way, and based on research that we have been privy to, is that a niche area that has feral cats in it—sorry, I will update my terms because we don't want to use "feral" anymore. We are going to call them semi-owned strays. If we can target these areas, have them desexed, take those breeding females and hopefully reverse the overpopulation of cats, these niche areas that hold these cats will stop introducing more cats in. I know that trap sounds awful, and release. People say, "Well, it's not wildlife and it's just going to go out and kill everything." The research shows that if we can have managed colonies—and that is what Blacktown City Council certainly wants to endorse, which is having a cat management strategy for

urban areas—we would at least be able to do something, because at the moment nothing is happening and we can see that there are cats everywhere.

We do intend to take in as many cats as we can and rehome them. We have a really robust foster care system, which we hope to endorse with all councils so that they can take in as many cats, kittens and pregnant queens as possible, desex the queens and rehome all of them. Some of these cats, however, are not rehomingable and they have already made the impact onto the environment. Releasing them back into an area—sometimes these are in unit blocks, sometimes these are at universities, sometimes these are in supermarkets. If you can have a managed colony—and that would have a tasked member to be able to manage the colony—we think that we can actually prevent the breeding of these cats and at least tackle something that we think is a major issue.

Ms ABIGAIL BOYD: There has been a lot of discussion about whether we should be doing a statewide approach or whether we should be allowing each council to go it alone. I know that there has been a campaign from the Invasive Species Council to allow each council to introduce their own curfew. Do you have a view on what would be preferable? Would it be preferable for the State Government to do an entire plan like they have done in the Australian Capital Territory, where they have desexing and microchipping and an education campaign and everything else, or should we be allowing each council to make up their own curfew?

KERRY ROBINSON: I will take that, if you don't mind. The challenge of having a variety of different controls across the State is very problematic. The community won't understand what applies. The community generally doesn't understand what level of government provides services or has responsibility. And opening it up to each of the councils having different approaches, I would suggest, from a community perspective, would be very problematic. There is also a challenge in terms of—I will call it the challenge of reputational impact of introducing controls into the community, where some people are opposed and some people are not opposed. From a local government perspective, a State mandate that is consulted on broadly would be preferable to individual councils going it alone.

CLOVER MOORE: I agree, too. I think an education and a State mandate and funding are just critical.

JIM BALDWIN: We absolutely agree. If we are serious about putting our mind to the welfare of animals and equity to animals—our domestic pets, particularly—the experience that we have, and I don't think it is any different to any other council, is that an animal found in a different LGA—an animal does not understand a border, but we do. And then, at our door, we say to that good person who has found that animal, doing their best to rescue, "No, we can't take it, because it belongs over there." That person has put themselves out at that moment to do something. The motivation for that person to go the next step—to go how many miles, wherever they needed to go to actually rehome that animal—reduces and, only because of our rules, we miss an opportunity to rehome that animal equitably and successfully anywhere in the State.

The Hon. RACHEL MERTON: I was reading with interest some of the efforts made in terms of rehoming. I want to ask about identifying owners and microchipping and registration. How is that managed, in terms of any reflections on what the rate might be? Or is there more that needs to be done in this space?

LEON MARSHELL: It is a challenge. We have well over 700 cats and dogs coming into the Campbelltown facility from just Campbelltown LGA. We are rated about fourth highest in the State for dogs—second for cats in the State. It is very challenging. The surge of backyard breeding hasn't assisted through COVID. It has actually been a very difficult challenge, where a majority of these animals weren't microchipped and weren't registered, so they are coming into our facility without a known owner. They are becoming an expendable commodity within our communities, which is really challenging. I think, coming back to the legislation, the two-step registration program just does not work in New South Wales, nor does the lifetime registration.

I have been in the industry for a long time. This is my thirty-seventh year in local government, predominantly dealing with animals and all the other legislation. But previously we had annual registration. We had better compliance than what we do now under our lifetime registration. Microchipping and registration—we need to come up with a better solution to be a one-stop shop and managed appropriately. I know the Office of Local Government are doing a tremendous amount of work at the moment with the Pet Registry, and they are about to relaunch that very soon. We are looking forward to seeing what happens there. But it is a major challenge. We work with well over 100 rescue and rehoming groups at Campbelltown, across the State and around the country to get these animals home. Our length of stay for cats and dogs has tripled since COVID, and it is a challenge.

I have two full-time staff working at Campbelltown—they work additional hours; they work on weekends. We are on social media, we are in the newspaper, we do open days, we do events—we are pushing boundaries as much as we can. But, again, we have got very limited resources to be able to do that, if we are limited by the amount of money that we get through our registration programs. We're looking at around about 85,000 animals

currently microchipped in Campbelltown. Out of that, we've got around about 50,000 that are registered. We have no more income coming in. Where do we get income to improve our facilities, get our microchipping done, get the desexing and get these animals back home to their owners if they are impounded?

CLOVER MOORE: We've had an experience in Glebe of dealing with a colony. There were 260 kittens. They were trapped, they were desexed, they were vaccinated and microchipped and then looked after as a colony by Glebe residents. Some of them were rehomed by individual families.

ROSALIE HORTON: Could I respond just in relation to the reclaim rate when it comes to animals coming in? We find that only about 50 per cent of the dogs that come into Blacktown City Council's pound or BARC are actually microchipped. Of those 50 per cent, it would be another 50 per cent that actually have current, up-to-date details where we can contact an owner—sometimes old, out-of-date phone numbers, sometimes still in the breeder's name. That will lead to very low reclaim rates. We still try everything to contact the owners, breeders, friends—everything that's on there—but sometimes people simply don't come forward.

Being the largest impounding facility in New South Wales, you would think that you would call us if you've lost your pet. We would say that everyone here in this room would, but a lot of people aren't actually reclaiming—sometimes can't pay the release fees. Less than 2 per cent of cats, historically, through Blacktown City Council are ever reclaimed. So there's a very high chance that a cat is going to come in without a microchip. Even though we give them out for free, sometimes people are just not following through. It's an expense that people just simply can't afford.

The Hon. EMILY SUVAAL: I've got a couple of questions. If you could keep your answers brief, that would be very helpful in terms of being able to get through them all. I want to ask each council how many animal behavioural specialists and how many veterinarians you employ.

LEON MARSKELL: At Campbelltown City Council we have one vet on staff that comes in two days a week to do our duties and on call. We also call on our local vet community for our externals. We have an in-house vet come into our facility, but also we have the availability of three or four vets in our area that we use for out services—so medical treatments, emergency, desexing.

The Hon. EMILY SUVAAL: So no animal behaviour specialists?

LEON MARSKELL: We have two members of staff that have qualifications as animal behaviourists. Unfortunately, we've just had one of those move on to another organisation, but we will be looking at getting more staff trained in that area.

The Hon. EMILY SUVAAL: Awesome.

CLOVER MOORE: We don't have any on staff at the city. We share. We partner with Sutherland council and they would have those. I think they're going to give evidence too, and it would be good to ask them for that detail.

The Hon. EMILY SUVAAL: I might put it on notice to them. Thank you.

ROSALIE HORTON: Blacktown has one employee who is a qualified behaviourist as our adoptions officer. I am a qualified behaviourist myself, but I'm not in the role. We also have one full-time veterinarian and one full-time veterinary nurse who's on staff.

The Hon. EMILY SUVAAL: Could you all provide a brief comment on whether the RSPCA are providing appropriate and unbiased compliance on behalf of the State Government?

CLOVER MOORE: The advice I have is that our staff work well with the RSPCA. That is also my personal experience.

LEON MARSKELL: Yes, there are some challenges. The RSPCA do a wonderful job. We partner with the RSPCA in a number of our outreach programs for cats in our community, and the inspectorate have a very, very challenging role. What I would say is there is a disconnect between the two government departments in some of the animal welfare and animal registration matters that come across our table, and it is around RSPCAs having adequate resources to respond to some of these animal welfare matters. I do know that they are looking at addressing their resourcing issues. However, they have their challenges as well. We may get called to a job that we believe is an animal welfare matter that RSPCA should be dealing with, and vice versa. We do work very closely with our local RSPCA inspectors, even to the point that recently we've had our CUPs group have Steve Coleman come and talk and work on that relationship with RSPCA, but also with AWL. I think we can do a little bit more to work with all of our agencies.

ROSALIE HORTON: Blacktown City Council works really closely with the RSPCA. We're definitely big supporters of them, and we'd like to believe that they're big supporters of ours. We have a number of initiatives that we work closely on and we hope to continue that in the future.

The CHAIR: We have run out of time but I am going to go to the Hon. Aileen MacDonald, who I believe has a quick question.

The Hon. AILEEN MacDONALD: I congratulate Blacktown City Council on your facility. I hope the Committee does take you up on visiting because \$36 million is quite a significant investment in that. You mentioned your total number. How many pets, as in the breakdown of dogs and cats, can be homed on any given day?

KERRY ROBINSON: The facility can accommodate 135 dogs and 230 cats.

The Hon. AILEEN MacDONALD: You said you were over capacity already?

KERRY ROBINSON: From day one. We literally just short of doubled our capacity moving from an old facility to the new facility. On day one and from that point, it has been full if not oversubscribed.

The Hon. AILEEN MacDONALD: That's only within Blacktown? Other councils don't take up your service as well?

KERRY ROBINSON: I mentioned the seven other councils that we partner with. Some of those are contracted, which means that they have a guaranteed allocation of space within our facility, and some are on a casual provision basis.

The Hon. AILEEN MacDONALD: You've basically become a regional centre for Western Sydney, without that being—

KERRY ROBINSON: Yes.

The Hon. AILEEN MacDONALD: If there were no standards in the planning of that facility, was it harder or easier to get through Planning?

KERRY ROBINSON: The statutory Environmental Planning and Assessment Act process wasn't problematic. It was more challenging in terms of deciding the standards for the construction and the design and operation of the facility, because we're moving from a dysfunctional 50-year-old facility with ATCO sheds and all sorts of imperfections, and trying to come up with the ideal and best that we can do. That's why we've suggested that the Office of Local Government could, if it's provided with funding, be a keeper of best practice, if you like, for design of new facilities, because what we've learnt will be lost. The consultant team will disperse and, where we can, we should be using some resource—possibly the Government Architect—to hold onto that knowledge to be able to hand it down for others.

The CHAIR: Thank you all for your evidence today. I take it that there might be some questions on notice, in which case the secretariat will be in contact with you about those follow-up questions. Thank you all for your time this morning.

(The witnesses withdrew.)

Ms GINA VEREKER, Director Liveable Communities, Tamworth Regional Council, affirmed and examined
Ms HELEN EYRE, Manager Environmental Compliance, Dubbo Regional Council, affirmed and examined
Mrs KRISTY FORREST, Animal Shelter Coordinator, Dubbo City Animal Shelter, sworn and examined
Mr CRAIG MARTIN, Manager Environmental Compliance, Blue Mountains City Council, affirmed and examined

The CHAIR: We now have a small amount of time for some short opening statements. Is there one from Tamworth?

GINA VEREKER: Thank you, Madam Chair. Tamworth Regional Council welcomes the inquiry into New South Wales pounds and appreciates the opportunity to give evidence. I would start by saying that council fully supports the 2019 changes to the Companion Animals Act, the mandate for rehoming, and council is fully supportive of what that means and has been working very hard to implement it. For Tamworth, this has led to a lot of positive changes. It has reduced euthanasia rates and enhanced our reputation. The image for the pound—which we now call the Companion Animals Centre—has really made a difference with our community. It has improved mental health. I heard that mentioned earlier. There has been improved mental health for staff, because they are now focused on rehoming and rescuing instead of complying with a minimum period and then getting rid of the animals as soon as possible by way of euthanasia.

We attract better staff. We attract veterinary nurses applying. So it is not just a compliance role. But, yes, we are struggling as everyone else is with a huge influx of stray, abandoned, surrendered, dumped animals coming into our facility. Yet we can't blame this influx on the change in the legislation. As I heard mentioned previously, there are multiple factors: COVID, the end of COVID, the cost-of-living increases and the housing crisis. Out in Tamworth we now have a lot more homeless people than we ever had before. They have to give up their pets. Rental laws still don't allow anyone to have a pet—just anyone to have a pet in their rental. I would suggest that we need to accept that these numbers are the new norm. They are not going to go back to the way it used to be.

What's the answer? It's not going back to the old ways. We can't go back. Our community won't accept it. Our purpose has now changed and it has become definitely more focused on animal welfare, and the rescue of animals and the rehoming of animals. Therefore, what we need is funding—funding to deliver better designed pounds—newer, larger; funding for adequate staff with better qualifications; access to behavioural experts; and access to funding for desexing and vaccination programs because that is the only way we are going to address the problem. Please, in looking at the inquiry, consider the options for providing the funding that local government needs to actually deliver what we want to deliver. Thank you.

The CHAIR: Is there an opening statement from Dubbo Regional Council?

HELEN EYRE: Yes, just a brief one. As everyone else has mentioned, COVID and the rise in cost of living is certainly impacting the amount of animals that are coming into our pounds. Our animal shelter at the moment is quite an old facility. It has restrictions on the numbers that we can take in. This year is the first time we have actually had to shut our overnight drop-off kennels, because we are simply at capacity or over capacity and have to put a surrender waitlist in place, which some people abide by, others open the front gate and let them roam and we've got to bring them in anyway, whether we've got facilities to put them into. A desexing program and vaccination program is definitely required and council just doesn't have the resources to fund these things.

One of the other issues that we have a lot of, as with everyone else, is microchipping not being done, details not being updated. We have had masses of cats come in lately. I think Kristy might be able to correct me, one day last week we were happy we adopted one cat, and we had 18 come in on the same day, so trying to rehome where we can. Being a regional area, we struggle very much with rescue organisations, because they don't travel out as far as Dubbo or further west. Out of the 100-odd that are on the Office of Local Government site that are eligible or approved rehoming rescues, we've reached out to every single one of them and we probably get a 10 per cent call back from them, and of those, one or two might be able to assist us on the odd occasion. One of our major rescue organisations used to come up from Victoria, but unfortunately they are not very reputable, so we've ceased working with those.

Unfortunately, that leads to dogs and cats being in the pound for long, extended periods of time, which isn't a healthy environment for them, or we have to make the decision to euthanise those because they become unhomeable because of their behaviours. It is hard on staff. The staff have a lot of time and care for these animals, but due to resourcing again, they can only do the basics. We don't have a behaviouralist or a vet or anything like that on our site. We just rely on trying to find time or make time to get animals out to exercise them when we can. It is hard. But, definitely another issue we often come across is with the number of animals that people keep. We

have one client—or one member of the public has 40 dogs in her backyard, and trying to get her to give up any of her dogs. She claims she is not a breeder but she used to be and has all these excuses, and we just get to the point where there's only so many legal avenues we can take to reduce that number. All the neighbours in the street are looking at council saying, "Why aren't you doing anything?" We've had the RSPCA involved, and they can only do so much. There is a real lack of legal angles that deal with these sorts of situations.

CRAIG MARTIN: The Blue Mountains community have been very proactive in animal welfare for the past four decades. This has involved substantial fundraising to purchase the Mort Street, Katoomba, pound site and volunteer labour to build many of the facility's assets. A productive partnership between volunteers, the community, council and RSPCA NSW existed until recently. Following the devastating bushfires of 2019 and 2020, council agreed to support a dual facility for both wildlife rehabilitation and companion animal management. This was to be a statewide flagship for animal welfare excellence. After informing council this proposal would not proceed, RSPCA NSW lodged a DA submission to upgrade the site, which was approved by the local planning panel in early 2023. In February 2023 the RSPCA NSW board stated that they would extend the existing contract for animal management services until 2029. In July 2023 they informed council they were giving 12 months' notice of cessation of these services and offered council purchase of the site for \$2.45 million.

The Blue Mountains community are disappointed by this outcome, particularly given the huge early efforts to provide for animal welfare in the Blue Mountains in perpetuity. The Blue Mountains City Council has a modest fixed rates-based income and is still trying to recover from bushfires, storms and flooding. It faces a very real challenge to provide an alternative impounding service to fulfil its statutory obligations under the Companion Animals Act and to continue the historical high level of commitment to animal welfare our community aspires to. The community has expressed a desire for RSPCA NSW to donate back the Mort Street site, originally purchased and developed by community volunteers all those years ago.

Council and the community have enthusiastically embraced initiatives such as RSPCA NSW's keeping cats at home program and will continue to champion animal welfare education and advocacy. The New South Wales Government has provided the RSPCA grants to support animal welfare in the Blue Mountains, as they have done elsewhere, but it is concerning to see the RSPCA withdrawing its flagship services. In the Blue Mountains we have seen new initiatives like dual wildlife and animal facilities discontinued, followed by an approved kennel being discontinued and now the Mort Street facility being discontinued, all at a cost to animal welfare in the Blue Mountains and well below community expectations.

The CHAIR: We're now going to go to questions from the Committee. People from different parties will ask some questions. I go first to the Hon. Emily Suvaal.

The Hon. EMILY SUVAAL: Thank you all for being here. Noting that Dubbo has already answered my question about how many animal behavioural specialists and how many veterinarians you have, which was none for each category, I wonder if Tamworth and Blue Mountains could advise the Committee how many are on your books.

GINA VEREKER: I can answer for Tamworth. We don't have any formally qualified behavioural experts on our staff. We have one member of staff who has done some training on behavioural assessment but, where we need that assistance, we would need to go external to find someone and pay them on an hourly rate. It's something that we've considered because we think that that's the only way to determine, with some cats and dogs, whether they are rehomingable. We don't want to make the error of assuming an animal isn't rehomingable when it is just in the throes of being upset and out of its normal environment. An expert would be really, really helpful.

In terms of vets, we don't have any vets in house either. Partly that's a decision we've made intentionally. We send any animals to be euthanised or if they need vet assistance—we share the services amongst our local vets. We have five different local vets in Tamworth, and we try and share that service amongst them. Where I worked previously, we would have the vet come in house and do euthanasia. We found that was a lot more emotionally and mentally draining on staff, so we don't do that at Tamworth.

The Hon. EMILY SUVAAL: Blue Mountains?

CRAIG MARTIN: We don't have any specialist staff that deal with—either vets or behavioural specialists. Currently and historically, we rely on RSPCA NSW to provide those services.

The Hon. EMILY SUVAAL: That reliance on RSPCA NSW—it is safe to say, if they're leaving or departing from the contract, that will no longer exist?

CRAIG MARTIN: That's correct.

The Hon. EMILY SUVAAL: Could I also ask you all perhaps to comment on how you see the RSPCA, who are obviously tasked with compliance, is providing appropriate and unbiased compliance on behalf of the

New South Wales Government, noting some of the comments from Dubbo, who really are around some of the challenges that are faced.

GINA VEREKER: If I can comment, I'm not sure about the comment about biased. I don't think we've found that the RSPCA have provided biased investigation. Our problem, and the problem in the regions, is there is only one RSPCA inspector basically in our whole region. So it's just that person having the time to follow up on compliance issues. I think they struggle to do that and, therefore, there are times when it's still left with council to be the first on the spot when there may be an animal being mistreated. Then we have to wait for the RSPCA inspector to have that time to become involved. So it's a matter of resourcing the RSPCA, not their ability or intent.

HELEN EYRE: I tend to agree. The RSPCA do what they can but, as Tamworth pointed out, it is the case that we have one inspector that covers basically the whole western region and for him to get around and do his job is very—

The Hon. EMILY SUVAAL: How big are these regions we're talking about? Are we talking about the local government area or are we talking about a size larger?

KRISTY FORREST: Much larger. I believe Mudgee right out to Broken Hill is one inspector.

HELEN EYRE: Yes.

GINA VEREKER: Yes.

The Hon. EMILY SUVAAL: The case of Tamworth?

GINA VEREKER: Yes, the same. It's the combination of several local government areas, and they're quite large.

The Hon. EMILY SUVAAL: That's very helpful. I understand. Obviously a similar part falls to you in the meantime, because the community expects some sort of a response?

KRISTY FORREST: Yes.

HELEN EYRE: Yes. The RSPCA can delegate and ask us to investigate on their behalf. Council rangers don't have the same delegations. They don't have the powers under POCTAA. The Police Force do, but we've found that a lot of the police are either too busy or not aware that they have those powers as well. So it can be a struggle, especially for our rangers, because we're flat out as it is, and then we've got to take on that extra role of the RSPCA as well.

The Hon. EMILY SUVAAL: Blue Mountains?

CRAIG MARTIN: Our ranger staff have a very good relationship with RSPCA operational staff. Like others have mentioned, staff resourcing is an issue. I think at one point we had an operational manager for the RSPCA that was moving between Broken Hill through the Central West and to the Blue Mountains, and it was very difficult in terms of the amount of area that she had to cover. She has since resigned. The other issue that we find is that the experience and qualification of some of the animal attendants that are working for the RSPCA—they can sometimes struggle with dealing with difficult animals, particularly dangerous dogs, and our rangers are asked to step in. Most of my team are very experienced and can provide that assistance, but it's not really part of their remit and, like others have mentioned, they have a lot of other matters to attend to. But otherwise the working relationship operationally is very good.

The Hon. EMILY SUVAAL: Just a final question to you, Mr Martin: In terms of the Blue Mountains facility, is it correct that the community fundraised for that facility, to have an animal holding facility in the Blue Mountains?

CRAIG MARTIN: That is correct, yes. The local volunteer branch fundraised in the eighties and purchased the site. The volunteers also constructed a great deal of the assets. For example, the 55-dog kennelling situation there was built entirely by volunteers.

The Hon. EMILY SUVAAL: How are the volunteers feeling about the fact that the RSPCA now wants you to buy it back from them?

CRAIG MARTIN: I think you could probably gather they're not very impressed. They're quite disappointed by that outcome. I think that the efforts that happened very early in the piece were because the community was very strongly in favour of animal welfare and wanted to basically create a site and a situation where animal welfare in the Blue Mountains was sorted into perpetuity.

The Hon. EMILY SUVAAL: I'm going to hazard a guess that Blue Mountains City Council doesn't have an extra \$2½ million sitting around, like most councils?

CRAIG MARTIN: Definitely, that's not in the budget.

The Hon. AILEEN MacDONALD: With Tamworth and Dubbo, what area do you cover? I know it's not just the city of Tamworth and the city of Dubbo, so you'd have a big footprint. Do you only have one central facility for the whole of your areas?

GINA VEREKER: Yes, that's correct. In Tamworth, of course, we've got Tamworth city and then we have the regional towns of Manilla, Barraba, Kootingal and Nundle, but we have really one facility and that's it. That is located in the centre—in the industrial area within Tamworth.

The Hon. AILEEN MacDONALD: And that's the same for Dubbo?

HELEN EYRE: Yes. Dubbo covers Dubbo city and the main outlying town of Wellington. It's about 7,500 square kilometres, our LGA. We have just the one facility, in Dubbo. Our Wellington animal shelter that was there with the previous local government is quite small and quite run down. We only use it if our Wellington rangers have had to collect several dogs on one day. They can hold them there and then transport them through to our animal shelter in Dubbo because the one in Wellington isn't staffed. We are in the process of building a new, larger facility on our site in Dubbo.

The Hon. AILEEN MacDONALD: With Tamworth, you've had the experience of Blue Mountains, in terms of an organisation was running your rehoming facility and now council have taken that on. You said that it was unexpected. You haven't probably experienced that budget gap yet? I know you've sort of indicated here the costs, but you only really opened it this year—or reopened it.

GINA VEREKER: Yes, that's correct. It opened in June. The cost to get it open, yes, is around \$250,000, and obviously there are ongoing costs. It's a lease. We haven't purchased the property. We lease it and it had a two-year lease. We are now planning to build a brand-new centre. We're hoping to extend the lease for at least another year or so and then actually have a new centre that will be a joint new pound and new rehoming centre. This was a situation where council had just no choice—there was nowhere else. On the positive, I have to say it's working really, really well. The community got behind us. We got 50 volunteers signed up. The media has been fantastic. It's actually been a really positive experience created out of a need. I think there's an option there going forward for some councils, as long as they had the funding, being able to easily transfer an animal from the pound after the set period of time. During that time we desex, microchip and vaccinate and then transfer the animal to the rescue, Paws for Life. Then the animal can stay there basically as long as need be until it's adopted. It's working really well.

The Hon. AILEEN MacDONALD: You've been able to turn a negative into a positive—

HELEN EYRE: Yes.

The Hon. AILEEN MacDONALD: —and now have a budget in place. Admittedly you'd like funding from outside sources, but council have taken on that costing?

HELEN EYRE: They have, and I thank them for that, but the funding for the future centre is also related to a special rate variation. If we don't get the special rate variation—again, this is no different to other councils at the moment—then I'm not sure how we'll fund it.

The Hon. AILEEN MacDONALD: Blue Mountains, are you aware of any other councils, of the 128 councils, that have RSPCA running their rehoming centres?

CRAIG MARTIN: Am I aware of other councils that—

The Hon. AILEEN MacDONALD: Yes.

CRAIG MARTIN: I think that the RSPCA has withdrawn from a lot of local government areas across New South Wales. In discussions with their management in recent times, they were talking about, I think—it comes to mind—11 different local government areas where they were withdrawing their animal management services.

The Hon. RACHEL MERTON: Just in terms of the oversight of the suitability of those purchasing dogs and cats through the council or the RSPCA, would you say that what's in place is adequate in terms of maybe checks or examinations or responsible owners?

GINA VEREKER: In terms of the legislation or the guidelines, no. What we've done with our rehoming with Paws for Life is, depending on the size of the dog, we actually go and inspect the owner's property. That's

what we are doing at our cost, but it's better than having the dog go to a new home and then either it escapes or it ends up being brought back to us again. We are actually spending the time—the staff go out and check out the property. We also have a trial available. If someone wants to adopt but is not sure the dog will fit in with their other animals, their kids or whatever that might be, we allow them to take the animal home for a trial period of a week or so and, if it doesn't work out, bring it back at no cost.

CRAIG MARTIN: The Blue Mountains experience is that there is a wide range of quality in terms of the behavioural assessments that we're seeing. We are seeing a rise in concerning incidents with recently rehomed animals that have been basically placed inappropriately with households. We've had instances of public safety and individual risk in that regard. It would probably be an area that would benefit from some oversight in terms of quality and standards, in terms of who are giving those assessments and the quality of the rehoming organisations or individuals dealing with these animals.

The Hon. PETER PRIMROSE: Could I maybe just ask one question?

The CHAIR: Could I ask a few questions in crossbench time and then I will come back? Is that alright?

The Hon. PETER PRIMROSE: Yes.

HELEN EYRE: Kristy is our animal shelter coordinator at Dubbo, so she has insight about the adoption processes.

KRISTY FORREST: We don't do house visits but we do background checks, like if they're owning that property or if they do rent. If they do rent, we require a letter from their real estate that they can have an animal at the facility. We do look up the site on our government mapping system that we have to make sure that it is appropriate fencing. We also do a lot of meet-and-greets with their children and other pets as well before taking the animals home. We want to make sure that the animal is going to their forever home and we don't want it coming back to us.

The CHAIR: I've got a few questions for the representatives from Dubbo. In your opening statement you talked about the fact that the current pound is quite run down, and I know in your submission you said that there were regular outbreaks of diseases within the pound. In a current facility, is there a separate space for animals if they become sick? Is there a quarantine space?

KRISTY FORREST: We do have an isolation section, but it's more for animals coming in because we want to isolate them from anything that we already have. We do have a separate puppy section. But, again, our training is not appropriate and, therefore, that's why we're making sure that in the new rebuild we have the correct draining for disease control.

The CHAIR: I note that you've only just started vaccinations. Was that a resourcing issue? Was it affordability for vaccinations?

KRISTY FORREST: I've only been coordinator at the shelter for just over a year now. I previously worked for the RSPCA at the Dubbo facility back in 2014. That's something that we did; we vaccinated everything on arrival. It's something that I really pushed for at the Dubbo facility, especially because when I first started there were a lot of outbreaks of cat flu. Touch wood, I can safely say that we do not have any cat flu at the Dubbo facility. Unfortunately, we're not qualified to do active vaccinations, so we can only provide Parvac for our dogs, which isn't a full cover to protect animals coming in, and possibly they could have something before they've come in.

The CHAIR: Another inquiry that I'm on is looking at the veterinary shortage that we have right across the State, and the fact that it's having an even harder impact in regional areas. I know that Dubbo was one of the ones that was indicated as having a very low number of vets, and there might be impacts as well in Tamworth and the Blue Mountains. I'm wondering how the veterinary shortage is impacting the work that's done within the pounds.

KRISTY FORREST: We're finding the wait for desexing—because we desex all animals that we adopt out—can be quite long. I don't think Dubbo experienced the shortage of vets that everyone else did. We do have four vets in Dubbo and one in Wellington. We do rotate between those guys, but if one is not able to help us one month they're okay for us to source treatment from another vet.

The CHAIR: Is that the same with the euthanasia as well? I know Tamworth describes that they rotate between the vets.

KRISTY FORREST: Yes.

The CHAIR: You talked about the new facility, which I think is costing \$6 million. Do you have a completion date for that? Has that been fully budgeted for?

HELEN EYRE: It was originally budgeted three years ago, when it was first brought up, for \$3.5 million. I've progressed, since I've been in the manager role, the new facility. We've extended the budget to the \$6 million simply because otherwise it wouldn't happen. Thankfully, the CEO and the councillors are aware that it's needed. It is fully funded by the council. We haven't been able to get any funding or apply for any grants. We have an expression of interest in at the moment for a grant, which we're still waiting to hear back on. The completion date is November next year. We're currently at the stage of getting our construction certificate, and then a tender will be put out over the December/January period, with a hopeful start date of February/March of next year.

The CHAIR: I have one more question, and this might be for everyone on the panel. If there was funding provided, if there was funding available—because I know that's one of the biggest concerns and obstacles—do you believe that vaccination and the desexing of animals should be mandatory if the money was there? I might start with Tamworth.

GINA VEREKER: Yes—simple answer. Absolutely. That's the only way, in the end, we will resolve our issues.

HELEN EYRE: Yes.

KRISTY FORREST: Yes. I do believe it definitely needs to be mandatory. I do want to add that, with us vaccinating animals recently, there's lack of stock now. I don't know whether you guys are aware of the cat vaccinations?

The CHAIR: Yes.

KRISTY FORREST: So we are quite worried.

CRAIG MARTIN: I would agree with that as well. Part of the success we've had at Blue Mountains is getting a higher level of registration, microchipping and desexing. When the rangers can return an animal directly to the owner, they can bypass the impounding process altogether, so that's how we've been able to make some headway.

The Hon. PETER PRIMROSE: I have lots of questions, but I will just ask one for comment. Page 4 of the Australian Institute of Local Government Rangers submission says:

The absence of industry codes of practice that relate to the welfare of animals taken to pounds, in particular for health and disease control, result in ad hoc and inconsistent processes that are driven by location and available resources of the pound. A particular challenge in this space, however, is to only focus on this end of the spectrum and to not provide sufficient attention to the welfare of companion animals in minimising their risk of entering the pound system at all.

Would anyone like to comment on that?

GINA VEREKER: I can comment on that. The whole issue that we all have—the community has—is about responsible pet ownership, so that comment is absolutely right. We should also be working towards education, compliance and regulatory fines—whatever—that actually stop animals coming into the pound in the first place. That includes the illegal puppy farms et cetera—the illegal breeders. The whole permit system for breeders needs a total overhaul, because it's way too easy. So absolutely—starting at the beginning of the cause of the problem and we're dealing with the effects of the problem are two different things, but they both need to be addressed.

CRAIG MARTIN: I would agree that education is a big part of making progress. We're lucky in the Blue Mountains that there's already quite a high level of animal welfare awareness in the community and they strongly support that. Over time we've worked good processes and methodologies at the Mort Street site to look at those sorts of issues in terms of making sure there's a process when an animal enters the pound—that if there's disease, that's isolated and there's a process that's worked through. But, obviously, that's something that's dependent on resourcing, and we're now facing a situation where we have a great deal of uncertainty about what's happening next for the Blue Mountains.

HELEN EYRE: We are also strong on educating. We've been working a lot with the Animal Welfare League and the RSPCA when they come and do their Healthy Pet Days, down to rangers on the weekend and animal shelter staff spending their own time doing letterbox drops in the area so we can get as many people there to get their dogs vaccinated and microchipped and registered. We're looking at doing—because there's a large misconception, especially from farmers et cetera—a free microchipping registration day at the livestock market and at the abattoir with the truck drivers and farmers, simply because they are under the understanding that it's a working dog and we don't need to register them. Both of those facilities are close to our animal shelter.

We have quite a lot of kelpies and working dogs that literally turn up at our gate because they've either got out of the abattoir or away from the truckies or whatever and we can't return them to their owners because they're not microchipped and they're definitely not registered, because they don't believe they need to. So we're going to set up a table at the saleyards and advertise that we can get them registered and microchipped so we can return some of these dogs.

The CHAIR: I have one last question, given that we've still got one minute left. I want to get an idea around what kind of legislative change you would like to see recommended by this Committee that would help support pounds and also reduce the number of animals coming into the pound system. We might start with Tamworth.

GINA VEREKER: We would definitely encourage the legislation to require a mandate for all cats to be desexed and to be contained, whether that's inside a dwelling or whether that's with an external enclosure. That's one of the big issues. While we talk a lot about dogs, cats are harder to rehome. We have more of them. Because they can roam freely, it makes it very difficult for the numbers to be controlled, particularly when most of them aren't desexed.

HELEN EYRE: I'm in agreement with the desexing of both cats and dogs. I also believe in a limit on the number of animals that a person can keep. I previously lived in Queensland, and I know in Queensland you can only have two dogs on a premises. If you wish to have more than two dogs, you have to apply and give reasonings as to why. Normally the only reason they accept is that you are a breeder—that you are not just a backyard breeder, but a legitimate, registered breeder. I would like to see that all animals are desexed and there is a maximum amount of animals allowed to be kept at one property, and that the only exceptions are for legitimate, registered breeders that are doing the right thing.

CRAIG MARTIN: I'd agree that cats are probably our biggest challenge. We're a city, and Blue Mountains is a city within a World Heritage national park, so the impact of roaming cats can be quite high on our local biodiversity. Strengthening legislative matters regarding cat containment, cat curfews, those sorts of issues, would be a step forward in the Companion Animals Act.

The CHAIR: Thank you all for coming to give evidence today. I know some of you have come from a long way, so we really appreciate that. The secretariat will be in contact in relation to any questions, if the Committee has any further questions they want to provide on notice. Thank you again for your evidence this morning. The Committee will now break for half an hour and be back at 11.00 a.m.

(The witnesses withdrew.)

(Short adjournment)

Mr MICHAEL RYAN, President, Australian Institute of Local Government Rangers, sworn and examined

Mr TROY McGLYNN, Committee Member, Australian Institute of Local Government Rangers, sworn and examined

The CHAIR: I now welcome our next witnesses from the Australian Institute of Local Government Rangers. Thank you for making time to give evidence today. Would you like to start by giving a short opening statement?

MICHAEL RYAN: I will, if I may. Madam Chair and honourable members, good morning. My name is Michael Ryan and I am the Acting President of the Australian Institute of Local Government Rangers, an association of people delegated by local governments across New South Wales to regulate the management of companion animals throughout our communities. People who are employed in the local government industry as rangers, animal control officers, pound keepers, shelter attendants or supervisors in this field—including people who regulate, educate and enforce responsible pet ownership; people who seize and take companion animals to the pound if they have to; who return companion animals, if they can, to their homes and families whenever they are able to—provide shelter, enrichment, health and welfare to all those companion animals in their care and to their owners as well.

We investigate and prosecute owners of companion animals who have failed to prevent them from causing pain, suffering or life-changing injuries to others, and provide counsel, empathy and compassion to those that are directly affected, which is a balance of a fine line between maximising rehoming rates and ensuring responsible, safe and appropriate rehoming into the community. These people also suffer the emotional trauma associated with the negative outcomes of irresponsible pet ownership, the oversupply of unwanted animals, the insufficient number of available homes, and at times the negative community attitudes towards shelters and pounds fostered by these outcomes.

Our institute appears here today in part to improve the professional status and to advance the interests of our calling. Our institute also aims to educate our members in their legal and moral responsibilities in relation to their duties, and the community in general, including the operation of pounds within the meaning of the Companion Animals Act. Our institute is wholly supportive of improvements to animal welfare, improved rehoming outcomes and safer and healthier pound conditions for all—both those who are in there administering to the animals and the animal themselves—as this is simply within the interest of our own members.

Our institute strongly believes that improvements in these areas will result from improved transparency of information, transparency in standards and guidelines for dogs and cats in shelters and pounds, and in financial reporting on companion animal management, specifically pound operations. Overwhelmingly, though—and as simplistic as it sounds—our institute strongly believes that preventing cats and dogs entering the pound system in the first instance is the most effective and efficient way to improve pound outcomes for everyone and the community in general. My thanks.

TROY McGLYNN: In summary, the Australian Institute of Local Government Rangers are wholly supportive of improvements to animal welfare, improved rehoming outcomes and safer and healthier pounds and conditions for all. Simply, it is consistent with the institute's objectives and certainly in the best interests of all our members. We feel that without a revitalisation of funding models and pounds, increasing numbers, rehoming amendments and longer holding periods will continue to set the conditions for negative outcomes for both companion animals and pound staff.

We feel that the management of homeless cats requires an all-of-government approach underpinned by community involvement. We feel that there is an urgent requirement for the modernisation, simplification and improvement of the companion animal management and regulatory framework, and we feel that there is a requirement for improved transparency and a transformation of companion animal funding, and it is vital to ensure a robust and sustainable pound structure across New South Wales. We also note that access to relevant services throughout the State is not universal, and a single model to improve companion animal rehoming and welfare is unlikely to be effective. Thank you.

The Hon. RACHEL MERTON: Thank you very much to both of you for being here today with us.

MICHAEL RYAN: It's our pleasure.

The Hon. RACHEL MERTON: Mr Ryan, this morning we heard from a number of councils, such as Blacktown, that they will partner with other local governments and have arrangements to take dogs and cats from other LGAs at their new facility. In terms of your local government ranger work, do you have any thoughts on that?

MICHAEL RYAN: I support it, actually. My own situation is that I'm a contractor with a local council in Cowra for 16 years. I've gone out contracting across the State. I employ currently eight officers, and it's not an "I" thing. But what it does is, with Troy here representing metro, it gives an overview of interactions between councils. Your metro, like Blacktown said, I totally support that. Our offices cover three parts of the State of New South Wales and touch on all three borders, so I'm getting an overview of regional, rural, city-regional and the metro. I totally support and, in general, we totally support everything—tick everything above that you heard this morning. Yes, most certainly, especially in regional cities and regional areas as well.

The Hon. RACHEL MERTON: Maybe another example this morning was that the City of Sydney has a partner relationship with Sutherland council. I don't think the City of Sydney has on-the-ground facilities, but they are—

MICHAEL RYAN: No, and that's mostly because of their locality. They're close by, dense population levels, and you can manage that. Yes, we totally endorse that.

The Hon. RACHEL MERTON: There'd be a bit of a distance, sometimes, between locations of those areas where councils are working together.

MICHAEL RYAN: I hold contracts with the likes of Moree Plains council. We will hopefully address later some of these pound building opportunities. I invite the members to come to Moree and/or Griffith and/or a number of other locations where new pounds are going to be built. Distance over the big blue hill line is, yes, paramount to officer availability. But the likes of, say, Goulburn, Yass—we've worked through there as well—they work and interact quite well. Your distance factor is not large and so, again, we endorse that interaction, most certainly. That's the only way ahead.

The Hon. RACHEL MERTON: In terms of a change in the work and the demands for rangers, would you have reflections about changes that we've seen since the rehoming mandate was brought in?

MICHAEL RYAN: I'll get Troy to address that as well. It's not an "I" thing but, as I said, to give you an example—and Troy and I have discussed this—regional-wise and city-wise, your comparative of population levels to animals coming into the pound seems to be much of a muchness. Do you want to say something there?

TROY McGLYNN: Yes, thank you. Certainly, the prevalence of joint pound facilities is increasing across the region. We would suggest that it is an outcome of financial limitations rather than the efficiency and effectiveness of those arrangements. The returning of animals from one side of metropolitan Sydney to another can be problematic if it's going to reduce the reclaiming of animals. Notwithstanding, they certainly do have positives as well. It can be more efficient. Animals, as we've heard, are not limited by local government boundaries, and it can increase the rehoming options available to a local government.

Our feedback would be that, as long as those pounds have relevant standards and guidelines and appropriately trained staff and processes, they're the important issues—and that, of course, local governments undertake a range of strategies and programs to minimise the cats and dogs entering that pound system in the first place. Certainly, our feedback from our members is that a range of factors, including rehoming amendments, have increased the time that animals are spending in pounds, including, specifically, dogs that have attacked. We're limited by certain legislative requirements, rather than being able to take more affirmative action for the safety of the staff and the welfare of the animal. But we also note that, out of COVID, the numbers are increasing as well. The important factor is that there hasn't been any change to the funding model or the legislative and regulatory framework to accommodate those changes.

MICHAEL RYAN: We're actually finding that, like everywhere throughout the State, from my personal experience, we're keeping animals—and I applaud the legislation; I really do. I think it's made a few people within the industry—councils also—sit up and take a bit of notice, so I do applaud that. It's not because I'm here that I'm saying that. If I thought otherwise, I would say it. But it's added an explosive level where—if these animals are in for seven or 10 days, that's great. Then, around day 20, we've got some in three regional areas at the moment and one city one where those animals are now turning a bit nasty. It's not the animals' fault.

We have, then, a moral responsibility, let alone a professional one, and I as a contractor have indemnity on it. When I let that animal go out—and I have a behaviourist officer on our team as well as an Aboriginal liaison officer—we've then got to make that decision. The animal has turned this way because he's been here 30 days. The effect—which we'll get into later, possibly, in your questions—is then on the rehoming groups as well. They're saturated. From our viewpoints and my own professional, personal viewpoint, how we approach it is it's all a two-legged problem. We go to the base first. We don't want the animal; we want you—simple as that.

The Hon. EMILY SUVAAL: Thanks to you both for appearing today. You spoke earlier about the rehoming amendments. My understanding is that we have the longest in the country, being seven days. Is that right?

MICHAEL RYAN: I'm not fully aware of some of the other States and Territories but, in saying that—

The Hon. EMILY SUVAAL: Some of them don't have a minimum stay. It's interesting to see because, on the one hand, some of the submissions we've received in this inquiry state that that seven days should be lower, and some of them say that it should be removed. I'm just wondering if you could share your thoughts.

MICHAEL RYAN: I personally, from my own experience as an authorised officer of 17 councils—getting hold of Joe Bloggs who owned that dog three years ago and got rid of it to the next-door neighbour's kid, who was only seven at the time and who's now 23, takes a bit of time. I think your seven-day or eight-day period is quite sufficient. I wouldn't like, personally—and Troy may disagree—to go under that. I think we need that time. Do we need extra time? The extra time then comes about by, then, the emails going out to the rehoming groups et cetera.

I might say, at this point, our experience with the rehoming groups—both in Queensland; South Australia, where we operate out of Broken Hill; and Victoria—are wonderful, but they're hitting a saturation point. They're not mentally trained for, let's say, rehoming fatigue, for want of the wording. We've actually had one. I will mention not the lady's name, but AWL Queensland. She has come back off three months. She was moving anywhere between, from Moree, 20-odd dogs per fortnight, back through to Glen Innes, probably taking around 40 to 50 animals a week. Unfortunately, she had to have three months—

The Hon. EMILY SUVAAL: She is taking dogs from New South Wales to Queensland?

MICHAEL RYAN: Correct. We will deal with whoever we've got to. It's as simple as that. As you would have heard in the earlier submission, they all have their rehoming groups, and I applaud them all generally. There's a few that are a bit shonky, but we will deal with those as they come. We don't mind if they make a million dollars out of it. They aren't making a million dollars. As long as they do the right thing by the animal, do the paperwork, we're happy. We have found with some of our northern areas into Queensland, AWL especially, have been tremendous.

TROY McGLYNN: Further to the question about the minimum holding periods, certainly within the New South Wales jurisdiction in which we operate it is seven and 14 days, depending on whether a notice can be served. But two observations. One is that it has remained unchanged since the late nineties¹ where the legislation has come in, but obviously we have much more improved and streamlined communication means nowadays. Secondly, it is also a symptom of the outcome. It's about being able to get in touch and identify the owners, and about having up-to-date details. It's about dealing with those issues first, and the minimum holding period really then becomes almost a moot point.

MICHAEL RYAN: Agreed.

The Hon. EMILY SUVAAL: We have heard other evidence this morning about the difficulties in getting in contact with some of those AROs, particularly from one council who said that 90 per cent don't reply. It is interesting that we are moving then interstate to try and find organisations. I just wanted to ask both of you if you could provide your take on the role of the RSPCA in terms of the compliance activities it is tasked to undertake on behalf of the State Government, and whether or not that is of a quality that is appropriate and unbiased?

MICHAEL RYAN: I may declare an interest there. In regards to Dubbo council previously, that officer is one of my people who have seconded to RSPCA. I may have a biased point of view—and I don't want them to keep him either. But from my point of view, and I have developed this over 26 years, the RSPCA are an integral tool and source. There are some very good people in there, very good. They concentrate a lot on your closer city metro areas, and that's fine; that's where the population is. They are under a lot of stress. I have three personal friends who are RSPCA inspectors. We as officers in the field—and we are the front line, unfortunately—will do a lot of their work for them—i.e. ascertaining the complaints, going out, having a look, "I am here under the auspices of the RSPCA."

Yes, everything can be improved across the board. I think they are very diligent, the experience that I have had with probably 20-odd officers, and I know team leaders and that as well. From our point of view, they are

¹ In [correspondence](#) to the committee received 22 November 2023, Mr Troy McGlynn, Committee member, Australian Institute of Local Government Rangers, requested a correction to their evidence by replacing the word "eighties" with "nineties".

increasing the numbers. That will help a lot. I would not like to see us have anything to do with welfare. People, the community, don't understand that; however, I think that puts another level of angst and stress onto our people. Let's face it, no-one wakes up of a morning wanting to become a ranger for the rest of their lives. Street cleaners get paid as much.

The Hon. EMILY SUVAAL: I find it interesting that you talk about doing their work on the front line, because we have heard other evidence this morning about the rate of injuries and lost-time injuries, particularly for rangers. It was far more dangerous than mining, I believe was the comment.

TROY McGLYNN: The management of companion animals can be a very high-risk activity, certainly within a pound environment, as well as the seizure activities within the community. It is certainly high risk in terms of staff dealing with the outcomes and with regard to investigations and prosecution of some of those incidents. Any activity which increases that risk to staff, obviously, from our perspective, needs to be addressed, whether it is through the regulatory framework or adequate resourcing.

MICHAEL RYAN: My wife and I don't go out to Woolies together in a town of 10,000 people, a 14,000 LGA. No way in the world. So it is very incumbent on those people. Sorry.

The CHAIR: You were talking a little bit before about what I understand to be kennel rage from an animal that has been in an enclosure for a long period of time. Under our current legislative requirements, there is no size of that enclosure. I understand that there are some facilities that are quite outdated, and there is no funding to update that, so the sizes are quite small. Under the code they can be held in those enclosures for 23 hours and 40 minutes a day. Again, because of funding problems in a lot of these facilities and the staffing ratios, that is quite literally how long these animals will spend inside those small enclosures. Rather than making it easier to kill an animal sooner in those situations, shouldn't we be looking at, first of all, legislation to reduce the number of animals that are entering the system in the first place, but then also making sure the legislation and the funding can improve the quality of the life of animals while they are actually inside the pound, so that—

MICHAEL RYAN: Can you get that done quickly, please?

The CHAIR: Yes, that would be great.

TROY McGLYNN: Certainly, the two we don't feel are mutually exclusive. They don't have to occur one without the other. One of the first remarks I made was that a lot of these changes have occurred without changes to the regulatory framework or funding for the model. In 2014 DPI released the draft dogs and cats in council pounds and animal shelters standards and guidelines.

The CHAIR: And it's still a draft.

TROY McGLYNN: It's still a draft.

MICHAEL RYAN: With an expectation of five years, they promised.

TROY McGLYNN: Yes. People refer to the animal welfare standard for cats and dogs in boarding establishments. It is simply not specific to this industry, and it is wrong to use that as a standard. There are other jurisdictions that we are aware of that do provide the framework for councils in operating and designing and building and maintaining those facilities, and we strongly encourage those to be provided to councils. We also encourage transparency in that funding. Within the local government regulation there is a requirement for councils to report on their companion animal activities throughout the year, but it is silent on how much money is actually spent on pound activities, on companion animal management. Greater transparency in that will provide improvements, we feel, in these areas.

Those things should continue and, from an institute's point of view, we would like to see it occur very quickly. But there will always be factors beyond our control from time to time where the safety of staff is affected. It is always paramount, but it may be affected with the behaviour of an animal. It may not be kennel rage; it may be depression. Keep in mind that these animals are being cared for, provided enrichment, being fed, being looked after by staff who then in many cases have to be responsible and make the decision to put that animal to sleep. That can have a very adverse impact on the staff in our industry.

MICHAEL RYAN: Madam Chair, if I can add to that. Troy may not be bound to his own council. I am not bound to a particular council, so I don't really care who I upset. But as Troy has enunciated, there has to be a clear path in your legislation that is accountable to a council—"Okay, this is what you must spend on X." So many times going to a council I'll do a report, when we go into an area, on upgrades and what needs to be done, and a lot of the time in the last number of years it has been, "Why should we build a pet motel? We've got bigger things to worry about." But, as Troy said, if there are some clear guidelines and legislation that say, "This is what you need to do", it is clear and definitive.

There is already a number councils that are building pounds. It's all higgledy-piggledy. I can name one, but I won't, that has not long spent \$5 million. It is non-functional. It's in a city; the council is regional. It is non-functional. The likes of a couple of others are very similar or they've forgotten something. Currently we are working with, as an example, Moree Plains. They've allocated \$750,000. Their pound would be condemned. However, they've committed to it. We are then seeking from them funding, but we are rangers basically building and organising, with professionals, a functional pound that can accommodate these animals. Generally speaking, these animals haven't had any love until they've come in. There is a decent-sized pen and a decent facility. Everyone goes on about funding—okay, but direct the funding to a specific pot so that it's not lost in amongst the council bureaucratic paperwork.

The Hon. PETER PRIMROSE: Just to clarify, is your suggestion that some of the funding—and we don't know for sure—that is coming as a consequence of and derived from the companion animal registration revenue is going to councils but is then not being used for companion animals?

TROY McGLYNN: The point I'm making is that there is little transparency in that. A lot of the annual reports indicate how much money has been collected by the council—the local government—on behalf of the Office of Local Government, and how much money is received. But there is little transparency in the allocation of those funds from that point and, indeed, what council itself is spending on companion animal management. I listened to a number of councils this morning speak about the lack of adequate resourcing, but there was a notable absence about the transparency in relation to that funding.

The Hon. EMILY SUVAAL: Mr McGlynn, if I could jump in there, Dubbo council have outlined that in their submission, so you'll find those figures in their submission. It looks like their facilities have run at a loss in the order of \$350,000-odd in the last financial year, due to the paltry funds that they got from that revenue.

Ms ABIGAIL BOYD: One of the issues we've not touched on but I notice you mention in your submission is in relation to the Companion Animals Register and how important it is for that to be up to date. I understand that New South Wales system is not necessarily as advanced as some other States. Are you able to tell us why that's important?

MICHAEL RYAN: Troy may start and I'll have a point at the end.

TROY McGLYNN: Feedback from across the industry is that we're absolutely amazed that the Government can run a registry for motor vehicles, and do so efficiently and effectively, but not be able to do the same for companion animals. It is fundamentally the cornerstone of being able to administer and manage companion animals within the State. It is the only means of identifying the companion animal. It is a cumbersome, overcomplicated, archaic register, which doesn't really talk to the public interaction of the NSW Pet Registry, and we are very keen to see significant improvements in that space.

Ms ABIGAIL BOYD: Did you want to add something?

MICHAEL RYAN: If I may. In 26 years I've learnt a lot. When you go to local government with an issue or a problem, you make sure you take the answer. I don't know whether this is the be-all answer or the right answer, but I've found over the years—and I am as tough as you come across—that the registration of an animal is now way and above the ordinary person's means. That is the most I've found over 17 or 20 councils. That is the most debilitating factor of getting that animal back out. I manage my own pounds. I go back to I think it was the 2007 or 2008 amendment when the pound registration—I don't need to be quoted—went from \$100 to \$150. I estimated at the time—and I said it quite loudly within our institute and generally—that the euthanasia rate would increase by about 30 to 33 per cent. It increased by 42 per cent. So that \$100 to \$150 all of a sudden is just big money. Nowadays, also, it is \$200-odd. I personally would like to see the lowering, perhaps, of it.

What are we here for? We don't want the animal in there, but once it's in there, how do we expedite getting it out? With our saturation level of the rehoming, your population density can only absorb so much. What do we do here to make it easier for these people? Do we have common impound fees? That's possibly a factor set by a government or legislation. It ranges from, in some councils, around \$25 to \$100. But the registration level that goes up each year—yes, there's a good argument that comes across that we need to finance this and this, but show us that you're financing this area. As Troy has said, there's no transparency. Personally, I would like to see that registration fee stopped where it is now, and maybe even go back a bit. Make it easier for the poor bugger to get the animal out.

Ms ABIGAIL BOYD: I hear about people saying that they've missed the requirement to register within a period of time, so then they are very worried that if they went to register, they'd be done for a higher fee. Is that a factor as well?

MICHAEL RYAN: No, there's no higher fee for your registration. There could be a penalty notice, but I don't know of any council areas that are doing that because they want to get the animal out. I am aware in the past of where there has been, let's say, a money grab, for want of the word. We've got so many people on the register here out of Orange, for argument's sake. Okay, we can send out notices to register to all of those people. That's wonderful. There will be grandma in there with three little lap dogs that we don't know exist. I'm not interested in grandma. I'm interested in the ones that are out on the street causing havoc, taking people's legs off, literally. That's what we've got to aim for first. In regard to that, that's what I think we should do.

The CHAIR: We have come to time. Thank you both for your time, and thank you for coming here today to give evidence. There may be further questions from the Committee members, which the secretariat will be in contact with you about.

MICHAEL RYAN: We're here for you guys.

The CHAIR: Wonderful.

MICHAEL RYAN: We'd like to be interactive with you people going forward from the front line. It is as simple as that.

The CHAIR: Great. Thank you again for your evidence.

(The witnesses withdrew.)

Ms MELISSA SOUTER, President, Inner City Strays, affirmed and examined

Ms CHRISTINE CROWE, Secretary, Inner City Strays, affirmed and examined

Mrs MELISSA PENN, General Manager, Sydney Dogs and Cats Home, affirmed and examined

Dr LAURA TAYLOR, Head of Animal Care, Sydney Dogs and Cats Home, affirmed and examined

The CHAIR: I now welcome our next witnesses. We have a little bit of time for a short opening statement. Is there a statement from Inner City Strays?

CHRISTINE CROWE: Yes, there is, thank you. Inner City Strays has been operating for 10 years and has been an incorporated association for eight. We have a strong working relationship with the City of Sydney and act as a satellite shelter for cats and kittens found on the streets within their local government area. We assist other pounds and local government areas when we have the capacity. We have worked mainly with two other metropolitan pounds as well as several rural pounds. We find the pound system to be struggling. The facilities can be lacking. They are under-resourced, underfunded and often understaffed. Sadly, they often do not have the funding available for necessary urgent veterinary treatments. Lack of space is a constant issue, and sadly the overwhelming number of animals surrendered puts even more of a pressure on an already struggling system. We thank you for calling us to be before you today.

MELISSA PENN: Sydney Dogs and Cats Home is Sydney's only community charity pound. We've been operating for nearly 80 years. We currently service six councils across Sydney, and with our new permanent facility being built we will be able to expand our intake and our councils that we currently support. Thank you for the opportunity to contribute to the inquiry into New South Wales pounds. We're hoping to see meaningful change around animal management, pound facilities and conditions and, importantly, improved animal welfare. We'd like to see that meet and exceed best practice standards. An important part of this discussion needs to be around designing sustainable models of prevention to reduce the high volume of animals currently putting pressure on New South Wales pounds.

The CHAIR: We now move to questions from the Committee. I might start with Ms Abigail Boyd.

Ms ABIGAIL BOYD: Thank you to all of you for coming along and sharing the benefit of your experience and expertise with us. One of the issues that you have both talked about in your submissions is in relation to the management of cats. I know in the Inner City Strays submission you say that culling has proved again and again to be ineffective and is received poorly in the community. Similarly in the Sydney Dogs and Cats Home submission, you talk about the trap-neuter-release, if I remember correctly. Could you explain a little bit to the Committee about why just culling cats isn't actually an effective population management tool and what other things we should be doing?

MELISSA SOUTER: Culling cats doesn't address the beginning of the problem, which is why those cats are there in the first place. Those cats don't just appear on the streets. They are put there by members of the public. We don't think that rounding them up and culling them is going to stop people from dumping their unwanted litters on the streets in the first place. What we've seen in the past in several areas is when cats have been removed from a certain area it just creates a new area for other street cats move into; it's called the vacuum effect. We've actually seen that down at the fish markets once when there were quite a lot of cats in a certain area and the cats were all removed. In fact, new cats moved in and the rat population absolutely exploded, and we were even asked to bring more cats back.

MELISSA PENN: I'll add to that. There's extensive research and data to support that the only effective animal management strategy is around desexing programs for cats. It is proven that euthanising stray animals is not a way to prevent cat population, that effective desexing programs—and there is significant data to support that now—are the only way forward. Is there anything you'd like to add to that?

LAURA TAYLOR: I suppose just to couple what Mel has already said in relation to the research around this. For many years it was assumed that to manage these cats was to euthanise them. We know that's not an effective strategy. The science is there now. You need to be desexing these animals, essentially. That then creates a stable population and so they don't continue to breed. That obviously means you don't need to keep euthanising these cats. The science is there; the research is there. We need to be implementing this because the cats keep breeding. Obviously the pounds are inundated. It's poor animal welfare. It's stressful on communities and everybody working in animal welfare. We need to really start implementing these strategies.

Ms ABIGAIL BOYD: If we were to have a broad program of desexing these cats, is there any benefit to also microchipping them and registering them—not registered to a particular owner but perhaps to a particular

area—in order to keep an eye on them? Or is there an easier way that we can do that so that we know this is one that's already been desexed and we know about it and now we're tracking it? What are your views on that?

MELISSA SOUTER: Personally, I think it is a good idea to microchip the cat because you then do have the data of how old that cat is. It's also a very good idea to have managers of these cats in certain areas so that if that cat was to suffer an injury that can be tracked as well.

CHRISTINE CROWE: Yes, there are advantages to have it centralised and to have someone with an overview so we can track the progress of the fewer colonies and fewer cats within colonies. So, yes, in our opinion it is very worthwhile.

MELISSA PENN: We do see an obstacle with desexing programs, particularly if we're talking around semi-owned cats: people not wanting to come forward with cats for desexing because there is an obligation around ownership to have the cat registered towards that owner. We do see that as an obstacle towards achieving successful desexing programs and outcomes. But I think if there was a way to take that from an individual ownership, that would probably remove that obstacle.

LAURA TAYLOR: Absolutely. I think there are pros and cons to the microchipping debate. I think there are definitely advantages. However, we can't allow there not being a microchipped owner to be the reason that we're not implementing these desexing programs and these desexing protocols. That has to be something we get up and running as soon as possible.

The CHAIR: I might jump in with a couple of questions, and I'm happy for anyone to answer these. A number of submissions have highlighted the absence of any enforceable standards within pounds within New South Wales, including the fact that there's no standard around cage sizes and waste management. What do you think we need to be doing here in New South Wales? I think one witness earlier today suggested we could have a code similar to the one in Victoria. Is that what we should be looking at recommending here for New South Wales?

MELISSA PENN: One of the things that we see, servicing multiple councils, is that everyone has their own interpretation of current legislation requirements. We find it quite challenging, because we service multiple councils, that councils enforce their own interpretation. I think reform needs to happen to have a standardised approach so that it's not open to an individual's own interpretation of current legislation or draft codes, and that we do have a code in place. I think other States are far beyond us in terms of best welfare standards—things like cage sizes in pounds. New South Wales seems to be trailing a little bit behind other States to the point that we're following other States' protocols and standards in the designing of our new facility because we don't feel that the New South Wales requirements are adequate.

The CHAIR: This was a question I asked the last group as well. There are some people suggesting that there could be a relaxation of the rules around when an animal can be killed inside a pound or a facility, because obviously keeping an animal in a pound or facility for a very long time can lead to things like kennel rage. Should we be focused more on aspects to reduce the number of animals that are ending up in the pound system in the first place and then making sure that the quality of the care of those animals when they're in the system is a better quality of life, with things like larger enclosure sizes? At the moment I think the code is that they can be in an enclosure for 23 hours and 40 minutes a day. Should we be looking at that so that kennel rage doesn't set in after up to 10 days, is what we're hearing, or should we be relaxing the rules around when an animal can be killed?

MELISSA SOUTER: We don't really deal with dogs.

MELISSA PENN: I can jump in around dogs. There are two parts of to that. Obviously, a really important part of this discussion is around prevention. We want to prevent as many animals coming into the pound in the first place. With population growth and pet ownership growing at the rate that it is, the State cannot sustain the current levels that require housing in pounds. In terms of a sustainable approach, it has to be around prevention, around what we can do to stop the animals coming into the pound and, when they do, being able to very quickly return them to owners or have a homing option outside of the pound facility. So that's quite critical.

In terms of the current restrictions, we are acutely aware of the deterioration of behaviour of animals in the shelter. It's something that we work very hard to try and prevent. I know minimum requirements are 20 minutes a day outside of a kennel. Our minimum is one hour, and we try to exceed that wherever possible. But it's still one hour out of 24, and that is detrimental to an animal's health. That also brings in the conversation around adequate funding and resourcing of pounds. We spend a huge amount of money on staffing levels to ensure that we have a paid staff member for an adequate number of dogs so that the dogs get enough enrichment, training, assessment and, of course, outside time of their kennels. But, without adequate funding, it's very difficult to have that in place. I know a lot of facilities struggle to even do 20 minutes a day because they don't have the resources

available to have the high intake that we're currently experiencing and to ensure the enrichment of the animals. Do you want to touch on welfare?

LAURA TAYLOR: Yes—definitely in agreement about prevention, without a doubt. In relation to the animals once they're in our care, it is a huge strain on the minimal resources that we have to try and give these animals a quality of life while watching them sometimes—and unavoidably—decline within our care, which, as you can imagine, is absolutely heartbreaking. We have staff members on to try and give animals time out of the kennels each day. As Mel said, we do that at minimum one hour a day, but, as a result, that's eating away at the very minimal financial resources we have.

We have a fully equipped vet team to ensure that the welfare of these animals in terms of their mental health is being addressed. They're assessed every week by a vet. They're medicated, where required, to try and alleviate some of the anxiety that they experience in a kennel. Again, these are things that we're prioritising within our small organisation to try and maintain the welfare of these animals and their quality of life, but we need funding and we need support with this stuff. Ultimately, within our minimal resources, we watch these animals decline, and we do get to a point where euthanasia is sometimes the only humane option. So increase of resources is what we desperately need, otherwise we can't maintain their quality of life while they're in our care.

The CHAIR: Do you have something to add?

CHRISTINE CROWE: I have something on the prevention discussion. This is something from a rescuer's perspective. Melly and I are the rescuers. We're the ones who have been out on the street for the last nine years. We've come across two alarming situations. One is cat hoarding. We've got five cases already. That's been over nine years, but there have been 11 cases. They produce the problem and misery and suffering. Not all kittens born on the street are going to survive—maybe one does—but you only need one female. So hoarding is a huge problem. As an aside—and I won't take up too much time on this—it's bigger than us. We've been doing one place for over eight years, on and off, and it's just starting up again.

Trying to put in a complaint to the RSPCA and the Animal Welfare League, the form would put a member of the public off complaining about hoarding because it asks, "What cruelty is there? Have you seen it being injured?" It's not about that. These places feed semi-adequately and they just don't desex. The cats live in and out of the house all the time. So it doesn't actually fit the boxes. Even when I made the complaint—I actually rang both organisations and explained—they said, "Yes, we get a lot of that." As a footnote here, something has got to be done to make that reporting easier for members of the public. It's only us being tenacious who follow up. Does this mean that desexing is cruelty? No, it doesn't. There's no legislation against it. But neglect—there's no medical care. Putting a broken leg together with a Paddle Pop stick is not medical care.

So that's the first thing: hoarding. It overlaps with public housing estates and low socio-economic areas. We've helped members of the public in low socio-economic areas and in housing estates—Waterloo, Glebe, Zetland. People don't go out and say, "I'm going to get a kitten today." Kittens are born there. There are colonies on all streets. There's a white colony on one street, a tabby colony two streets up—all of that. That is a scenario where there are hundreds of cats. So there's hoarding, particularly hoarding in public housing estates—that's our observation after nine years—and it's overwhelming. I've looked it up as a mental illness and it's just not specific enough. There's not even differentiation between hoarding inanimate objects and live creatures. That's from our experience.

MELISSA SOUTER: Can I add one thing in regards to those cats that are long-term at the pound and that are suffering with mental health issues? When we take cats like that into foster care and work with them, it often doesn't take that long for that cat to come out of its shell and develop.

The CHAIR: I assume one of the solutions to a lot of that is free desexing programs being funded externally? I might need someone to put on the record the answer to that.

MELISSA SOUTER: Yes.

CHRISTINE CROWE: Yes.

MELISSA PENN: Yes.

LAURA TAYLOR: Yes.

The CHAIR: Nodding doesn't get picked up by Hansard, unfortunately. I've got one more question quickly for Inner City Strays about your submission. I notice that you said that Lithgow council is a convertible shed operating next to Lithgow tip. I've heard that there are quite a few pound facilities within tip sites in regional areas. Do you think that meets community expectations?

MELISSA SOUTER: Absolutely not. That facility is so under-resourced. I picked up a kitten from that facility that was basically in such a shocking state and had been missed simply because there was one ranger who was working. And when I picked that kitten up, he had been working for a whole month without one day off. He was struggling, and therefore the cleanliness and the hygiene of the place was not what a member of the public would expect. I think the location of that pound, right next to the tip, is absolutely not what any members of the public would expect.

CHRISTINE CROWE: That's right, it certainly doesn't meet public expectations. When we've said to friends—I mean, members of the public are horrified when we say this. And the ranger at the pound does his very best. It's not about the staff; it's about the facilities. Now, that kitten, our vet says, would not have survived. It was covered with faeces. It got a urinary tract infection. Our vet said it would not have survived if left alone. Without a rescue doing umpteen hundreds of taking cats from pounds, those cats are going to be left there.

MELISSA SOUTER: I think, also, when you go and collect a cat from that facility, you just kind of go into a little tin shed and it is so filthy you don't even want to sit down. That facility is just screaming for money. They just need some funding, and he needs some help.

The Hon. EMILY SUVAAL: I will pick up on some of the earlier points you made about cat hoarding, and also the issues that you faced in terms of lodging a complaint. Could you advise the Committee what the outcome was? You've got these five cases, you say, where there's quite significant cat hoarding. You have made a complaint to the RSPCA. Has a compliance officer attended? Is there an outcome? What is the situation?

CHRISTINE CROWE: We haven't made a complaint yet. I was calling to ask whether the complaint about hoarding actually does fit within the requirement for a complaint. We only did that yesterday. We ended up the last of the fifth hoarder last week. It takes us a while to think about to report it, because we know these people, we know what that means for their remaining cats—but we have decided to report. But that was only recently. When we thought one particular site was finished, we learnt that now the hoarder isn't even telling us that there are kittens inside. A year ago he would tell us.

The Hon. EMILY SUVAAL: When you rang and asked the RSPCA if that was something that—what was their response to you?

CHRISTINE CROWE: They were very sympathetic. I specifically asked, "What constitutes cruelty or neglect?" Unfortunately, not desexing doesn't constitute neglect. The only category that fits would be failure to give medical care, so that is the only kind of avenue that we can make a complaint to the RSPCA. We are the ones that are giving the medical care, not the so-called owner.

The Hon. EMILY SUVAAL: Right. Is it fair to say, if you know there are hundreds of kittens in there, they are probably not getting adequate medical care?

CHRISTINE CROWE: That's right, and that hoarder only likes them when they are cute. After about 12 weeks, they are out on the street, and the next round of kittens has already started. We can't deal with it anymore. We cannot deal with any more hoarders.

The Hon. EMILY SUVAAL: No. But it also strikes me as being a role for a compliance officer, not a role for a volunteer organisation such as yourself.

CHRISTINE CROWE: Yes, absolutely.

MELISSA SOUTER: Absolutely.

MELISSA PENN: Most councils do support rescues with hoarding situations. Typically they have a maximum number of animals allowed on a property, and when it is identified that it exceeds, quite often they can support going in to remove animals.

CHRISTINE CROWE: And that was the advice the RSPCA gave, as well as saying, "We will take the report right now."

The Hon. EMILY SUVAAL: I suppose it is hard to identify how many animals are in there if you are not being told, though—if there is secretive behaviour. I want to ask a question to both your organisations. How easy or hard is it to arrange for vets to desex dogs and cats that are in your care?

MELISSA PENN: Fortunately for us, we have a fully resourced vet clinic and vet team, so we do all of our own desexing and medical treatments internally in house. But I do understand, and we provide a lot of support for other organisations who are struggling to get adequate—particularly desexing. We do provide that support to other organisations, because I know it is extremely hard at the moment.

MELISSA SOUTER: We have partner vets who will often squeeze in a cat for us the next day, if we ask. We have some fantastic partner vets, and they really support our work and often will go out of their way. Sometimes they will even stay late at night to desex an animal for us.

The Hon. EMILY SUVAAL: When you are providing these services, is that for free? Or is there a cost involved to your organisations?

MELISSA PENN: Yes, there is a cost.

MELISSA SOUTER: Yes, we pay a reduced fee.

LAURA TAYLOR: I would also like to add that although we have a fully equipped vet team at Sydney Dogs and Cats, when people come to us for help—whether that is councils or rescues or just members of the public coming in off the street—we are giving a substantially discounted rate, which obviously comes out of our resource pool. We are doing what we can to assist with the desexing, but it is not helping us in terms of our small financial resource pool. That is us contributing. We can do so much more if we have government financial support in that area.

MELISSA PENN: We are very reliant on community donations, like other organisations are. Even though we are older and larger than a lot of organisations, our survival is purely dependent on community fundraising.

The Hon. EMILY SUVAAL: I know the Sydney Dogs and Cats Home mentioned it in the submission—regarding the trap-neuter-release program for community cats. Can you comment? Under section 11, my understanding is it is currently illegal to abandon a pet. Does this create impediments for the trap-neuter-release program?

LAURA TAYLOR: Sorry, do you mean it is illegal to dump an animal at the pound? Is that what you mean?

The Hon. EMILY SUVAAL: Yes, it is illegal to abandon a pet. You're taking in a cat to neuter it and then release it back into the community, if you know it is unowned.

LAURA TAYLOR: Currently how that affects us is that we need to hold that animal for the legal impound period before we can then proceed with desexing. That is not good welfare for the animal. Semi-owned cats, for example, don't cope well in a shelter. We try and do what we can to get them into a foster home, but ultimately a lot of them do stay within the pound. They decline behaviourally and physically within that stray-hold period, at which point, once their stray-hold period is over, we can then desex them and look at rehoming or sending them to rescue, or whatever opportunity is available for that animal. But, yes, at the moment that legislation certainly has negative animal welfare impacts for those cats who we assume are semi-owned cats when they come in to us.

MELISSA PENN: There is an opportunity there for great legislation reform to legalise the process so that these animals can come in and be desexed and released with minimal harm and negative impact to the welfare of the animal. It is a problem at the moment. We try and support councils with desexing programs but, of course, because the legislation deems it as being an illegal process to do it in that manner, it is very difficult for us to support councils with effective desexing programs without being able to do TNR programs.

The Hon. EMILY SUVAAL: That would be one of the so-called earlier intervention processes you were talking about earlier, to avoid animals getting to your office in the first place?

LAURA TAYLOR: Absolutely.

The Hon. EMILY SUVAAL: Which you currently can't do. Or if you do it—what is the additional cost to your organisation of then having to keep a stray for the statutory period?

MELISSA PENN: It is significant. You've got staff and medical care for the animal for a 14-day period, which is an extensive cost. But, for us, the main concern is the animal welfare component of that, rather than the cost of the care. Those animals are severely compromised going through that process, and it seems unnecessary when they could be brought in, desexed and released with minimal impact.

The Hon. RACHEL MERTON: This is for both of you, if possible. With COVID, we saw a surge of pet adoption. Coming into post-COVID, where we are now, what are the current rates of adoption and fostering? What is the experience today?

MELISSA SOUTER: For us, post-COVID, our adoptions are very slow. We had a lot of adoptions through COVID, but coming out the other side, no, they're very slow. Entering kitten season, the first kittens of the season usually get adopted pretty fast, but that is also starting to slow down now as well. It's been very slow, juveniles and adults almost non-existent. Sadly, post-COVID, we've been asked to take a lot of juveniles and adults from members of the public as well, as they're now travelling. Cost of living has also been a huge thing.

People are saying, "Well, I actually can't afford, now, this animal that I adopted in COVID", and are wanting to surrender the cat for that reason as well.

CHRISTINE CROWE: And some people are homeless and cannot sustain the cat—

MELISSA SOUTER: Pet ownership.

CHRISTINE CROWE: —and have to surrender it.

MELISSA PENN: Our experience has been very similar. Post-COVID, we have seen a huge increase in intake of animals, both dogs and cats. Unfortunately, adoption numbers are probably the lowest we've seen in a very long time, so that's obviously putting capacity restraint on the organisation. But I think the most alarming thing to note coming out of COVID is the amount of calls that we receive. It's well over 100 every week and it's increasing, not decreasing, from members of the public needing help, wanting to voluntarily surrender their animal.

There are three main reasons for that. The animal's behaviour—a lot of dogs, through COVID, were brought in as puppies. They weren't socialised. They had people around all the time. Suddenly, now their owners are back at work, they have separation anxiety and display various behavioural problems that people are growing tired of. There are obviously financial pressures on people to provide adequate medical care to look after their animals and, of course, the renting issue continues to be a problem—that people try to find housing to take their pets with them and are unable because renters are still refusing animals in the home, so they're being forced to surrender their animals. That problem is getting larger and not smaller, which is a real concern. There are things that can be done to support members of the community to keep their animals rather than surrender. Not in all cases, but behavioural supports for dogs and financial assistance for medical care for people who are struggling are just some of a few ways that these people could be supported to keep their animals in a home, rather than needing to surrender them to a pound.

LAURA TAYLOR: I was just going to add to that, from a veterinary perspective. Every week we are seeing members of the public come forward and say, "We can't afford basic veterinary care due to the cost-of-living crisis." Unless we have financial support to support them, surrender is the only option that they have, which is obviously increasing the number of animals in pounds. We need to go back to that prevention model, where we can provide people with support and stop animals coming into the pound system in the first place.

The Hon. RACHEL MERTON: To both of you, I note that one of the submissions touches on euthanasia rates and practices, and the commitment of the Getting to Zero movement to strive to rehome every healthy, treatable animal. What is the latest on reaching that?

MELISSA PENN: I'll jump in if that's okay. It's something we're very passionate about, the Getting to Zero movement, to ensure that any healthy, rehoming animal has the opportunity to be rehomed and not euthanised based on capacity and restrictions within the pound environment. We do not put a time limit on any animal in our care. Unfortunately, other organisations are not in the position to be able to do that. They do have capacity restrictions, which would restrict them being able to provide that opportunity. But, through foster homes, we're able to remove animals from the pound environment into a foster home environment, which is better animal outcomes. It gives them the time that they need to find a home and lowers euthanasia rates, which is really important.

MELISSA SOUTER: Yes, absolutely agree.

CHRISTINE CROWE: Agree.

MELISSA PENN: Ditto.

The Hon. AILEEN MacDONALD: I have a question for the Sydney Dogs and Cats Home. When you made the submission, you said, "when we are able to build our permanent facility". That was back in August. Do you have any updates on the time line for building that? You then said that you'll be able to grow to over double your current levels. You currently serve six councils, so how many councils will you be able to service once your build is complete?

MELISSA PENN: I'll go back to front and I'll answer the second part of the question first. It's not so much about the number of councils, because councils have very different requirements in terms of impounding. Some councils will have 12 animals a year; other councils will have over 1,000 animals a year. It's really about partnering with councils to a number of intake. It could be eight councils, it could be 12 councils, depending on the size of the council and their requirements—who we partner with. I would be expecting it would probably sit at around 10 councils, depending on who we actually work with.

To go back to the first part of the question, the New South Wales Government has committed to providing funding for the building of the permanent facility. They're going to be doing that not through us but through an auspice agreement. They have brought NSW Public Works on to project-manage the build of the first stage of construction. The project is a little bit behind schedule, unfortunately. We were scheduled to be on site by December 2024. With some delays working through that auspice—it looks like there's a three- to six-month delay—I would be expecting between March and June of 2025 that we'll have our permanent facility completed and we'll be able to take occupancy.

The Hon. PETER PRIMROSE: You may, given the time, take this on notice. In their submission Local Government NSW on page 14 under the heading, "the relationship between New South Wales pounds and animal rescue organisations" stated:

Ideally, rescue and rehoming organisations would have some form of minimum accreditation, and all those working with companion animals would be required to have mandatory basic training so that basic knowledge, competence and safety is assured.

They recognise the role of volunteers, and limited resources and go on to say:

It may be necessary to subsidise training and accreditation if this option is pursued.

I was wondering if anyone has any comments on that proposal?

MELISSA PENN: Would you like to comment or take it on notice to respond?

The Hon. PETER PRIMROSE: Please feel free to take it on notice if you would like to consult about it.

LAURA TAYLOR: I will take that on notice, if that is okay. I definitely have some thoughts that I would like to put together for that. I will take that one on notice.

CHRISTINE CROWE: Every rescue has different procedures and protocols, we find. We often ask, "Why can't we all be just one big rescue?" Everyone is different in their focus and their processes and procedures. We have a kind of informal induction, I suppose, just by doing alongside a more experienced person. That is how I learnt nine years ago, and we find that volunteers work together well as a team but just because you are a volunteer doesn't mean you do everything. Some volunteers just do fundraising and that's fine with us. Others are like us, the rescuers, and others do foster care. So it is a grouping of different skills coming together under one rescue umbrella.

MELISSA SOUTER: If we can do training, yes, absolutely for those volunteers that want to do it. Yes, would love it. We follow a lot of advise of our vets, obviously, and any queries we have we go to them. We do have a lot of vet nurses on board and we do have some vets on board as well within our team, but I always think training is always beneficial, yes.

CHRISTINE CROWE: It would be really good to have a more formal induction program, definitely, with outlining basic skills needed for the work.

The CHAIR: I have a question about behavioural assessments and I know that these are really complicated and that there has been some research done to show that there isn't any one behavioural assessment that actually gives an accurate prediction of an animal's behaviour. At the moment there is nothing in the legislation around what that behavioural assessment could be and I have heard it can range from putting a stick through the cage to a dog and seeing how they react, to hiring a professional to do a whole range of tests. Do we need something in New South Wales to standardise or to create a minimum level around what a behavioural assessment should be, given obviously these are used to assess whether an animal will live or die?

LAURA TAYLOR: Yes, I definitely think there needs to be a review on this. Within the veterinary community it's widely accepted that a standardised behavioural assessment in a shelter environment is ineffective; it doesn't give an accurate assessment of the animal's true behaviour. However, I'm aware that different facilities with minimal resources potentially don't have vets on site or behaviourists that have the knowledge to know how to do an assessment to the best of their ability. I think it needs to be standardised and I think there definitely needs to be a review. I suppose what I would say further to that is that it needs to be a review based on people with the appropriate skillset. A behavioural vet, in my opinion, is a specialist within that area. Again, trainers, for instance, there is no regulation about what's a good trainer and what's a bad trainer, unfortunately. A lot of trainers, even with the best of intentions, can have really severe negative outcomes for an animal's welfare, and so it really needs to be specialist leading within the behavioural field who has input into a review on standardising behavioural assessments in a shelter.

MELISSA SOUTER: I would just like to say that in regards to cats, we often do take cats that fail a behavioural test in a pound situation, and sometimes they might take a couple of months to come out of their

shell, but often just being in a home environment and being worked on one on one can do absolute wonders, and those cats all get adopted.

The CHAIR: Thank you all for coming in today and giving evidence and for all the amazing work that you do. We may have further questions that we would like to give you on notice. The secretariat will be in contact in regards to those questions. The Committee will now break for lunch until 1.30 p.m.

(The witnesses withdrew.)

(Luncheon adjournment)

Ms MONIKA BIERNACKI, OAM, Founder, DoggieRescue, sworn and examined

The CHAIR: Thank you and welcome back to the inquiry into pounds in New South Wales. I now welcome our next witness from DoggieRescue. Do you have a short opening statement that you'd like to give to the Committee this afternoon?

MONIKA BIERNACKI: DoggieRescue is a registered charity that I set up in 2001, primarily to save animals from the council pounds. We are predominantly a dog rescue organisation, and we have rehoused almost 14,000 dogs. We have a strict no-kill policy, and 95 per cent of the animals we take are from council pounds.

The Hon. EMILY SUVAAL: Thank you, Monika, for appearing today. I might start by asking you a question I asked some other animal rehoming organisations earlier today, which is how easy or hard is it to arrange vets to desex dogs and cats in your care?

MONIKA BIERNACKI: Sorry, could you repeat that? How easy is it to engage vets?

The Hon. EMILY SUVAAL: To desex dogs in your care.

MONIKA BIERNACKI: We are very fortunate. We actually have our own veterinary hospital, which we own 50 per cent of—the Cottage Animal Hospital. It is part of our ethos that that's part of what a rehoming organisation long term does need. We have plenty of capacity to get all our veterinary care done. In addition to that, we also source many specialist vets for specific requirements.

The Hon. EMILY SUVAAL: That's wonderful. What are the barriers to animal adoption that you think could be resolved through some regulatory change?

MONIKA BIERNACKI: Specifically, in the current climate, the off-loading of animals due to having rental or lease agreements that do not allow pets certainly does result in a lot of animals being off-loaded now, with the spike in interest rates and the economic squeeze. It has made life very, very hard, so looking at that area would certainly be of advantage.

The Hon. EMILY SUVAAL: Do you get enough volunteers in your organisation?

MONIKA BIERNACKI: We live on volunteers. Most of our organisation is that. We are very fortunate. We have a lot of volunteers and a lot of committed people that help. Without them, our organisation wouldn't even exist, so we are very, very fortunate.

The Hon. EMILY SUVAAL: What is your relationship like with the RSPCA? Would you have a relationship with the RSPCA in terms of their support?

MONIKA BIERNACKI: Not really, no. I work pretty much solo. If there is an issue or there's a collaboration on a specific group of animals, I've certainly had association from time to time, but not an ongoing collaboration.

The Hon. EMILY SUVAAL: You predominantly work with councils, as you said earlier in your statement.

MONIKA BIERNACKI: Yes, with the council pounds.

The Hon. EMILY SUVAAL: How has that been arranged? Are there any areas for improvement?

MONIKA BIERNACKI: The main areas we have difficulty with—we source animals from any pound throughout New South Wales. We're very fortunate. We often get volunteers who drive sometimes two days to source animals from pounds, so we are very fortunate in that regard. But the pounds that are in rural areas are much more poorly staffed. They have less resources and disease control. Sometimes there's no vaccination of animals. For example, just two weeks ago we took dogs from a pound where we knew there was a parvo outbreak. You probably all know that is a life-threatening situation for an animal if they don't get veterinary care. We took them on because we knew, if we didn't, they would be euthanised. We did have a very supportive fundraising program on social media, and we got the funds to pull those three puppies through. It was amazing. But pounds are facing these hardships all the time. There aren't always groups there to take them, let alone do they have the financial ability and resources to then follow through and get them well, and then rehouse them.

The Hon. EMILY SUVAAL: In the case of a volunteer of your own driving for two days essentially to pick up an animal—that's something that they're doing at their own expense, I presume.

MONIKA BIERNACKI: Yes, absolutely—their own petrol, their own tolls. They even have overnight accommodation, and often take a friend, just for safety, to go into these remote communities. It's just amazing.

The volunteers and what people want to do to help—that really gives them a buzz to know that they saved that dog's life.

The Hon. EMILY SUVAAL: Yes. We heard evidence earlier today from a regional council that said that they had extraordinary difficulty in getting animals rehomed for this exact reason.

The CHAIR: I've heard that animal rescuers are also experiencing high rates of burnout and stress at the moment, due to the rising surrender rates, the impossibly high number of animals to rehome and the fact that there are more animals than there are homes. What impact is the current situation having on the rescue centre and the individuals that are taking on all this cost on their own back?

MONIKA BIERNACKI: It's exactly what you said. There's just a high burnout rate. It's exhausting; it's never-ending. You've always got the pounds pressuring you: Can you take this one? It's only this; it's only that. You want to do your best, but there's a limit. It's really, really difficult. It's since COVID. I've been in rescue more than 20 years—closer to 30—and I have never seen it the way it is now.

The CHAIR: There was a grant from the previous Government for \$5 million for rescue organisations. A lot of those rescue organisations put in a bid for some of that quite small pool of money. My understanding is that that's the only funding that has ever been made available to rescue organisations. Should there be ongoing funding, because rescue organisations are stepping in and doing a lot of the groundwork to rehome these animals, because councils are unable to do it?

MONIKA BIERNACKI: Yes, that would certainly be beneficial. We got our first grant last year, and we're very grateful. We're doing lots of things with it. It would certainly help. It's the delay time now, because of that high volume of animals that there are and then trying to rehouse them. You're keeping every animal longer. Sometimes the condition that the animals come into the pounds in is appalling, and you've got to pick up the pieces. The pounds don't have the resources.

The CHAIR: Earlier today it was put to us that some of the legislation should be relaxed to allow animals to be killed sooner so that they don't develop things like kennel rage within some of these pounds. I wanted to get your thoughts on that, or on whether there should be more emphasis on different pieces of legislation or funding to reduce the number of animals that are ending up in the pound system, and whether our focus should also be on making sure that there is funding and adequate legislation around quality of care when an animal does end up in a pound. I note at the moment that there's no proper staffing ratios. Animals can be held in enclosures that don't have any kind of size requirements for 23 hours and 40 minutes a day. I'm assuming that all relates to kennel rage. Should we be looking at that to reduce kennel rage—reduce the number of animals that are going into pounds—or should we be relaxing laws to make it easier to kill animals faster?

MONIKA BIERNACKI: I think the key problem is backyard breeding. If we didn't have so many backyard breeders, we wouldn't have the intake into the pounds. That's where we have to put legislation. I know once you put legislation you've got to be able to follow it up, and I know that's a difficult area. The puppy farming that you all probably remember—all the little white fluffies and the oodles and the moodles—yes, it still exists, but not to the degree it used to because legislation went into place and there was education to people that it's not a good thing to get a puppy farm dog. It's had an effect.

We now have to work on backyard breeders, particularly the staffy, the Am staff, the bull Arab and all those larger breed dogs, because they're all bred for, often, a sort of a macho image that people want. They're the most inappropriate people to have them because these dogs are powerful, they're strong, they're not trained and then they end up in the pound system. I'm sure if you looked at the statistics of what type of breeds are in the pounds, they're the problem ones. It's not the dogs; it's the people who breed them. That's where the Government needs to focus its attention.

The CHAIR: Regulating backyard breeding, or regulating breeding generally, so that backyard breeding isn't—

MONIKA BIERNACKI: That's right. We don't want to see bona fide breeders then giving ulterior quality dogs to backyard breeders and then selling them through those sorts of networks. We know all these games that happen—but yes, to stop the backyard breeding. You don't have to spend lots of resources on lots of bigger facilities because you will hit the nail on the head.

The CHAIR: We've heard a lot this morning about large desexing programs providing subsidised or free desexing for people who perhaps don't have the finances available to do any desexing. People have also talked about programs to desex homeless cats as well. Do you think that that's also part of the solution here, to reduce the number of animals coming in?

MONIKA BIERNACKI: Absolutely, but it's also the education. I know from a lot of the rural pounds, the pound managers just say, "Well, you get rid of these puppies and now the next lot will come in six months' time." It's that education. People don't care about desexing. We've got to get that message through, particularly into the rural areas because that's where a lot of the young dogs and the litters are coming from. They're all those sort of working breeds and the hunting breeds that, again, in a city environment, it's hard.

The CHAIR: We've heard a lot of people saying that we're now at a bit of a crisis point in regards to rescue organisations and the pound system. The pounds are saying that they're over capacity.

MONIKA BIERNACKI: Absolutely.

The CHAIR: We're hearing that they're trying to work with rescue organisations, but you guys are also at capacity. Can you give us a bit of an understanding about what's happening, and also what the State Government can be doing to help support this whole system getting out of this crisis?

MONIKA BIERNACKI: Because everyone has a limited capacity, we need to rehouse the animals we have. We need to have more education on "get a rescue dog, not a purebred dog". It's sort of like stopping cigarette smoking: You've got to have campaigns, it's got to be across all the media platforms and it's got to be not socially acceptable to do. That's the sort of thing that has to happen with dogs and breeding and pound situations.

The CHAIR: We've heard that pounds in New South Wales are rarely inspected or audited. Obviously if there's a complaint then the authorities go in but, because they're limited in the number of inspectors that they have, do you think that we should also be looking at regular inspections into those pound systems, particularly in some of those pounds that we're hearing that are not fit for purpose?

MONIKA BIERNACKI: That's probably a good idea. But complementary to that, you've also got to go in there with help and support for them so that they can fix the problems—not just smack them on the fingers and say, "Well, it's not good enough." That's where that lack of staffing, lack of resources, lack of veterinary—that's where it all comes from because there isn't that support network. Sometimes I think these groups, and some of the rangers in the rural areas, they're doing multitasked jobs. Chasing dogs that are loose on the road is just one of their jobs. It only has a few hours a day attended to it just to feed the dog, make sure it's got water and then go and attend to whatever other jobs they have in terms of environmental care and so on. That makes it really, really hard.

The Hon. RACHEL MERTON: Thank you, Monika, for joining us today. If you might just be able to elaborate, a little bit earlier you mentioned that funding was received last year to DoggieRescue?

MONIKA BIERNACKI: Yes.

The Hon. RACHEL MERTON: Could you detail a little bit more about what was available and what that allowed you guys to do?

MONIKA BIERNACKI: We received a \$100,000 grant from the OLG. We put in a submission to help with training and also roofing and shelter for the dogs, which we are currently in progress of doing. That's for a 12-month period. We financially couldn't afford to have a trainer and now, because of that funding, we have got that. With these pound dogs it's important to understand the types of people that often drop the dogs in the pounds. They are often people—sometimes they're criminals. They have no understanding of what animals want. They had a desired outcome for a couple of weeks, the puppy grows up and then they no longer want it.

These dogs have never experienced anything, sometimes, apart from their own backyard. Once they go into a pound system, where it's just noisy and scary and people expect them to conform to a certain way of behaviour, they just freak out—just like a lot of humans would if they were just expected to conform to something that they have never experienced in their lives. When a dog has never been on lead—we have quite a number of dogs that have never been on lead and we have to work on getting that relationship so that we can even put a lead on them to walk them from A to B. There are a lot of dogs like that in the pounds. They are so challenged, these dogs, because they're taken as a puppy, shoved in a backyard and never been touched by a human. They never get any praise and there's no emotional contact. Then they go in the pound and, of course, they get assessed and then they get killed.

The Hon. RACHEL MERTON: We absolutely recognise the hands-on work and the passion and how critical it is in how you describe that, in terms of the contact with the animals being often for the first time. Monika, I was just concerned in terms of some of the experiences of contact or the lack of communication from the pounds for your volunteers. There's an agreement that you're going to go and collect a dog, you're travelling hours and then the situation has changed when you get there. How do we better address that in terms of the interaction or the relationship between the pounds and yourself?

MONIKA BIERNACKI: I think that's quite a simple one, that there are government-standard procedures that the council pound must follow. If they contact rescue group A and they agree in writing, then that animal needs to be held till that rescue group comes unless there is a change of circumstances. Again, it's back to communication. I think that's a very simple thing to fix, to make sure that, across the board, everybody follows a set of rules. It's really simple and it's being thoughtful about the organisation.

The Hon. RACHEL MERTON: Monika, can I also pick up in terms of transparency of pounds and the variation relating to euthanasia dates? Do you want to share a little bit more about some of your thinking on that?

MONIKA BIERNACKI: Yes. Now the pounds all officially contact at least two rescue groups before they euthanise animals, but some of them are a bit more transparent in terms of saying, "This dog has had no inquiries. It's really urgent." Certainly, our organisation will promote those jobs on social media if we get permission from the pound. We would try to help with that next level of support so that they may get someone adopting that dog directly from the pound. I understand that not all pound dogs can go directly to the public, but I'm sure there are many if we are given more of an opportunity to use our own social media platforms to really push these dogs.

The Hon. RACHEL MERTON: In terms of your experience of the trap-neuter-return program, in terms of putting some controls around breeding, I'm wondering where that might be up to?

MONIKA BIERNACKI: We are not a big cat organisation, but we certainly support that sort of system. A lot of the cats that end up in the pound system, where we get them from, have come from those sorts of places, so we know how the system works. There are so many cats that will never be rehoused, but to support that sort of system, where there are so many private individuals helping and sometimes doing risky stuff at night to make sure that their little colony gets a meal—they have to be recognised and they have to be helped. Certainly, a lot of the food distribution networks now also enable these groups to get close-dated food and things like that. That helps, but they need more, and they need support from the Government in terms of education, because there are so many people out there saying, "Cats—no. They're dirty. Keep them away from my place." There's not that education. They don't understand that having the cats there and desexed is better than removing them and then having another group of cats take their place.

The Hon. SUSAN CARTER: I just have one question. We hear a lot of press reports about people surrendering more dogs after COVID. Is that something that you've noticed, and is this a factor?

MONIKA BIERNACKI: Absolutely. It's been a nightmare. During COVID, we had pounds that were almost empty— unheard of—and even our shelter was nowhere near capacity, even though we are a no kill, so obviously we keep everything. But now it's just diabolical. Our customer service people get nothing but calls from people wanting to get rid of their pets—all the time. It wears you down, just taking the phone calls all the time, let alone how do you help them? They all do the rounds. They all contact every group and they get the same answer. Even the pounds won't take them because they're full.

The Hon. SUSAN CARTER: Is there any solution?

MONIKA BIERNACKI: Stopping backyard breeding is the only solution to really hit that hard and fast, especially staffies, Am staffs and bull Arab breeds. It's so important that the Government really squashes that.

Ms ABIGAIL BOYD: I know you've taken on a number of animals and rescued them. In particular, I know of cats with FIV that you have rescued and given to loving homes. What happens when those animals go into a standard pound? Can you explain a little bit about what it's like to have a cat with a condition like that, and how easy it is for individuals to adopt a cat like that but how it might not survive in the pound system?

MONIKA BIERNACKI: In the pound system, they wouldn't know if it was FIV anyway because they wouldn't do the blood test—they wouldn't pay for it—so you wouldn't know, probably. Some pounds do the test, but usually they wouldn't. FIV, as you probably know, is transmitted by cat scratches from street fighting and it's very easily transmitted. How you manage that in a pound system is only by testing every cat as it comes in, having a proper system and, in conjunction with your veterinarian, making sure that you've got appropriate isolation areas for those kinds of cats, or injured cats or whatever. They really need lots of different areas where animals can be kept safe. We still have pounds where people just drop an animal into a deposit box overnight so they don't have to admit that it was their dog or cat or whatever. You just don't know what you're going to get the next morning when you rock up to work. It's scary, and you have to deal with it.

Ms ABIGAIL BOYD: Thank you for helping all the animals that you help.

The Hon. PETER PRIMROSE: In their submission to us, Local Government NSW have a section entitled "the relationship between New South Wales pounds and animal rescue organisations". One of their recommendations is:

Ideally, rescue and rehoming organisations would have some form of minimum accreditation, and all those working with companion animals would be required to have mandatory basic training so that basic knowledge, competence and safety is assured.

They also recognise the role of volunteers as absolutely critical. They say:

It may be necessary to subsidise training and accreditation if this option is pursued.

I'm wondering if you have any comments about that?

MONIKA BIERNACKI: I think that's very important, because education is what it's all about—understanding at least basic first aid and medical things about animals, as well as some behavioural issues.

The CHAIR: Thank you for coming in today. That concludes our time. Thank you for the amazing work you're doing for animals and thank you for your evidence today.

(The witness withdrew.)

Emeritus Professor JACQUIE RAND, Executive Director and Chief Scientist, Australian Pet Welfare Foundation, affirmed and examined

Ms LISA RYAN, Regional Campaigns Manager, Animal Liberation, before the Committee via videoconference, affirmed and examined

The CHAIR: I now welcome our next witnesses. Ms Rand, do you have a short opening statement that you would like to give?

JACQUIE RAND: Over the last 16 years, I've been researching urban animal management. I've published 26 peer-reviewed articles, and many of those have been related to the management of cats in our cities, towns and around farm buildings. As you're aware, approximately 9 per cent of dogs and 32 per cent of cats entering shelters and pounds across New South Wales every year are euthanised. The worst quartile of pounds receiving more than 50 cats a year kill 67 per cent to 100 per cent of them. However, euthanasia rates of 2 per cent to 3 per cent for dogs and cats are achievable if strategies are implemented that align with a One Welfare approach to optimise the wellbeing of animals, humans and the environment. This will require a collaborative approach from State and local governments, welfare agencies, rescue groups and the community.

For cats, key strategies that will make the most difference are, firstly, funding for free desexing programs targeted to areas of greatest need; secondly, suspending registration and annual permits for undesexed cats; thirdly, optimising functionality of microchipping to get lost cats back home; fourthly, allowing businesses, animal welfare agencies and welfare organisations to be listed as the owner on the microchip database; and, fifthly, do not implement mandated containment but, instead, promote and assist cat owners to contain their cats, particularly in areas where there is wildlife of conservation concern—for example, promoting bedtime feeding as a strategy to contain cats at night, and also promoting containment of dogs at night.

For dogs, the focus should be on keeping pets with their families. Most dogs entering shelters and pounds are straying owned dogs, with surrendered dogs constituting a smaller proportion. In most cases, dogs are surrendered for personal reasons, particularly lack of pet-friendly housing and financial challenges. Reducing the numbers of dogs straying—and we need to optimise microchipping for getting dogs back and implementing policies of returning dogs back to identified owners as soon as possible, and helping those owners assist fencing problems. For preventing surrenders, it is critical that legislation be amended to allow pets, and, for dogs, regardless of size and breed. Pets-for-life strategies should be implemented. These include funding to help disadvantaged pet owners keep their pets—for example, a system with veterinary costs, registration, pet identification, secure dog fencing, pet food and assistance with resolving problematic behaviours. We can achieve better.

The CHAIR: Ms Lisa Ryan, do you have a short opening statement you'd like to make?

LISA RYAN: I do, thank you very much. Animal Liberation thanks the Committee for reading and considering our submission to this important and long-overdue inquiry, and the invitation to participate in today's hearing. I will keep my opening statement brief to allow for a constructive use of time with questions and answers. We welcome and support this inquiry and the intent to examine these issues, and the intent of the February 2022 Companion Animals Amendment (Rehoming Animals) Bill. We do, however, have some concerns, as outlined in our submission, about what we believe is a limited inquiry scope and terms of reference.

In summary, our submission outlines the following positions: that at the crux of this inquiry is the welfare and wellbeing of impounded animals and the life and death sentences made by publicly accountable authorities; that other animals are impounded and need to be considered as well as companion animals, and their needs are currently being overlooked and ignored; that to devise meaningful solutions and reforms we need to examine all of the issues and contributing factors, including an accurate picture of the current status with both pound facilities and practices; and that while a modern pound facility will provide greater efficiencies, compliance and comfort for those impounded, it is not in itself a magic solution without the necessary supporting policies, procedures and practices in place.

We maintain that this starts with a will to save and protect lives within council's leadership structure. Currently there are many councils, some of whom we've been dealing with, who are spending many millions of dollars of public money designing new pound facilities which are still reliant on a code of practice that is 27 years old and has never been fit for purpose. Nor has there been oversight, monitoring or enforcement of this code of practice. That impounded animals continue to fall into a bottomless void between NSW OLG, NSW DPI and our authorised animal welfare agencies is distressing. This was reflected in some of the responses from the recent Local Government budget estimates hearing.

If we were examining the welfare of vulnerable humans in publicly funded hospitals, government would act quickly to manage these interdependent divisions, lack of compliance and failure to meet public expectations. Impounded animals in public infrastructure in local communities are entitled to the same considerations, as are the public who fund these facilities and have clear expectations about how we regard and protect animals. The self-regulation of councils frequently prevents the path to truth, transparency and reform. I have experienced this on multiple occasions. Historically, piecemeal improvements have been achieved only through the efforts of individuals and community members, rather than any proactive or progressive initiatives from government. It's now well past time for the Government to play the lead role in a holistic approach to pound and shelter reform and public accountability. Government's response in the past has sadly often been a knee jerk reaction to a public incident.

That we no longer euthanise impounded companion animals in gas chambers was a response to public demands. Those same demands apply to shooting impounded animals. This would be an easy and quick fix if there is a will by elected members of Parliament. There are effective and workable solutions available, where the will of this Committee will hopefully allow real and meaningful reform. I will endeavour to respond to any questions from the Committee members to the best of my ability, and am also happy to take any questions on notice.

The CHAIR: Thank you both for all the work that you do for animals. I want to start with a couple of questions to Professor Rand. I'm wondering how investment in community cat desexing programs actually saves State and local governments money.

JACQUIE RAND: We know that at the moment it is costing local government between 7 to 10 times the cost compared to what is raised by registration fees. Community cat programs are eventually—I mean, there is always an up-front costing. That is clear, and it's clear that local governments bear most of the cost rather than the State Government. But this is a problem that needs the whole of the community to be involved. And there shouldn't be an expectation, I think, for cats, that cat owners pay for managing cats. It is a community issue. There is concern about wildlife. We can protect wildlife. We can protect the humans too.

Killing healthy cats and kittens in shelters and pounds has a devastating effect on the mental health of veterinarians and staff involved. We've now published a paper showing that when cats are being cared for by community members and are killed—this was by shooting—those people who were caring for them had evidence of post-traumatic stress a year later. So we can do better. We need to be approaching it from a One Welfare perspective. It's going to cost money but, eventually, we should be able to get free-roaming cats—that problem largely resolved, if there's a will.

The CHAIR: You said you were against mandatory cat containment. Can you briefly explain? I think that relates to the answer you just gave.

JACQUIE RAND: Mandatory containment fails to understand that the biggest problem are free-roaming cats that are not identified. Many of them are being fed by compassionate members of the community. Creating mandated containment is a barrier for them to taking ownership because the problem is mostly in low socio-economic areas where people simply can't afford desexing costs, which, for a female cat, can be anywhere between \$300 and \$500.

Remember, 20 per cent of Australian families—and that's 2.4 people in a household—live on less than \$800 a week. How can they afford a containment system of \$700 to more than \$1,000? Just having a containment system doesn't prevent a door-dasher cat escaping. In fact, 41 per cent of lost cats are recorded as being indoor-only cats. It's a big barrier for these people—who are often in rental properties, have no screens on the windows and doors and no air conditioning—to take ownership of a cat which has been free living. They can be transitioned inside over time, and particularly using bedtime feeding at night. But if you have mandated containment, it will increase complaints, it will increase impoundments, it will increase killing and it's a barrier to solving the problem. It criminalises cat ownership for low-income people.

The CHAIR: Obviously you ran a very successful community cat desexing program at Canterbury-Bankstown. You've gone into a lot of detail in your submission, but could you just give us a couple of the top-line findings of that to help the Committee develop some recommendations in that space?

JACQUIE RAND: Yes, that's the RSPCA program that was funded, but it's part of the Australian Community Cat Program. With that, what we're finding is, to be successful, there needs to be engagement of local animal management officers because they have knowledge of where the problems are. It's about being proactive when you know there's a problem. It's quite okay that someone doesn't want someone else's cat or a stray cat on their property, but there are other ways of dealing with it than just impounding the cat and then euthanising it. It's to go down, talk to the people, understand what the problem is and help them get them desexed. Maybe, if there

are multiple cats being cared for, even helping with fencing. You can spend \$1,000 but, if there are 10 cats on the property and you're going to trap them and impound them, it's going to cost you a hell of a lot more than \$1,000.

It's just being proactive, thinking about it from a One Welfare approach. How can we protect the environment? How can we protect people from having to kill healthy animals? How can we help people maintain that human-animal bond? We've just published a paper that you might be interested in where we've interviewed people who are caring for multiple cats. Most of them didn't perceive that they owned them and their bond with the cat. There's been a paper published from the USA which shows that the bond that cat carers have with the cats they're caring for is almost identical to the strength of the bond that cat owners have with their pet cats, so we need to be cognisant of the benefit to the community but manage the problems.

The CHAIR: I've got one question for Ms Ryan as well. I know your organisation has been doing a lot of work around regional and rural pounds in New South Wales. What are some of the most serious animal welfare issues that you're seeing in New South Wales pounds? What needs to change? What can the State Government do to really step into that situation?

LISA RYAN: What the State Government can do could be a very long answer, Chair. To answer the first part of your question, just to preface my answer with an understanding for Committee members, in addition to the last few years and my work with Animal Liberation, I have two decades—nearly three decades—of work advocating for a wide variety of animals. But pound and shelter reform and puppy farms are probably my areas of expertise, and there is some connection. I have also worked for two Victorian local government councils, so I have an insight into how they function and operate. I also have a background in rescue and rehoming, so I do have insight into a number of perspectives here. When I come into contact with a New South Wales council pound or somebody conveys an issue to me, my experience and my background enable me to grasp very quickly what the issues are.

Predominantly, the issues are appalling infrastructure. In saying that, that is not an over-exaggeration. I have been in a number of puppy factories around Australia, and some of the pounds I have been into have been significantly worse. I have seen cats sitting on wire with no food, no litter tray and no bedding. For them to go to the toilet, it was literally going through the wire and hitting the concrete. I've seen a trapped cat held in a New South Wales pound in a trap for more than 24 hours. This was an owned, desexed and microchipped cat that was terrified, so it was acting abnormally.

I have seen dogs, one after another, dying of parvovirus, with me literally begging councils to get a vet in and vaccinate on intake. When they refused, I paid my own vet to go into those same pounds to prevent other dogs dying in an effort to demonstrate to councils that rescue and rescue groups can be part of the solution. I've spent many weekends transporting dogs from rural New South Wales up to Sydney and back. Dogs that came out of parvo-infected pounds I have put into boarding kennels because they could not be immediately transferred to rescue groups. It would have been reckless.

I have certainly spoken to numerous community members—predominantly rural—who, in trying to seek a solution with their local council and becoming frustrated, turn to organisations like Animal Liberation because they know we will take some action. The cruelty is limitless. Having said that, I would also say that I have worked with some council rangers who have been extraordinary, who are compassionate, who go the extra mile. The one thing that is common with all of these councils is that if the will to save lives and run a lawful, compliant pound isn't reflected from the mayor, the councillors and the general manager then it doesn't happen. The ranger at the bottom of the pecking order is normally outnumbered.

Ms ABIGAIL BOYD: Thank you to both of you for your time today. I might pick up on some of what you were saying, Ms Ryan, about the experience of what the reality is in many of our council pounds. At the recent Local Government budget estimates hearing, information was provided that seemed to indicate there were routine inspections of council pounds. In your experience, do those inspections occur? How held back are they by the fact that we have a code of practice that's 27 years out of date?

LISA RYAN: I did listen in to much of the budget estimates hearing because of its connection, and I was aware council pound questions would probably come up. My response will be hedged with—I know part of the question was taken on notice, so there's still some information to come. However, based on my own experience, RSPCA NSW do not undertake routine inspections of council pounds. What normally transpires is there is an incident, there is a formal complaint, an investigation, and the inspection of the pound facility is part of that process. But are they proactively inspecting council pounds or shelters? Not as far as I'm aware. In fact, the only thorough investigation ever undertaken on a New South Wales pound was done many years ago, and I refer to this in our submission. That was with Leeton Council and SINC Solutions investigation. That was very, very comprehensive and one of our recommendations was that the Committee access that report to get a feel for how an investigation should occur.

The Hon. EMILY SUVAAL: Thank you to you both for appearing today. I might start with a question, I suppose to you both, if you like. I'm interested in the Community Cat Program that was run out at Canterbury Bankstown, I believe you said, Ms Rand. In terms of the trap-neuter-release component. How did you get around section 11 of the POCTA Act?

JACQUIE RAND: Sorry, I didn't hear where she was saying it was run.

The CHAIR: The Canterbury Bankstown program.

JACQUIE RAND: Just to reiterate, it was operated and funded by the RSPCA. My comments are related to my knowledge of that, but there wasn't a trap, neuter and return component there. There is in the Queensland-based one and we have got a special research permit to do that. We don't call it trap-neuter-return. It's desexing cats that have been fed by community members, and it's giving them back to them to care for and we're very successful in getting many of them to take ownership. But that is why I said that we need to have provision that businesses—so cats can be returned as working cats to farms and to businesses—and organisations can be responsible also for those cats.

The cats that we are returning to people are under that permit are considered restricted matter. To give you an idea of the magnitude of those, we have desexed over 2,600 cats. About 199 at the last date were restricted matter. Now they've got a microchip in them. There's no owner; it's the suburb, such as Rosewood Community Cat. The Australian Pet Welfare Foundation is listed as the contact and either my personal mobile phone number or our community liaison officer's mobile phone number is on the microchip. I've been called a couple of times by vets where the cat's come in and we've also had some that have turned out that someone wanted to own them and we've changed the ownership details on the microchip.

But the biggest need, and a modelling paper from the UK came out and showed that it's owned cats in these low socio-economic areas that are the biggest contributor to the stray cat problem. In our program, over 80 per cent are cats being desexed for low-income families in these target areas. These target areas had more than 20 cats per thousand residents coming into the pound. Queensland has an average of seven cats. New South Wales I think has 4.9 cats per thousand residents, so five cats per thousand residents. So 20 cats per 1,000 residents is a big cat problem; it's lowest in low socio-economic areas. Most of them are owned cats but then about 12 per cent of people perceived they didn't own them when the cat came into their life, that will take ownership. That last six or seven per cent are what would be called as trap, neuter and return but really you are desexing them and largely giving them back to carers.

There is another component of that called shelter-neuter-return or return to field. In that situation where a cat is impounded, there is no owner, it's healthy but it has got frightened and scared behaviour. It can be desexed and returned to where it's found. We've only done about 10 of those and a considerable proportion of those have ended up being an owned cat, even a five-year-old male uncastrated, and they've contacted us because they go back with a collar saying please contact us, or they go back to someone feeding those cats. So that can be lifesaving and help to protect the mental health of people working in shelters and pounds.

The Hon. EMILY SUVAAL: Interesting. In Queensland, you mentioned you have a special permit that allows for this to happen?

JACQUIE RAND: That's correct. It's a permit issued by the Department of Agriculture and Fisheries, it's a research permit for restricted matter, which allows us to return those cats and it is under a research project, and we're measuring many things. We've also got camera traps out. We are looking at free-roaming cats over time—over five years. We are looking at wildlife. We've got tracking collars on them. We are doing community surveys. There's a lot of research coming out of that and it's being largely funded by private donations.

The Hon. EMILY SUVAAL: Do you have any results from that research or preliminary results that would help the Committee?

JACQUIE RAND: Absolutely. There's a paper published, and I can provide that to you, which interviewed people who are—we don't call them colonies, we call them multi-cat sites, where we've desexed their cats. If you read that, along with the Stockton paper, you can see the difference in management that those affect. We do have a lot of data on our website. It hasn't been published yet in peer-reviewed journals, but you need to get between—depending on how microtargeted. If you've got animal management officers who will alert you to where the problem is and work with you, then you're getting 10 cats desexed per 1,000 residents, but if it's more targeted just to the suburb, you need to get 30 cats per 1,000 residents desexed a year for two to three years. But you will get a rapid drop in intake of about 30 per cent. Depending on how intensive it is, between one and three years that will occur, and a bigger drop in euthanasia. That can be between about 50 and 90 per cent within one to three years. They're rapidly effective, if targeted to suburbs that are a problem, and then microtargeted where the cats are most likely to be impounded from.

The Hon. EMILY SUVAAL: What are the strategies that you can use? I note you mentioned that owned cats in low SES areas are the biggest problem. What are the strategies that we could use to try to address that? We have heard evidence earlier today that talked about some of these issues and some of the challenges that were faced with animal rescue organisations trying to get that person to seek help or receive help, but that they were denying there was an issue, all of that sort of thing.

JACQUIE RAND: It's boots on the ground. It's compassionate animal management officers, paid staff, sometimes volunteers. We've got cat ambassadors who agreed to just sort of monitor the community and see who might need help. But some of these people are really struggling in their lives, and it is difficult for them to put up their hand and seek help. We use Facebook, we use flyers, but we also—it's where complaints are coming from because those cats are most at risk. Going down, doorknocking, find where the problems are. People will accept help and want help, provided you don't trap the cats and kill them. There's a lot of fear about what happens if an animal management officer comes and knocks on the door in these communities. It's getting trust, but it is boots on the ground.

The Hon. EMILY SUVAAL: A final question for both of you on breeders. Do you think there needs to be a differentiation with small-scale breeders, say one litter of kittens which is rehomed or a commercial-scale breeder? Is there any degree of home breeding that should be allowed?

LISA RYAN: To address that I think our response would be, while we have this crisis in our pounds and shelters, we need to take urgent action. There has been a call from the New South Wales public for decades. We have had exposure after exposure, not only of puppy factories but pet shop cruelty. Where there are commercial profits to be made, the animals will, in a number of instances, come last. I think while we've got this emergency situation—not just in New South Wales but across Australia and impacting in countries around the world—we need to take some drastic action. We certainly would support a breeder licence. If we're going to regulate animal welfare effectively, we need to have the same rules apply to everybody.

Because of my work with puppy factories, I can assure the Committee that I have reported as many registered breeders as I have backyard breeders and puppy factories. It's about the animals. It's about the current situation—the cost of living, the rental pressures, the cost of veterinary practices, the shortage of veterinary practitioners. There's a multitude of issues putting pressure on our facilities, which are government facilities. We're not talking a private person not being compliant; we're talking about government not being compliant. I would be suggesting we need serious responses, even if it's for a period of time. I certainly hope that, when the Chair's puppy farm bill comes up for debate, the issue of breeder licences is debated.

JACQUIE RAND: I will address it with a slightly different perspective. I think we should look at cats and dogs separately. If you look at what's coming into pounds and shelters, they're not purebred or they're not designer-bred cats. What's being euthanised are not designer or purebred cats. They are pet cats that are inadvertently having litters in low socioeconomic areas because it just isn't a priority to spend \$300 to \$500 on a female cat when you are trying to feed your kids and educate them and buy school books. But these people care for their cats. Our research shows they want to be responsible. I can show you some of the data that I've used in presentations. The most common theme comes out that they want to be responsible, they want to keep the cat on the property and they want to have it desexed, but they just can't. In many cases, these cats just turned up at their door.

Regulating breeding will be costly and ineffective for cats. But where there's welfare issues of breeders, that needs to be investigated. But I don't think that regulating them in that way will make any difference to the number of cats coming into shelters and pounds and being euthanised. With dogs, if you look at what's coming into our shelters and pounds, they're adult dogs, mainly, not puppies. Most of them are stray dogs that have strayed off the owner's property. We need to be much more proactive. Instead of taking the dog into the pound when we know who the owner is but they haven't paid and the dog's not registered and they don't have the money to pay all the fees, just get it back to them and then you negotiate payment terms that they can afford. There's no point in having the animal in there and then finally they can't afford it. Usually they have a bond with that animal and they want it back. Help them get it back—take some wire down and fix the fencing. It's so much more proactive and less costly.

Again, in terms of backyard breeders versus registered breeders, I think any legislation the good, compliant breeders will comply with. The backyard breeders won't. Again, I think it's wasted money and effort. We need to look at where the problems are and, certainly, welfare and puppy farms need to be actively managed and stopped because they are a welfare issue and the dogs often coming out of those have poor socialisation. But there can be breeders who have quite large operations where the dogs are actually with owners and they come back to have their puppies, and those are well socialised. You have to look at the situation rather than trying to legislate all

breeders and limit breeding. It won't be effective because it doesn't understand the problem of why dogs are coming into our shelters and pounds and being euthanised.

LISA RYAN: Can I just pick up a couple of points there? In terms of purebred dogs in pounds, while the numbers are lower, there are absolutely purebred dogs going into pounds. We have greyhounds still ending up in pounds. We have a significant number of working dogs ending up in pounds. Because there is no requirement for that rural owner—if it's classed as a working dog—to microchip that dog, and then it falls into the system. A reflection of the number of purebred-type dogs we have ending up in council pounds and shelters is just looking at the number of purebred specialist rescue organisations. I did that type of rescue for dachshund and dachshund crosses so I can tell you I know what's in our pound system.

The other thing to keep in mind is that the pound data submitted by each council every 12 months is not clear. At the moment, we are assuming a lot of things. Unless we are examining and councils are reporting on the origins of these dogs, including the reasons for the surrender, it's a bit of a mishmash of information. The data needs a complete revamp in what is being collected and what is being reported. But, at the moment, we get numbers of dogs seized and cats seized so we know they're normally strays. Then we get a whole lot of other information there, but it's really unclear. If we want to make really good decisions here, we need to understand the data. The data at the moment is not clear.

JACQUIE RAND: I would support that. You need age. You also need the reason why it's coming in. Is it surrendered? Is it stray? Why is it being surrendered? Then you can start to take targeted strategies in your area to help prevent those. I do agree that, for dogs, a lot more of them are purebred. If you look at the reasons why they're coming in, trying to legislate against breeding I don't think will have any impact whatsoever on the number coming in and being euthanised. Any legislation costs money and policing it. We should be very well policing welfare issues and helping people in those low socioeconomic areas as well getting the dogs microchipped and getting them desexed because it costs even more to have a female dog desexed.

It's about understanding your data and I absolutely agree that data is the key. In New South Wales, the data for rescue groups is cats and dogs together. That's just useless. We need to know, and all rescue groups need to report. Some of the large ones in New South Wales are not reporting. It's data, and it needs to be understood and then microtarget solutions where the problem is. That will be different in different council areas—rural and cities. That is what I would suggest. But I don't see that legislating breeding will have any measurable impact on what's coming into shelters and pounds and what is being euthanised.

The Hon. RACHEL MERTON: Professor Rand, if I could just pick up one of the points you have made—we have touched on cost-of-living pressures. If I could then look at the "pets for life" concept that you have listed as one of your recommendations in the submission, I am just thinking in terms of the role of government and how we could do something around this. What do you think?

JACQUIE RAND: It's working with welfare agencies, rescue groups and government to fund some of these programs. But they will be more effective—and it costs a lot to take a dog into a pound. But there's so many things you can do to help keep pets with their families. The cost-of-living pressures are just terrible at the moment. Even buying dog food can be prohibitive for people. But if you look at the research and you actually interview people who are surrendering a pet, in most cases you wouldn't be able to keep the pet either, if you're in the same situation as they are.

But what's been shown over in North America is it is quite cost effective to help with veterinary costs, to help with registration costs. Getting the dog back—don't hold it there. We don't wheel clamp cars, except in really critical areas, and wait until you pay the parking fine. Let's get those dogs back because they may not do well in a shelter situation, be euthanised for behaviour, and it has cost the pound a whole lot of money to hold them. It just doesn't make sense. It is looking at data and how can we help. Where is the big need in the community? And working all together with local government. State Government funding and veterinary care is a really big issue, and helping those welfare agencies develop community veterinary clinics so that they can be cost effective and provide low-cost preventative health care.

The Hon. RACHEL MERTON: Have we have got examples where we've seen that take place? From memory, I might have seen a flyer about a community pet day, or where there were going to be vets available.

JACQUIE RAND: Yes.

The Hon. RACHEL MERTON: There is uptake for something like this?

JACQUIE RAND: Yes, and you would be best to ask the RSPCA, who are appearing later. But certainly, say, in Queensland, the Animal Welfare League has community veterinary clinics which offer free—or not free but low-cost desexing. But if people can't afford it, they will do it for free, and other preventative. And dental is

a big problem for both dogs and cats—accessing affordable dental. And getting more veterinarians to register so that payments can be made through Centrelink for low-income people. There are some good charities around that are helping with veterinary care, but there are just not enough of them. If you look at the benefit, particularly for older people, with their animal, it can be the reason that they get out of bed in the morning, but a sudden veterinary bill of \$1,000 or \$2,000—how are they going to pay that? Saying, "Well, you shouldn't have an animal if you can't afford it"—but does that mean only wealthy people should have animals? And at what point do you draw that? Is it \$1,000 in the bank, \$2,000 in the bank? And I think many of us who own pets can think of when we didn't have \$2,000 in the bank—but did we love our pets any less? It's just being cognisant of what the issues are and developing really targeted solutions for them.

The Hon. RACHEL MERTON: Ms Ryan, I just noticed some of the photos and some of the concerns registered in your submission relating to some of the regional pounds. Is there something you wanted to add to that? What role should the Government be playing in this space?

LISA RYAN: Our submission outlines a number of recommendations. I think, clearly, we need to improve the welfare and wellbeing of animals. We need to keep animals out of pounds, where possible. A number of New South Wales rural councils I have worked with and battled with—sometimes it has taken 12 months, sometimes longer. It normally starts out as a bit of a David and Goliath battle, but we normally end up with some improvements that these councils have adopted. I've worked with them on rehoming policies, expanding their network to work with rescue groups. There was—I think it was Dubbo council pound that spoke earlier and they spoke about the situation with Dubbo. I know Dubbo well. I rescued a small dog from Dubbo when they had a parvo outbreak, and to keep him alive, before I could get him, I prepaid that council to have him vaccinated. I'm really pleased to see they're vaccinating now.

As late as yesterday I received two emails from two different New South Wales rural councils. Both have had parvo outbreaks. One notoriously has parvo outbreaks—they're refusing to vaccinate on intake. Dogs did die in the recent outbreak. The other pound, which has in the past been probably at the bottom of my list, has now agreed to start vaccinating all dogs on intake, and now I'm talking to them about getting cats vaccinated against cat flu as well. We need to be consistent. One of the most pressing issues is this—and it has come up before today, but I would like to reinforce that the code of practice has never been fit for purpose, even back in 1996. It is an appalling piece of legislation. It is not enforced. Nobody is monitoring it. The animals continue to fall through the cracks between the welfare agencies that are authorised under POCTAA, NSW Office of Local Government and NSW DPI.

If you come across a welfare issue in a pound and you try and escalate it, it is the most frustrating merry-go-round you have ever experienced. I would challenge you all to do it. You normally get a pro-standard type of reply. Even when I have escalated complaints to Ministers, I am waiting three months or more for a reply. Sometimes I don't get one. Where I have escalated complaints—and I am talking serious welfare complaints—to the NSW Ombudsman, they bounce me back to NSW OLG because they've got an agreement in place. So I think we need to look at those agreements. But the code of practice was redrafted in 2014. I have seen a copy of that draft. It was a really good effort. There are some things that probably need tweaking, but it was a really good draft code of practice and it got shelved. Now, in any other environment, if a draft code of practice had taken nine years for somebody to do something, the management would be asking questions.

I would be saying this Committee needs to prioritise that and I would request you also consider audits of all of the pounds, even if they are desktop audits. Unless you know how compliant and noncompliant things are out there—not just the pound buildings, but the practices, the way they advertise animals. In spite of the requirement to publicise animals on social media, I can tell you there are many councils that aren't doing it and are still very confused about what they are supposed to do. There needs to be a big discussion, but we certainly need to start looking at a new code of practice which is standalone, and we need to stop shooting animals in New South Wales council pounds.

The CHAIR: Thank you. We have gone over time, but the Hon. Peter Primrose has a question.

The Hon. PETER PRIMROSE: I won't ask my long question, but in light of what you've just said, can you, Ms Ryan, and maybe the professor as well, if you have a comment—is there any jurisdiction in Australia, New Zealand or Canada or wherever that is doing it better in terms of the code of practice that we should be looking at?

LISA RYAN: I would encourage—I am a supporter and Animal Liberation is a strong supporter of the no-kill suite of policies, simply for the reason that they work. America is far advanced in engaging communities, improving and overhauling pound and shelter management, and there are numerous communities across America that are achieving weekly 97 per cent, 98 per cent, 99 per cent live animal release rate. It is not about just implementing one thing, like turbocharging adoptions or engaging volunteers. So if you are understaffed, the dogs

are still being exercised, the cats are still being socialised. There is a suite of very simple, very effective programs and that is what I would encourage this Committee to look at, because it works, and it has been working in the United States for the last 20 years.

JACQUIE RAND: I don't think any State or Territory in Australia has got it right yet. There is a guideline for standards of care in animal shelters which is put out by the Association of Shelter Veterinarians in the USA—I can provide that to you—which has got many recommendations. As a veterinarian and a registered specialist, I would just like to make a comment about FIV testing. It is not recommended as a routine. The recommendation is you only test a cat that has got clinical signs consistent with FIV. Most cats infected with FIV will live an essentially normal lifespan and will die of other diseases, so it is not good use of limited funds. You are far better to spend the funds on vaccinating every animal on intake. That is just a comment.

The CHAIR: Thank you both for your evidence today. Again, thank you for all the amazing work you both do for animals. If the Committee has further questions, the secretariat will be in contact in regards to those questions. The Committee will now break until 3.00 p.m.

(The witnesses withdrew.)

(Short adjournment)

Dr ZACHARY LEDERHOSE, President, Australian Veterinary Association New South Wales Division, affirmed and examined

Dr ANNE QUAIN, Committee Member, Australian Veterinary Association New South Wales Division, affirmed and examined

The CHAIR: Would you like to start by giving a short opening statement?

ZACHARY LEDERHOSE: Good afternoon. First, I'd like to thank you for holding this inquiry and the opportunity for us, the Australian Veterinary Association, to contribute through our submission, but also through having us here at today's hearing. As the peak organisation representing vets in Australia, the AVA includes members from all fields of veterinary practice. I serve as the president of the New South Wales division of the AVA. I also own a companion animal practice in Goulburn in New South Wales, which is just a few hours down the Hume Highway. I am accompanied by Dr Anne Quain. Anne is a member of the AVA New South Wales committee. She is also a senior lecturer in vet science at the University of Sydney. She is a member of the Australian and New Zealand College of Veterinary Scientists in animal welfare, and she is a diplomat of the European College of Animal Welfare and Behavioural Medicine in animal welfare science, ethics and law. She is also a practising vet in Sydney.

It's important to note that pet ownership in Australia is at a record high. About 69 per cent of Australian households have at least one pet. Along with the recognition of animals as sentient beings, there's a growing public expectation for pounds to be sufficiently resourced and designed to ensure proper care for the animals held in them. The AVA's policy on animal shelters and pounds states that animals in these facilities must be housed under conditions that meet their physiological, behavioural and social needs, while also ensuring their health and welfare. We advocate for humane care of all animals and believe that only those with suitable health and behaviour should be rehomed. Additionally, suitably qualified vets should play a crucial role in assessing an animal's behaviour and its suitability for rehoming.

In our submission to this inquiry, the AVA has provided guidelines for the design of pound facilities, maintenance procedures, capture methods, animal transport, rehoming practices and also, crucially, the role of vets in these processes. Vet practices are often the first point of call for people who find a stray dog, cat, or any animal. There is a community tendency to bring strays to vet practices rather than to the pounds, and this is for a whole range of reasons. In September 2022 we did a survey on strays and vet practices' engagement with pounds in New South Wales, and we found some significant issues. Vet practices often bear the cost of housing and treating these stray animals before council collects them, and sometimes for extended periods—this is days or weeks. Some councils refuse to collect strays, especially cats and other animals, and that shifts the burden onto vets. Practices are struggling to contact councils after hours or on public holidays, resulting in prolonged housing of strays. These delays can put vet practices in breach of the Companion Animals Act.

Practices are sometimes advised by councils to release stray animals, often onto busy streets. This is contrary to animal welfare, the interests of the animal and the oath that we swear as vets in New South Wales. Public backlash against practices that refer strays to councils can negatively impact business viability and the mental health of staff in our teams. Approaches to pound services vary across local government areas. Some councils have successfully collaborated with vets, and we have heard about some examples today. But that is not uniformly the case. These inconsistencies put a strain on vet businesses and impact the mental health of those that provide health care to animals. The AVA has provided supporting information in our submission where council policies, especially relating to the management of stray cats, have a significant and negative impact on vet practices and team members.

The AVA is calling on the New South Wales Government to develop a consistent statewide policy for local government and vet practice interactions in stray dog and cat management. The policy should address intake processes, management of injured strays, reimbursement for vet treatment, housing, daily care, and also the other impacts on vet practices. Considering the complexity of animal behaviour, it's vital for pounds to work with vet experts. If council non-vet staff are conducting behaviour assessments, their training needs to be comprehensive, regular and possibly linked to a certification scheme with ongoing education requirements as science evolves.

Additionally, we suggest the inquiry investigates standardising management and legislative controls for animal shelters and council pounds; looking into strategies to keep animals with their owners, including improving the implementation of registration and supporting access to pet services and vet care; and accepting that euthanasia may be a necessary part of managing animals that are unsuitable for rehoming. In conclusion, our pets are more than just companions; they reflect our society and our humanity. We have a collective responsibility to ensure that their time in pounds is as compassionate as it is professional. Thank you.

The Hon. RACHEL MERTON: If I could pick up your comment about often vets being the first point of contact in terms of the animal, I am wondering if you might be able to elaborate on that? Would that be within a rescue environment or a community?

ZACHARY LEDERHOSE: We've heard that pounds are overwhelmed with the amount of stray animals coming in, but I think we need to realise that before an animal gets into the pound system or it sees a local council officer it has often been diverted by the vet practice that has seen the animal first. People will bring animals to us because we are convenient, because we are open, because we have a position of trust in society, which we really, really value and respect. And we are doing our best to reunite these animals as quickly as possible.

We deal with at least one animal per day that is brought into us, and it is probably I would say half of those that end up going into the pound system. Sometimes that is because we are full; we don't have any cages. Or it's leading into a weekend, or it's after hours and we know that people are going to be looking for these animals. Those are the animals that go to the pounds. Most of them are reunited very quickly with their owners, but that is time, that is housing, that is a disease risk for our patients that are being exposed to these animals, and all of that is happening without any oversight from the local government area.

The Hon. RACHEL MERTON: The other issue we have heard about this morning is the welfare of animals and veterinary services, access and affordability and things like that. Are there maybe established community partnerships between some vet practices and local councils or pounds?

ZACHARY LEDERHOSE: It's a hodgepodge, is the answer. In some council areas they have an arrangement with local vet practices. These arrangements are often hard to understand and the pricing arrangements are interesting. The expectation is that vets will provide their services to council at a discounted rate. That puts an impost onto the local vets to do that, and we have heard examples of councils that have negotiated cheaper rates for services, but our costs are increasing for vet services. It's not sustainable to expect that there will always be a vet to offer the cheapest service. Often sometimes the cheapest service means cutting corners, and we don't want to see that for our patients either.

The Hon. RACHEL MERTON: During COVID we saw a surge in pet ownership. We are coming off the back of post-COVID now, in terms of the landscape. What are you guys seeing around pet numbers, ownership, welfare and where it might be?

ANNE QUAIN: We have certainly seen a huge increase in the number of people adopting animals. What's interesting is that quite a few people, who were thinking they might eventually adopt an animal, used the COVID time, when they weren't able to travel, to take on those responsibilities, not necessarily perhaps having time to have done the research on the needs of those animals. So we are seeing issues where people have adopted animals and they don't quite understand their behavioural needs. Now that borders have opened up and people would like to go away and they have some high-needs animals, it's a struggle for them. I am certainly aware, personally, of animals being surrendered at an early age that had been adopted during the pandemic.

The other issue that we have seen, as has been brought up on many occasions, is the costs of veterinary care have increased. I'd like to stress that the costs of providing veterinary care have increased significantly for veterinarians and veterinary practices, and that's something that needs to be taken into account. Some people who perhaps hadn't had an animal for 10, 15 years and then have acquired another animal have been quite shocked because the rate of increase of veterinary fees has outpaced that of inflation. There are complex reasons for that and there are important reasons for that.

Councils also have not necessarily kept up with the increase in the costs of providing veterinary care. For example, it might cost \$40 just in the wholesale cost of bandaging material to put a bandage on a dog's leg to do it properly to stabilise a fracture. People don't necessarily understand that that's a cost that the veterinary practice has to bear unless it's paid for. I suppose there are a lot of things that are going on since COVID—and COVID is only part of it—but there have been a lot of price increases and a huge jump in the numbers of animals. I've probably conflated a few different answers there, but there is a lot going on.

The Hon. RACHEL MERTON: A good reminder. Thank you very much.

The CHAIR: A number of submissions have raised concerns about the way some pounds are killing animals when they don't have access to a vet. I'm just wondering if you could talk about some of the welfare risks associated with non-vets performing euthanasia, including methods such as shooting.

ANNE QUAIN: Euthanasia is a technical procedure—humane killing of an animal, I should say. Euthanasia is one reason for humane killing; it's killing in the interests of the animal. It's important that that is done humanely and well, because animals are sentient. They're able to suffer and they're able to experience fear, anxiety and stress—certainly not something that we wish for them at any part of their life, but particularly in the

final moments of their lives. They're valued members of our community. Whether they happen to be owned or not, we believe that it's very important that animals are treated respectfully and decently.

Euthanasia is a technical procedure. It needs to be done carefully and it needs to be done well. If it's performed incorrectly—for example, incorrect use of a firearm, or if an animal is not sedated and is moving—then they can be badly injured and there can be great suffering involved. That's not only very distressing for the animal but also anyone who's in the presence of that situation. That is something we are concerned about. The Australian Veterinary Association believes that veterinarians should be involved wherever possible in euthanising animals. Where that may not be possible—for example, in remote situations or in some emergency situations—that should be done with the oversight of a veterinarian.

The CHAIR: I also want to talk about burnout and stress for vets as well. I'm assuming this is possibly something that is more of an issue in, say, regional and rural areas, where there are limited number of vets. The difficulty for a vet that is asked to come into a pound to euthanise a large number of healthy animals, for example—what is the human cost in regards to this and the stress that that puts on vets?

ANNE QUAIN: I think that, again, it is important to try to differentiate between euthanasia, which is humane killing that's performed in the interests of an animal to alleviate intractable suffering. I want to say that, as a veterinarian, it's very important that we're able to do that and relieve suffering. In many instances it's an honour and a privilege and a source of what's called, in the literature, "compassion satisfaction". It's seen as a good thing. Personally, having performed euthanasia myself, it's an important means of alleviating suffering and a way of, I suppose, doing good. There might also be situations where we're required to humanely kill animals. That can be for reasons that are considered ethically justifiable or not ethically justifiable.

What's considered ethically justifiable differs between different individuals, and I won't talk about that too much now because I think there is a spectrum of views. However, what is difficult is when someone is asked to euthanise a group of animals—let's say they're asked to go to a pound facility and to euthanise a group of animals en masse and there's perhaps no context, no story, no understanding of why they are doing so; they're just asked to essentially be a technician in that process. I think that becomes extraordinarily difficult and it is emotionally challenging. It's normal, whether you're performing euthanasia or humane killing, to experience some grief—I think it would be very hard not to—but that's a little bit different. I suppose burnout is something that can happen when people feel like they are perhaps being asked to do something that goes against their morals. That's a little bit of a different scenario.

But certainly, in a situation where you might have a system that facilitates this sort of accumulation of animals that people then have to dispose of en masse without understanding why, I think that's very problematic. That is a system issue. It really comes down to good urban animal management and, again, veterinary involvement in the process from early on. It's better not to be called at the very end just to dispense with animals that we can't deal with any other way, but actually being involved in the process of admissions of animals, protection of animals from diseases, managing animals' behaviour, helping people keep their animals in their homes, working with pounds to minimise disease, and facilitating good urban animal management so we're not in that situation.

The CHAIR: Could I just clarify in regards to that as well, that killing of healthy animals where—I understand what you're saying, that when it's not explained and there's a lack of information, that obviously increases a stressful environment. I'm assuming as well that where it is explained—we've heard and we've read submissions in this inquiry that pounds are at capacity and that's generally the reason why a healthy animal might be required to be killed as part of that pound process. Is that contributing to a lot of the stress and burnout that we're seeing in the veterinary industry?

ANNE QUAIN: It's very difficult to say, because there are so many factors contributing to that at the moment. Certainly it has been documented in the literature as a source of distress and burnout. I think the issue is around addressing systems problems so that shelters aren't operating outside of their capacity for care. Again, having veterinary input early in those stages is really critical to ensuring we don't get to that end point.

The CHAIR: We've talked a lot in another inquiry around the veterinary shortage and the impact of the veterinary shortage, but because this is a different portfolio it can be quite difficult. I know I'm asking you to repeat, probably, some evidence that you've already given in another inquiry. But in regards to the veterinary shortage, how is that impacting on the pound system, and how is the pound system being overrun—and the rescue organisations reporting that they are also at capacity and overrun—affecting, in turn, the veterinary industry?

ZACHARY LEDERHOSE: I think when we talk about burnout—and it came up in the previous question—when we have a vet shortage and we have too much work, this work that the vets are doing and the rescue organisations are doing and the pounds are doing is all for the public good and all for the public benefit. However, these people are taking on real human costs and also financial costs to provide these services. In my

practice we do a lot of work with rescue groups for cats, dogs and a range of species. We provide these services at below cost price to facilitate rehoming of these animals. Doing that all day, every day is not a way to run a sustainable business to pay your staff well and to be able to exist in a regional community.

The question is not "Are there vets to do the work?" But, by necessity, if I'm trying to run a business as a veterinarian, I can only take on a certain amount of that work before my business will shut down. When we're looking at the sustainability, we've got carers that are dipping into their personal savings, we've got vets who are doing work for below cost. That's a system that is operating because the pound and stray animal system is broken. If that's fixed then you won't have that pressure. I would have no problem doing work on stray animals and vaccinating them and desexing them and doing all of that if it was financially sustainable to do that in a regional town and pay my staff.

The Hon. EMILY SUVAAL: Thank you to you both for appearing today. Could I take you to page 5 of your submission in terms of some suggestions around recovery and rehoming of animals—that the fees charged should be set to the facilities' self-funding and there is a realistic financial penalty to the owner. We heard some evidence earlier today that went to the impacts of cost of living, particularly on some regional facilities and towns, but also the scale of the problems in low socio-economic areas. Do you have comments on how that would work in light of that and in light of the fact that sometimes owners don't pick their animals up because they can't pay?

ZACHARY LEDERHOSE: I think the challenge with funding of companion animal facilities is a tricky one. We find that companion animal facilities, as we've heard from rangers and councils, are hard to fund. The challenge of funding them is something we've explored from various different angles with various different Ministers and various different departments over the years, and so this is definitely one way forward. But, again, also in our submission elsewhere, we've highlighted that we really want to work on making sure that the registration process and the fees are structured in a way that prevents animals from having to engage with that process.

At the moment people are struggling to do the right thing to register their cats or their dogs, and so the system fails at a certain point. I had a conversation with our local ranger a couple of days ago and they said, "We just can't pay for this." The council staff are stuck. They're taking donations of food. When we're looking at funding models, this is one area. I'd say, in terms of our recommendations, it's part of it. But we're trying to think of solutions.

The Hon. EMILY SUVAAL: Absolutely. It won't be a one size fits all, by the sound of it. I was interested that your submission talked about the community cat program. I'm not sure if you've been listening to some of the earlier evidence. Emeritus Professor Jacquie Rand talked about the community cat program but also some of the programs they're doing over in Queensland. Could the community cat program be improved? If so, what are your suggestions for that?

ZACHARY LEDERHOSE: Management of cats is a wicked problem. In all of our talking about it and our previous submissions, we're talking about managing how cats fit into society. I think the core input that we can have is that programs that rely on low-cost desexing and bulk veterinary treatment for animals, again, need not to rely on the goodwill of local vets. If we're looking at these programs, they need to be properly funded and not used—I've seen dollar values of \$50 to \$100 for desexing an animal. That may work in bulk programs, like overseas and charity things and things like that. But when you're talking about owned cats and cats that people value, they deserve—I mean, all animals do, but these ones, the community expects that there's a certain standard of care. That standard of care requires support. When we are talking about these types of community programs, we need to make sure that they're not relying on the goodwill of the vets in the system to get them over the line.

The Hon. EMILY SUVAAL: Yes, absolutely. I was also quite concerned to see in your submission some of the stories using the example of Newcastle council and some of the local vets in the Newcastle area. Obviously, the comments around the council not picking up stray cats—that seems to be a fairly common narrative in some of our councils now. But the RSPCA is a 50-minute drive from most parts of Newcastle City Council. I note that RSPCA Rutherford is the animal holding facility for Newcastle City Council, but there's no guarantee that if a member of staff takes the cat there then the cat will be able to be accepted. Is that the case?

ZACHARY LEDERHOSE: That's the lived experience across the entire State from a lot of our members. If you're after some more stories, our survey that we did of members was kind of harrowing in terms of the implications that it has on staff. I know in my practice—I don't know in Dr Quain's practice—sometimes you get people drop an animal off and you have to take it. There's no facility to do anything apart from that because you've got animal welfare risks, you've got quite threatening people who bring the animal in.

I've had phone calls at 3.00 a.m. that have woken me up and the phone call has ended with them screaming at me, saying, "If you don't come and collect this stray dog that I've picked up, I'm going to trash you all over

social media." As a business owner that's a challenge but, also, it's a challenge because people are frustrated, because they've tried engaging with the pound system and the pound system has let them down. So then they find the people who are supposed to care about animals—and we do care about animals; we want to look after them—but we're not set up to do services like that for no charge. If we do try to invoice² the council, either we get ignored or we get emails that are to that effect.

ANNE QUAIN: My experience is very much the same, and it does seem to be particularly focused on cats. In practices where I have worked in the past, when we have accepted cats from the public—because they've been concerned, they've found a stray cat, they want that cat to be safe—then we've called the council and the council has said, "No, we don't take cats. Let it go or take it back to where it was found." That person who's dropped the cat off has already left the premises. We can't in good conscience let an animal go without knowing that it's going to be safe. In one awful instance, we had a nurse who was punched unconscious by a member of the public because she said we wouldn't accept a stray cat. So it's a serious issue.

The Hon. EMILY SUVAAL: That's a horrifying story.

ANNE QUAIN: Correct.

The Hon. EMILY SUVAAL: So the shelters are not taking them, even at the RSPCA shelter at Rutherford?

ANNE QUAIN: Sorry, that was not about the RSPCA; that was about local councils in the area where I was practising at the time.

The Hon. EMILY SUVAAL: So the issue seems like it's across the State?

ZACHARY LEDERHOSE: Yes, and the services that the RSPCA provides are fantastic, but we've got to remember sometimes the people bringing these animals in don't have the facilities, the means or the time to take the animal to these facilities. If we accept the animal into our care, and then our only option is then to transfer it ourselves because no-one will collect it to this facility, then that has an impost on us of time cost and also liability. The last thing you want to do, as a vet, is be seen transferring someone's cat and then something happens to it during that transfer process. We're very much between a rock and a hard place.

The Hon. EMILY SUVAAL: You mentioned you'd done a survey.

ZACHARY LEDERHOSE: Yes.

The Hon. EMILY SUVAAL: If any of that would be of use to this Committee's inquiry in terms of the recommendations that we might form, then I'd encourage you to share that information, whether it's on notice or otherwise. There are many pieces of the puzzle here that we will have to factor into our recommendations. I want to leave you with one final question around animal care standards. We know that the animal care standards haven't changed since 1996. What practical consequences do you see that having day to day? What needs to be amended?

ZACHARY LEDERHOSE: As we've heard, there was a draft put together about a decade ago. I've sighted that draft, and I agree with the previous witnesses that it is a good first step. There are so many things, I don't think we can summarise them adequately. But in terms of the impacts, it's an impact on the welfare of the animals. It's an impact on their behaviour and not just their physical wellbeing. Animal welfare science—and Dr Quain can speak to this more accurately—has moved from just basic food, shelter and water to much more. If we're assessing these animals for their suitability for rehoming, we need to make sure that the facilities they're kept in facilitate that process.

ANNE QUAIN: We know that the length of stay in a shelter is correlated with behavioural deterioration of animals. The longer they stay in shelters, the more their behaviour deteriorates, the less adoptable and appealing they become and the longer that length of stay is. So we need to minimise that length of stay. Zach's right: Animal welfare science has evolved significantly. It's no longer acceptable just to provide neutral welfare or freedom from bad things or freedom from negative affective states or emotional states. There's an expectation by the community that we provide positive welfare to animals. They are sentient beings. We know they have feelings that matter. It's important that that is recognised and we allow them to lead lives that are not just neutral³ but worth living.

² In [correspondence](#) to the committee received 1 December 2023, Mr Zachary Lederhose President, Australian Veterinary Association New South Wales Division, requested a correction to their evidence by replacing the word "reimburse" with the word "invoice".

³ In [correspondence](#) to the committee received 10 December 2023, Dr Anne Quain, requested a correction to their evidence by replacing the word "okay" with the word "neutral".

The CHAIR: Thank you both so much for coming today. Unfortunately, we've run out of time. But if there are further questions from the Committee, the secretariat will be in contact with those questions on notice. Thank you, again, for your time and thank you, again, for all the amazing work that you're doing.

(The witnesses withdrew.)

Ms TARA WARD, Volunteer Managing Solicitor, Animal Defenders Office, affirmed and examined

The CHAIR: I now welcome our next witness from the Animal Defenders Office. Do you have a short opening statement that you'd like to give?

TARA WARD: Thank you to the Committee for establishing this inquiry. It's very clear from the written submissions and evidence today that there are significant animal protection and general public policy issues needing to be resolved. Our contribution to this important process would focus on the regulatory framework and the improvements that could be made to that framework. They include—and I'm sure more will come out of this inquiry—producing, as we've heard often today, a standalone code of practice for pounds and shelters, or at least clarifying the application of the existing code to pounds and shelters; and considering broadening the scope of who can take, or be responsible for, companion animals. This could be combined with expanding the definition of "owner" in section 7 of the Companion Animals Act regarding street cats. Improvements could also include considering mandatory desexing, as in the ACT and South Australia, as an important aspect of controlling companion animal populations, along with regulating breeding—for example, looking into requiring a licence to breed as in the ACT, where anyone who breeds requires a licence. That applies to the mum-and-dad breeders as well—"Let our pet have one litter and then we'll get the animal desexed."

They could also include acknowledging the importance of and regularising variations of trap-neuter-release programs of semi-owned cats, including clarifying that releasing an animal as part of a TNR program is not abandonment under section 11 of POCTAA; addressing the problem of undefined terms such as "infant", "feral" or "unsuitable for rehoming" that would allow facilities to put down any cat or dog they label with those terms; removing restrictions on rehoming declared dangerous or menacing dogs where appropriate, bringing New South Wales into line with all other jurisdictions in Australia; considering strengthening the rehoming measures in section 64B through mechanisms such as penalties for noncompliance by facilities and stronger reporting and auditing requirements; and, finally, recognising that the difficulties in implementing requirements such as the rehoming requirements under section 64B—difficulties such as the lack of space in pounds or rehoming organisations with capacity—should be tackled directly rather than pointing the finger at the reform legislation or watering down what are still fairly minimal protections for animals in legislation.

The CHAIR: You argued in your submission that there should be penalties for councils who do not comply with the new rehoming rules that were brought in last year. Do you think that under the Prevention of Cruelty to Animals Act the enforcement authorities under POCTAA should have enforcement powers under the Companion Animals Act so that that can be investigated and potentially fined and dealt with in that way?

TARA WARD: I think that would be a question best directed at those agencies. They would be the ones best placed to be able to comment on whether that would be a suitable role for them. But clearly there needs to be a greater focus on enforcement, particularly of these new requirements. It did come as a surprise to us that there are no penalties built in or included in the new requirements, making it, on the face of it at least, somewhat of a toothless tiger. As to who does that enforcement, that's something that would need to be worked through. It may be that POCTAA enforcement agencies are best placed for this, but there may be resourcing issues, capacity issues and, indeed, conflict of interest issues as well that would need to be worked through.

The CHAIR: A number of submissions highlighted the absence of any enforceable standards in pounds in New South Wales, such as the size of enclosures and waste management. What change do we need here?

TARA WARD: Echoing previous oral submissions, a fit-for-purpose code of practice that has legal force would be one that is incorporated into legislation so that compliance is a legal requirement. It's one thing having guidelines. That can be useful, but if compliance isn't legislatively required, then that really does limit the utility of those guidelines. In terms of making real change on the ground, of course it then raises the enforcement issue, but hopefully if there were to be a fit-for-purpose code of practice designed in consultation with stakeholders, then enforcement would also be part of that whole reform process.

The CHAIR: We've heard a little bit of conflicting evidence in regard to what effect outlawing puppy farming and kitten farming, and also regulating so that we end backyard breeding, would have to reduce the number of animals ending up in pounds. I'm wondering if you have a view on legislative changes there and how that might help the pound system.

TARA WARD: I'm unaware—just because it's not my area of experience or expertise—of the link between any kind of breeding and the flow-on effect to reducing numbers in pounds. I know that it has come up in many of the submissions that I had a chance to look at. There's a strong call for a ban on backyard breeding—it is the common cry. But how one does that and whether it's going to have that effect—I think inherent in the concept of backyard breeding is that it is under the radar and outside the whole enforcement and compliance

framework. But, coming from the ACT, we do have a licensing scheme in place where, as I mentioned, a licence is required for anyone breeding from an animal, whether it's an accidental breeding of one litter or it's intentional breeding, and whether it's one or two litters or that's what you want to do to earn an income. In terms of precedents, there is the precedent in the ACT. But further than that, as to whether it has had an impact on reducing the number of animals in pounds, that would be an interesting area to explore. But I haven't, unfortunately, looked into that or know whether that data is available.

The CHAIR: Lastly, before I move on, I want to ask about breed-specific legislation and breed assessments. Currently, breed assessments are done by kennel club judges just by viewing the animal, and there are far-reaching civil and criminal liabilities for breed assessors so that there's no course of action that can be taken if a dog is wrongly identified as part of this process. I want to get your thoughts about whether that needs to be reviewed and then also, I suppose, this whole idea of breed-specific legislation in the first place and the fact that a dog can be killed despite the fact that they haven't failed a temperament test or they haven't been shown to be in any way dangerous and whether that is something we should be reviewing as well.

TARA WARD: Whether it's part of this inquiry or not, I'm not sure of the connection between that and numbers of animals in pounds. I know that it has been raised in several of the submissions, so there must be a connection there. Again, coming from the ACT, we don't have breed-specific legislation. I thoroughly endorse and echo the sentiments from other witnesses that it's not the breed, it's the circumstances in which the animal has been raised, as well as those responsible—using that term loosely, in some instances—for raising that animal. I think that's the start of the problem. Having breed-specific legislation, and then how to enforce it or ensure compliance with it, leads to these problems of determining what is the breed and what is a part breed as well. It's not just the pure breeds; it's the part breeds. I know there are processes for both of those aspects.

Certainly, a large part of our case load is helping people whose dogs have been caught up in the whole dangerous dog or menacing dog declaration process. There are some really good aspects of the New South Wales regulatory framework and some not so good aspects. One of the really good aspects is the fact that after 12 months, if your dog is declared dangerous or menacing, you can apply to have that revoked. That's really, really good from our experience. In the ACT, we don't have that. A dangerous dog declaration is a life sentence for the dog. We routinely see dogs who are only 12 months of age being declared dangerous and then they're stuck with that label and all the conditions that follow, and now the very expensive annual licence fee, for the rest of the animal's life. I commend New South Wales for that aspect.

I think we discussed this in our submission, the blanket ban on transferring ownership of dogs who have been declared dangerous or menacing, or who are looking at that. I would suggest that be reviewed because it is the only jurisdiction in Australia that has that ban. In some of the submissions it was suggested that for some dogs who come in because they've been involved in an attack, the council should retain the ability to be able to put that dog down—that is, kill that dog straightaway. We certainly don't endorse that at all. In our experience dogs can be rehabilitated, and it all depends on the responsibility of the keeper and their access to reputable dog trainers.

The Hon. EMILY SUVAAL: I will take you back to some of your earlier comments about some of the challenges with the trap-neuter-release programs, as it currently stands in New South Wales, given section 11 of the POCTA Act. What do you see as a way forward? Do you see the current POCTA Act as an impediment to this trap-neuter-release program?

TARA WARD: Our experience, such as it is, is that it is a deterrent. The release aspect of TNR programs, or variations thereof, would, on the face of it, be an offence under section 11 of POCTAA. We know that this has been taken seriously by members of the New South Wales Parliament who have introduced bills to try to rectify this grey area, if it is a grey area, in the sense that, on the face of it, it would be an offence. Of course, that depends on the will of enforcement agencies to pursue that, to prosecute or to investigate and charge et cetera, but it shouldn't come down to that. Everyone would benefit from a clarification while we have our POCTAA 1979—possibly just amending section 11 to make it clear that it doesn't apply to TNR programs.

The Hon. EMILY SUVAAL: In terms of number five in your paper recommendation, about the mandatory desexing of cats and dogs unless the animal's owner holds a permit to keep the animal entire, I wondered, in light of some of the evidence we've heard earlier around some of the challenges with the veterinary workforce—certainly councils, which operate many of these pounds, do not have any veterinarians working on their current staff—how that could be achieved.

TARA WARD: This is why sometimes I'm glad that I'm a lawyer and I'm not out there in the field, because enforcing these—mandatory desexing might look good on paper and in the law books, but out there, in reality, how do you? Time and again we see clients presenting to us, from across the society spectrum of backgrounds et cetera, who are unaware of the mandatory desexing and the mandatory registration—usually their animal is microchipped—so it certainly is an issue. A large proportion of our case load are clients from

disadvantaged backgrounds. The way that works is if their animal is impounded they then have to get a voucher from our local RSPCA—it can be a vet, but it's usually the poor RSPCA.

The animal is delivered to the RSPCA or the vet and then, once the animal is desexed, the client can pick up the animal and the animal is formally released. Of course that just puts the burden on the RSPCA or the vets and is only dealing with those animals who have been impounded and therefore can't be released until they are desexed, because it is a legal requirement. But in practice it would be the many suggestions for schemes, helping people who can't afford it to get their animal desexed. Even though we are not a frontline advocacy organisation, we push that message about mandatory desexing or getting your animal desexed at any opportunity, because we understand that it is a key part of trying to deal with the population of stray companion animals.

The Hon. EMILY SUVAAL: Absolutely. The comment you had about the number of your clients being from that low socio-economic status is interesting, because we heard earlier evidence around owned cats in low socio-economic areas being some of the biggest contributors to the issue of the overpopulation of cats, and certainly the need for accounting in high euthanasia rates. It's very interesting food for thought. In terms of improving our amendments to regulation that may be considered by this inquiry, I wondered whether or not your organisation had any views around the animal care standards, which haven't changed since 1996.

TARA WARD: It's not just that they haven't changed since 1996, it's the fact that—if we're talking about the code of practice for boarding establishments?

The Hon. EMILY SUVAAL: Yes.

TARA WARD: Well, the title says it all, doesn't it? It's not even, as has been raised, fit for purpose. I looked at the ACT. Usually we're a leader in many animal welfare things, but our code of practice, which at least was written for shelters and pounds, was released in 1995, so we can't help there. I haven't looked at it myself but the 2014 draft seems to have got really good reviews. So perhaps it is time to finalise that review and finalise a fit-for-purpose code of practice for pounds and shelters, given the many specific issues to those contexts that will have come out of this inquiry.

The Hon. EMILY SUVAAL: Given there is a lack of policies or standards in other States as well, would it not be more beneficial for something like an Australian standard to be developed, because there isn't one in this space either?

TARA WARD: Yes, that's an interesting idea. On the face of it there is no reason why it couldn't be, I presume, brought into what used to be the Australian Animal Welfare Strategy and the many codes of practice that have transitioned to national standards and guidelines that have been developed under what was that strategy, which exists in some form or other today even though it was formally disbanded. That is an existing process that has worked for other codes of practice: transport of farmed animals, animals in entertainment—just to think of a few—sheep, cattle et cetera. So, yes, that would be definitely worth exploring and ensure that sort of consistency, with the ability for individual jurisdictions to tailor it, of course, because they still have to be incorporated into the local legislation. So there is that opportunity to tailor it, if required, to the local situation.

The CHAIR: As a quick follow-up from that one, if it was to be a Federal standards process instead of a State process, how long are these Federal processes taking? How long would we then have to wait to get recommendations from that, before any sort of State action were to take place?

TARA WARD: An extremely long time. That is, of course, the problem. But we are looking at long periods anyway when it's just been a State matter. I don't think this is going to be a quick fix. But whether it's any quicker than what has already taken place here in New South Wales—one would hope so because otherwise we're looking at decades.

The CHAIR: Decades before a Federal process would finish?

TARA WARD: That's right. The process is that the code of practice has to be developed and agreed to by all the relevant jurisdictions. That's one thing. Then you end up with what is in effect a guideline. Then there has to be the process of incorporating it into local legislation. That, one would hope, could be a relatively quick process. But it's that initial stage that takes the time.

The Hon. RACHEL MERTON: Ms Ward, if I could just take you to recommendation 2 on your submission, and it was really looking at the triaging and the rehoming there. Would you like to elaborate a bit more on the seven day, 14 day?

TARA WARD: If I could clarify, our main aim would be that there would be a standard time frame that applies to both—let's call them owned or unowned, or unidentified, animals. We wouldn't want unowned animals to suffer any kind of disadvantage purely by that status when they have the same objective of staying alive and

being rehomed et cetera. Anything that would standardise that period, make it the same for owned or unowned animals—and whether that's seven days, which I think is the case in the ACT, or eight days for both types of animals in Victoria, that would be best determined by those on the ground who have experience in the pros and cons of a longer or a shorter period.

The Hon. RACHEL MERTON: You've spoken at some length about the rehoming and provisions. What more do you think we could be doing in the rehoming space?

TARA WARD: From a legislative perspective?

The Hon. RACHEL MERTON: Yes, or just in terms of practical application from what you've seen in your experience. Earlier today somebody made the suggestion in terms of social media and different campaigns on animals and profile and attention or—costs have been examined.

TARA WARD: For us it's difficult to separate the issues even though it may be, sort of, technically they're not connected. We can't reconcile the fact that in one sector of our society we're pumping out the designer animals in a fairly unregulated space and in an unregulated way and, on the other hand, we have these pounds absolutely bursting at the seams—not just pounds but rehoming organisations, even the informal rescuers et cetera—who just can't cope or are finding it difficult to cope with the number of healthy animals who we, as a society, are turning our backs on, basically. While I know it's a difficult issue in terms of regulating breeding, and I think it was just this afternoon where—how you would go about regulating it is, of course, a difficult issue. I think focusing on the production of animals while we have so many animals who are healthy and could be kept as pets being put down is one of the many issues that needs to be addressed somehow in legislation, and looking at the various models and working out what's working best.

The CHAIR: I would like to thank you for your evidence given today. The secretariat will be in contact in relation to any questions on notice that come through from the Committee.

(The witness withdrew.)

Ms KATHRYN JURD, General Counsel, RSPCA NSW, affirmed and examined

Dr GEMMA MA, Project Manager, Keeping Cats Safe at Home, and Community Veterinarian, RSPCA NSW, affirmed and examined

Mr TROY WILKIE, Senior Government Relations Manager, RSPCA NSW, affirmed and examined

Mr STEPHEN ALBIN, Chief Executive Officer, Animal Welfare League NSW, sworn and examined

The CHAIR: Is there a short opening statement from the representative from the RSPCA?

KATHRYN JURD: Yes. RSPCA NSW welcomes the opportunity to give evidence on this very important topic. I know I'm in good company when I reflect that the people of New South Wales clearly treasure the animals they have the privilege to care for. Indeed, when we tell people that we work for the RSPCA, very few can resist telling us about their beloved family pets. Yet, from a funding, regulatory and decision-making perspective, this area of our practice generates significant amounts of contention and controversy. Our submission makes 13 recommendations in response to the terms of reference. The outcomes they seek to achieve are simple: addressing the underlying companion animal overpopulation issues, improving the welfare of unwanted and straying animals and clarifying the regulatory environment to reduce the burden on a range of stakeholders, including some of the witnesses this Committee has heard from today—vets, shelters, and the pounds and shelters themselves.

At their heart, the recommendations can be distilled to three. Number one—currently the Prevention of Cruelty to Animals Act and its associated regulations, and the Companion Animals Act and its associated regulations, do not speak to each other at all. They are both old, and some members of this Committee would recognise my comment from several inquiries now: They are looking and feeling their age. At best, this creates ambiguity on roles and responsibilities and confusion on compliance. At worst, animal welfare is compromised in order to comply. A holistic, considered and evidence-informed review needs to be undertaken of each Act, the regulations and codes of practice. We have been reviewing animal welfare laws in New South Wales since at least June 2018.

Number two—evidence exists that targeted subsidised desexing, prevention, outreach and education programs reduce surrenders, stray animal populations and euthanasia, and improve animal welfare outcomes. They have been run by not-for-profit organisations, sometimes in conjunction with councils and other government departments, for years. They need ongoing and recurrent funding, including funding for the research to develop best practice.

Number three—pounds need to be funded in line with the function that the people of New South Wales feel that they play. They are often criticised for how they exercise this function, but it's a function that, frankly, very few people or organisations would want to exercise. And yet I'm sure you've heard today and in submissions that they do a lot with very little. That is not to say some criticisms aren't warranted. However, this area requires an investment in infrastructure, staff to support the good work volunteers constantly perform, and training and education. Resourcing for staff, animal attendants and veterinary professionals will have positive animal welfare outcomes. RSPCA NSW has spent 150 years doing animal welfare in New South Wales. We are happy to assist this Committee to improve animal welfare outcomes and keep companion animals out of pounds.

The CHAIR: Is there an opening statement from the Animal Welfare League?

STEPHEN ALBIN: Yes. The Animal Welfare League NSW is one of the leading animal welfare organisations in New South Wales, and we were founded in 1958. Thank you for the opportunity to present to this Committee and inquiry. We rehome about 3,500 unwanted companion animals every year. Our rates of euthanasia are amongst the lowest of any shelter in the country. I think, this year, we are reporting 4 per cent, and 98 per cent of that 4 per cent is due to medical issues. Our level of care for animals is unparalleled, with dogs being exercised four times a day at our shelter and high animal attendant-to-animal ratios. We've got a veterinary hospital, and our inspectorate team helps enforce POCTAA and the Companion Animals Act. We are a rehoming organisation, not a traditional pound, and we are primarily funded by generous donors and benefactors. AWL NSW has 21 branches across New South Wales that rescue, foster and adopt surrendered animals. These branches are primarily run by a team of dedicated volunteers.

The community expectations of pounds have changed markedly in recent years. Rightly, the community expects better treatment of impounded animals and lower rates of euthanasia. These expectations are placing traditional pound models under pressure. There's little doubt that the pounds have improved from what they were a decade ago, but some still fall short. The biggest challenge confronting pounds under changing expectations is operational costs. As a rehoming organisation, we fully appreciate the cost of placing an animal in a new, loving

home. As more pounds move to a rehoming model, which is likely, the financial costs will be significant, not just for the infrastructure but for the operations. While this inquiry is focused on pounds, a solution to fixing those pounds goes far beyond the pounds themselves. New models of operation need to be explored, but so too measures to avert burgeoning companion animal populations due to low rates of desexing, animal neglect through lack of medical care and food, and cruelty and abandonment. The Parliament should be congratulated on undertaking this inquiry, and it's a step, definitely, in the right direction.

The CHAIR: I will go to the Opposition first, if they have some questions.

The Hon. SUSAN CARTER: Thank you for being here. My question is to representatives of the RSPCA. I understand that RSPCA NSW used to manage pounds on behalf of councils but has moved away from this work. Could you talk a bit about that and explain why that movement happened?

TROY WILKIE: Sure. I'd love to, thank you. At the end of the day, you can't serve two masters. RSPCA NSW operates the largest animal welfare enforcement agency in the country on behalf of the State Government. This leads to huge volumes of animals being brought into us at a moment's notice across the whole State. To manage this while also having to accept, care for, rehabilitate and rehome animals seized by councils creates an impossible situation. We are determined to prioritise the animals who are most in need, and we don't shy away from the difficult decision to not renew any council pound management contracts in the State.

Many councils have benefited from RSPCA subsidising their pound operations for decades and want to continue that, and I completely understand why they want that to continue. But I can't look our supporters in the eye and tell them that it's more important for their donation to go and subsidise a council that brings in more than \$100 million a year in annual revenue rather than have that dollar spent on prevention programs or spent rehabilitating an animal that's been treated cruelly and been exposed to severe neglect. To support all 128 councils across the State, better use of our donations is expanding prevention programs and community programs we already run. And while it's a difficult decision, it means that our organisation can prioritise the animals most in need.

The Hon. SUSAN CARTER: I have a practical question. Excuse my ignorance, but does that mean councils now have to physically set up a pound in which to hold animals themselves, whereas they might have relied on your facilities?

TROY WILKIE: For some, that's been the case. Others have partnered with existing council pounds or existing rehoming organisations, and others have been able to successfully transition by creating their own holding facility in their LGA.

The Hon. SUSAN CARTER: In terms of rehoming, or of animals needing to be surrendered to pounds, is it the same volume in city areas as in regional and rural areas, or is there more of a demand in city areas?

TROY WILKIE: I think it would depend on which city areas you're talking about. Of course, some LGAs in Sydney have very different-looking communities and SEO groups than other ones, so I don't think you could divide it by city, metro, versus regional so much. But, certainly, it varies significantly across all the LGAs in our State.

GEMMA MA: It's actually much more dependent on the socio-demographics of the areas. Obviously, some council areas in regional areas have very high intakes and some have relatively low. And it is the same in urban areas, where lower socio-economic areas have hugely high intakes whereas others have almost none, just based on the demographics of the area.

The Hon. SUSAN CARTER: I was trying to work out, in regional areas, what sort of distances might have to be travelled, because some of the LGAs have a very wide geographical spread. I'm just wondering if you have any concept of the kilometres to be travelled to the closest pound or facility.

TROY WILKIE: Well, again, that certainly does vary across LGAs, and you are going to have huge distances. Our veterinary clinic that we operate in Broken Hill is the only RSPCA vet clinic for hundreds of kilometres. So for a person to come and see us and get that help, it's a huge distance, but not so much for a person living in city metro areas.

The Hon. RACHEL MERTON: If I could just go back to—I think it was early 2023. We discussed in the Committee today about the surge in pet ownership during COVID. If I could just recall that, in response to the surge in pet ownership during the pandemic, the Perrottet Government pledged \$40.6 million towards improving animal welfare and rehoming. I understand that, as part of that announcement and the committed funding that was made available, the RSPCA was given \$20.5 million to significantly step up its enforcement of animal cruelty laws. I was just really seeking an update as to where that might be and what you guys have been able to do in that space.

GEMMA MA: That's right. The RSPCA is responsible for enforcing the Prevention of Cruelty to Animals Act, also known as POCTAA. There have been 28 inspectors—they're at a training day right now. The 28 inspectors have joined the RSPCA inspectorate, creating a team of about 50 inspectors across the State of New South Wales. They are deployed in the north region, a southern region and a metro region. They're divided, essentially, on population lines and having taken into account historical cruelty complaint numbers to best target their deployment throughout the State.

TROY WILKIE: To add to that, effectively the first point I want to make is how incredibly grateful we are for that funding. It is funding of a scale that we haven't experienced before, and it funds the inspectorate entirely for RSPCA NSW for one year—so until the middle of next year. Having already gone through Q1 of that funding agreement, we've almost doubled our inspectorate and, with them now completing training and getting out on the ground, that is going to have a significant increase in the level of service we can provide for the community, which is a wonderful outcome.

STEPHEN ALBIN: Would you like to hear what we've done with ours?

The Hon. RACHEL MERTON: Yes, you're my next question.

STEPHEN ALBIN: We got \$5.5 million. We've recently doubled the size of our inspectorate. We had a rehoming facility at West Hoxton that was held in abeyance. We've thrown that land into the grant for free to offset that with what we call an inspectorate command centre. That centre will provide an extra 15 kennels for domestic violence. It will provide 84 kennels for dogs and 64 cat condos. It will also be an overflow facility to assist councils that are having difficulty setting up their pound facilities as a result of some of the changes that have gone on recently. So we've got an overflow facility that will assist Liverpool, Wollongong and Shellharbour and we'll be having an inspectorate command centre at West Hoxton. We also have set-ups—our inspectors who've joined will be covering Glen Innes, so we will have an inspectorate there. We'll have a regional command centre in Dubbo and another regional command centre in Bega. This should be up and running by 14 April next year. Our project plans are off and running and we've started demolition works on the site.

The Hon. RACHEL MERTON: Thank you very much. That's very interesting. This question could be for both of you. In terms of where we are in the post-COVID era—and we saw a spike in pet ownership during the COVID time—I'm just wondering where we might be at the moment in terms of demand for your services?

STEPHEN ALBIN: I'll answer that. Totally different. It's totally different to where it was just after COVID. You may have heard a lot of people saying that there have been dogs purchased during COVID. What we're finding now is that not only is the demand going through the roof but no-one's adopting. At least just after COVID we had reasonable adoption rates. We were doing record adoption numbers up to June 2023, but now we're starting to find pet stores aren't selling their pets and we're getting as many surrenders as was going on before but we're not getting anywhere near the adoptions. Vet clinics are starting to see a bit of a fall in demand as well. The cost-of-living crunch has come in a way that I don't think we anticipated at the front end.

TROY WILKIE: The only point I'd make is it's the same for RSPCA and I think the same for shelters and pounds across the entire State. I don't know if you can put the entire situation we're now in down to COVID per se, although that did increase the number of animals in the State and the number of animal owners in the State. So therefore the volume has just increased quite dramatically, but the cost-of-living crisis is probably having a bigger effect on people's ability to adopt and to continue to care for their animals than anything else. It's not so much about an office worker returning to their office job and no longer being able to care for their animal. It's more about people who can't find a rental with their animal or people who can't afford to continue to care for their animal because of cost-of-living pressures.

The Hon. RACHEL MERTON: Just in terms of what sort of practice might be in place in terms of canvassing or assessing the suitability of prospective new pet owners when they may come to a facility and look at acquiring a pet—is there an assessment?

KATHRYN JURD: We're careful not to put too many barriers between people adopting animals, because we want to get them into homes. We're conscious that putting blanket rules on eligibility of adopters creates equity issues, and we just want to see the animals get into good homes. We do an interview process to where we'll try and match the animals to the home that is best suited to them. It's based on really thorough and careful assessments and evaluations of the animal's temperament and behaviour to keep everyone safe and to get the best welfare outcomes.

STEPHEN ALBIN: Ours can go from—very similar to RSPCA. If you go into our branches, they will do house visits as well to actually check the environment where the animals are being adopted into. We've got such volumes that we don't really do that in the shelter, so we're pretty similar to what the RSPCA does, in our Kemps Creek shelter.

The Hon. RACHEL MERTON: Just getting an understanding of the pricing of dogs and cats in the shelter for new owners, how is that determined?

TROY WILKIE: I'm not sure if anyone's brought a price list.

GEMMA MA: No, I do know that we have different rates for adult and puppy or kitten prices. We sometimes run specials for our senior citizens—that is, senior citizens within the shelter—to try to get them loving homes in the latter years of their lives. Every now and again the RSPCA nationwide does a "clear the shelters" type day where we devote our advertising resources to those animals who might have been in care for hundreds of days. Those animals are our shelter favourites. They're animals that the staff really are very emotionally invested in, so we try to devote our advertising resources to getting those animals good homes. The quantum is on our website, but we can take the actual figures on notice and provide the Committee those details later.

STEPHEN ALBIN: I can tell you how much we charge. We charge \$250 a dog. It will change whether it's a kitten or a cat, but the kittens are a little bit more expensive, sitting at about \$150 and then the cats can be \$120. Our branches charge different prices. Our concern is I often get Sam March, who is the head of our shelter—unfortunately, he can't be here today—coming to me and asking to discount. One of the issues with discounting animals is people come and get the animals and they may use them for purposes that we don't support—or may even be illegal—or alternatively they come back into the shelter. So price is not necessarily the real issue for us in terms of adopting or putting animals out into new homes. When you look at our figures here that show that a dog alone will cost you \$4,400 to take through our shelter, and the cats I think cost \$1,978, that money goes nowhere near covering it.

The Hon. RACHEL MERTON: In terms of volunteers and not-for-profit community support, I'm aware of the RSPCA—the membership, the support program, and I think I might be a life member of the RSPCA—but I'm just wondering, in terms of community engagement, how is that running at the moment?

KATHRYN JURD: There are peaks and troughs with volunteers. Certainly it's a difficult time at the moment. We have thousands of members who are financial members or otherwise, who support the RSPCA in combination with a significant foster care network. We also liaise with other rescue organisations and we have quasi-partnerships—not legal partnerships, but quasi-partnerships—with other not-for-profits, including Vets Beyond Borders and other not-for-profit entities, to try to make the dollars we have stretch as far as we can across New South Wales.

TROY WILKIE: We certainly couldn't do all that we do without the volunteers and supporters that we've got. We did a calculation a little while ago, and volunteer support in the shelters and foster caring is worth tens of millions of dollars to our organisation. That subsidises all of our work. We're so grateful to them for doing that.

STEPHEN ALBIN: Foster care is critical because if you're going to expand capacity—this is the only business I have ever worked in where the more you get, the more money you lose, or the more you sell, the more you lose. The good thing about foster is you can do it in a more cost-effective way. The problem is going to come when there aren't enough foster carers out there in the market to support our efforts. But at the moment we've got more animals in foster—our shelter is 100 per cent full, but we've got more animals out there in foster than in our shelter.

The Hon. EMILY SUVAAL: Thanks to you all for appearing today. Could I just ask the secretariat to confirm the documents that I've asked them to circulate have been circulated to the witnesses and the members?

The CHAIR: Yes, they have.

The Hon. EMILY SUVAAL: Great. Including the witnesses?

The CHAIR: They're getting them now. Sorry.

The Hon. EMILY SUVAAL: They're publicly available documents, so there shouldn't be any concerns with that. It's a shame your CEO isn't here in person because my first question was to him. Feel free to take it on notice if you can't provide the answer. How much does your CEO at RSPCA get paid annually for their salary, including any packaging benefits?

TROY WILKIE: I'd have no idea. It's none of my business. I can take it on notice.

The Hon. EMILY SUVAAL: That would be great. I will take you now to your financial report. If you turn to page 11 of the report, could you confirm the figure for the 2023 net assets, which I read as being \$136,069,000 for the net assets for 2023?

TROY WILKIE: I can see that written here. It's not a document I'm very familiar with and I've just been handed it, but I can see that figure on the page.

The Hon. EMILY SUVAAL: So net assets is \$136,069,000. I will take you to page 23 now, which has listed the figure at 11 (a), which is that the RSPCA NSW currently holds financial assets of shares at a value of \$48,410,000.

TROY WILKIE: Yes.

The Hon. EMILY SUVAAL: Can you see that figure there? Could you confirm that that is correct?

TROY WILKIE: I can see it.

The Hon. EMILY SUVAAL: We will go now to page 25 of the report, which lists investment properties. Can you confirm that the balance at 30 June is \$18,085,000 in investment properties?

TROY WILKIE: I can see that figure.

The Hon. EMILY SUVAAL: On page 30 at item number 24, it states:

The Society is the parent entity which has 100% of the share capital of Hansons Properties Pty Ltd (ABN 67 000 382 721) (Hansons) which was acquired as a bequest. Hansons owns a property which is leased on commercial terms.

The following information below are the financial results of the parent entity alone:

Then there are a number of figures that are listed below, but I will read out the total equity associated with that parent entity of \$135,939,000. Can you confirm that figure for total equity?

TROY WILKIE: I can see that.

The Hon. EMILY SUVAAL: Would you agree that RSPCA NSW is in a pretty good financial position?

TROY WILKIE: I think RSPCA is having its finances managed very, very well, and it would be irresponsible for the organisation that's relied upon by the State to enforce animal cruelty laws and to help so many animals and people in the State to not have a reserve that would cover it for at least two to three years, which is what these figures represent. This is not just some big fund of money for us to sit on or make any money from; it's there as a reserve in case we have a situation where we aren't able to fundraise or we need additional funds in a very dire situation. If we learned anything from the bushfires, COVID, the mouse plague, the floods, and the continuing natural disasters that are ever increasing in this State that we respond to, I don't think it would be responsible for us to be running on a balance sheet of some small figure that wouldn't be able to give us a reserve to back ourselves up. Fundraising in this climate—

The Hon. EMILY SUVAAL: Indeed, I think many local councils would agree with you and yet they're expected to operate animal holding facilities as well. I'll take you now to the article that I've had circulated from the *Blue Mountains Gazette*. We've heard earlier evidence from Blue Mountains City Council today and that is an article that I think captures the mood of Blue Mountains residents pretty well. I will read out part of it. A motion was passed, which read:

The present shelter was bought by the Blue Mountains branch of the RSPCA, and paid for by donations from residents of the Blue Mountains. Therefore, it should be given, or sold at a very reasonable price, to the Blue Mountains community.

The article goes on to say:

There was a sense of frustration at the meeting that the 50 kennels are sitting unused even as the RSPCA NSW sends out regular emails seeking donations to save animals.

A Facebook post by the RSPCA NSW at around the time that the Blue Mountains shelter was closed read:

At RSPCA NSW we are still at a crisis point with our capacity and even with recent adoptions, we have over 300 animals available for adoption.

Given the Blue Mountains community fundraised and donated their time in the eighties, and their energy, not only in establishing the facility but in maintaining it—indeed, building the enclosures—why aren't you giving it back to the community?

TROY WILKIE: To your earlier point about how it's a large amount of money which is in reserve, I would point out that the council you're talking about has a larger figure than that coming in as annual revenue every year.

The Hon. EMILY SUVAAL: And they're expected to maintain roads, they're expected to pick up people's garbage, they're expected to respond to national events. They're a council; they're not a charitable organisation.

TROY WILKIE: I understand that, but my point is that to try to paint us as the big organisation compared to a council which is much bigger isn't particularly fair.

The Hon. EMILY SUVAAL: I'm just reading out the facts.

TROY WILKIE: I understand that.

The Hon. EMILY SUVAAL: So you expect the community to pay for it twice then? They have given it to you in the first instance and you are now asking the community to buy it back for \$2.45 million. Why are you making them pay for it twice?

TROY WILKIE: We haven't demanded that figure. We've just had the Blue Mountains council representatives come just yesterday to have a look at the shelter, with a view for them and how they want to either utilise that or they might not want to utilise that particular location. We haven't had negotiations commence regarding that. We haven't asked for any amount of money. I'm not going to prejudice those discussions by talking about particular figures or deals or outcomes here today.

The Hon. EMILY SUVAAL: Can you confirm that two days after RSPCA announced leaving the Blue Mountains facility, your CEO went on ABC 702 and stated that "the volunteers are too difficult" as reasons for pulling out of the Blue Mountains contract?

TROY WILKIE: I'm not aware of that.

The Hon. EMILY SUVAAL: I'm happy for you to take it on notice.

The CHAIR: It's up to the witness if they would like to take that on notice.

TROY WILKIE: Sure, I'll take it on notice.

The CHAIR: Thank you. Ms Abigail Boyd.

The Hon. EMILY SUVAAL: I have further questions, Chair.

The CHAIR: Recognising that obviously you've had a fairly large amount of time, I'll come back to you.

The Hon. EMILY SUVAAL: The Opposition had 20 minutes of time, Chair.

The CHAIR: I will come back to you, but the crossbench hasn't had any time. If there's time at the end, I will come back.

Ms ABIGAIL BOYD: I was going to use my time to actually talk about the pounds inquiry, but I feel obliged to allow you to have the chance to talk about your finances to clear this up. Can I just clarify, when we did the RSPCA and AWL inquiry a couple of years back, we discovered, I think, that the RSPCA funding from government was about 3 per cent or something of what was required in order to operate.

TROY WILKIE: Yes, at that time.

Ms ABIGAIL BOYD: The rest of the money that you get is discretionary, comes in from bequests and you're completely at the mercy of whether someone gives you enough fundraising. Is that right?

TROY WILKIE: Absolutely, yes.

KATHRYN JURD: And can I just say it was 2 per cent at that time.

Ms ABIGAIL BOYD: What is it now?

KATHRYN JURD: Now it's a little bit more on account of the \$20.5 million that we received, but that is only for this financial—well, to the middle of next—

Ms ABIGAIL BOYD: Yes. So is your core funding still between AWL and RSPCA about \$500,000?

KATHRYN JURD: Yes.

The CHAIR: Outside of the 25.

KATHRYN JURD: Outside of the 25.

Ms ABIGAIL BOYD: Outside of the \$25 million that you've been given this time—

KATHRYN JURD: Yes.

TROY WILKIE: Yes.

Ms ABIGAIL BOYD: —to enforce the entire animal cruelty laws in our State. Is that correct?

TROY WILKIE: Yes, that's correct.

KATHRYN JURD: That's right, and our primary function is under the Prevention of Cruelty to Animals Act, not under the Companion Animals Act.

Ms ABIGAIL BOYD: I do find it a little unfair perhaps that the focus is going off of government's lack of funding over the last 20 or 30 years onto you, so I wanted to give you that chance. Just coming to talk about the idea of mass desexing, which I think a lot of stakeholders have been talking about in this inquiry. It seems that that's a really smart idea, but whether or not we have, firstly, the funding but also the capacity to roll out a program like that—can you talk about if there was the funding from government that is needed to run such a mass desexing program, what would be needed perhaps in addition to the stuff you've talked about in your submission around changing the law to allow those trucks that AWL have to do the surgery? What would we need to do to make sure we have that capacity?

GEMMA MA: I might start, if that's okay. We're doing lots of desexing all across the State. Through Keeping Cats Safe at Home alone we've got 10 cat desexing programs partnered with different councils where we've partnered with 25 local veterinary practices. We try and work with local vets because we try to build local capacity. These are expensive programs; desexing a cat costs, on average, \$300. As Anne Quain was saying previously, it's really important that vets aren't subsidising this work. They're private businesses; they have to be making money. They're very enthusiastic about doing this work, but they shouldn't be subsidising it out of their own profits. We find actually when we're offering a fair price for the surgeries for these desexing programs, vets are very willing to make the space for the surgeries. They see it as being important to support their communities. But you have to pay an appropriate price. They don't want to do it subsidised at very low cost. Does that answer your question? I feel like there was more to the question.

Ms ABIGAIL BOYD: Maybe I can ask Mr Albin. The problem that there is at the moment with the regulations, I understand it's to do with what's allowed to be a surgery. Is that why the trucks can't do the desexing?

STEPHEN ALBIN: That's the truck, but I'll address the first question that you asked, and that was about mass desexing. We allocate \$1.2 million every year out of our raised moneys to subsidise low-income households to go to a vet and get desexed. Our 21 branches have relationships with about 60 vets around the State to do that. We are working with RSPCA and Gemma with Keeping Cats Safe at Home as well. But that's pretty much why we were started. We had an inspectorate and we were there for animal desexing. In terms of the truck, at the last inquiry, yes, I did say it would be great if we could change the laws. I have to say, though, that the Veterinary Practitioners Board has been quite flexible since that presentation, but that would also help—changing the laws.

But one of the key issues to desexing that we found is the laws relating to ownership of animals. We have a lot of people who feed cat colonies around the State, and the thing is if they took that animal and took it into desexing, they'd have to own that animal if they were releasing it. Some laws that could change in that regard would be very beneficial, I think. We could actually do proper community cat colony management. At the moment, we're relying on them microchipping and owning those animals to get them desexed. I think it would be a very big job to run these colonies. But if you look at the Campus Cats project where they started off with a major cat colony there, I think they're down to four or five cats, and that's Professor Helen Swarbrick that did that at the University of New South Wales with Colleen Ringe. It is something that would be a lot more beneficial if we can keep animals—the desexing will stop us getting animals surrendered to our shelters.

The CHAIR: We've talked about the cost-of-living crisis and things like that. I'm wondering if the rental crisis has also been one of the reasons why the pounds and, for yourselves, shelters have seen an increased number of animals.

GEMMA MA: There are a few factors that are contributing. The big one is overpopulation. There are just too many cats and dogs being born and not enough homes to go around. That is where the desexing really comes in to prevent that as being an issue. Cost of living is a big one. People can't afford to keep their animals, but the housing is another big one. There is not enough pet-friendly accommodation for people. People are being forced to move and they can't find accommodation that will accommodate their animals as well. As an example, in the last quarter, like the last three months, we've supported over 200 clients with emergency boarding for their animals who have had to move for domestic and family violence or aged care or homelessness. We've provided over 1,000 nights of safe accommodation for animals just from domestic and family violence situations. These sorts of programs are so important to keep animals out of pounds and keep them with their families in the long term. So a number of contributing factors, but the big one is overpopulation for sure.

TROY WILKIE: On that, I would note that at RSPCA we always ask people why they're surrendering an animal to us when they bring it in. Anecdotally, about one in five are being brought in due to rental concerns being unable to, or thinking they can't, get a rental with that pet and about half, 50 per cent, are due to cost-of-living pressures, and that's a huge uplift from previous years for both of those. So it does show the massive issue that the rental crisis and the cost-of-living crisis are causing.

STEPHEN ALBIN: We're seeing similar trends to Troy, but what we're also trying to do is use new techniques. Another chunk of people wanting to surrender are ones that can't deal with the animal's behaviour,

and we're trying to develop techniques to assist them keep their animals in home and not surrender them and help them with those behavioural challenges. But the trends RSPCA has found are consistent with us.

The CHAIR: We've heard a lot about the draft code, I think it was from 2014. Ms Jurd, I'm wondering first of all if you know much about that draft and if you've got any feedback on it—I know it might be a bit scratchy on the memory if it was 2014—but also if you know what happened to this draft, if you've got any background information, given it's nearly 10 years ago that apparently this draft was circulated.

KATHRYN JURD: I know it exists. I know that RSPCA NSW was consulted in its development, and that's the extent of my knowledge. There is probably some internal corporate knowledge that predates my own. That's the extent of my knowledge.

The CHAIR: You talked also about in the opening statement that we've been looking at reviewing these codes as well as POCTAA and all the legislation in terms of animal welfare since June 2018. I don't think it comes as any surprise that I found this process extremely frustrating—the fact that we go around in circles. What do we need to prioritise in this space when we're looking at pounds? What should be urgently done? What can we do to help drive some of that change forward?

KATHRYN JURD: One version of the draft animal welfare bill has already been considered extensively both by stakeholders and by an upper House committee. It would be distressing to think that we're back to the drawing board, and so we can build upon the work that's already been done, in my respectful view. In the interim, there are simple things that can be changed. For example, section 7 of the Companion Animals Act defines "owner" in accordance with what we would understand to be a personal property—that is, animals are owned as personal property. It's a state that animals have occupied now for hundreds of years. Section 4 of the Prevention of Cruelty to Animals Act doesn't define "owner" but defines "person in charge". Were serious consideration given to standardising just those definitions, there would be some measure of certainty in respect of who is entitled to surrender an animal.

Often the RSPCA is called on to be the arbiter of what constitutes an "owner", often in the context of Family Court orders or other apprehended domestic violence orders, and that is not our role. It's not a role we can play, and it's not a role that the New South Wales Local Court really relishes playing either. They don't realise at the point that they're making property recovery orders, for example, that some order needs to be made at the same time for the family pet or that that pet might be in danger where it is. There are things that can be done at the "coalface" now, if there's will to achieve that. Alternately, both POCTAA and the Companion Animals Act need wholesale modernisation and sweeping reform, frankly. The outcome to the animal welfare bill inquiry determined that the regulations need to be reviewed before the Act could be. If we're waiting for regulations, I fear we will be five or six years from workable legislation in the POCTAA or Companion Animals Act space. I think that's too long for the people of New South Wales and the animals that are in their homes.

The CHAIR: I've just got one more question, which goes back to something that Ms Boyd was asking about in regard to funding. All day today we've heard about pounds struggling with their funding and saying that they need the State Government to step in and help them with funding. Do you think it's fair that private charities would step in and help with that funding, or is the lack of funding for pounds really a local government issue that needs to stay within local and State governments?

KATHRYN JURD: I think that as long as the Companion Animals Act is specific—some of the issues that have been taken with the funding for pound facilities that I've read relate to a lack of certainty about the role councils are required, under the Act, to play. I know that there's reliance placed on an OLG circular, I think from 2015, possibly—that's relatively aged now, in any event—that essentially exhorts councils to comply with their obligations in respect of, particularly, stray cats. Some specificity there, in lieu of wholesale legislative change, would be a good way to start. Were that to happen then the RSPCA is ready, willing and able to play its animal welfare function. It's not that we're kind of playing keep away with "these are Companion Animals Act animals" and "these are POCTAA animals". Our job is animal welfare, and we're willing to play that job in accordance with the strategic priorities that our organisation has developed over the years. That is now out of pounds so that we can focus on enforcement, community outreach and things like that.

STEPHEN ALBIN: Could I give you a response to that as well? I've worked in multiple industries, focusing on economics and public policy. I've never been in an industry before where there is no plan for where you are going to put your pounds—where you're going to put your infrastructure. There is zero plan, so no wonder they're all turning up and asking for money. It's a very inefficient way to be operating your animal welfare industry if one minute you've got—Blacktown's got a great pound now. It hasn't always been great, but that decision was made by Blacktown. There needs to be a higher level of planning and investment in the infrastructure. I know we say in our submission that we were talking about hub-and-spoke infrastructure to support animals but, before you give any money, you need to actually have a plan in place. You need to consult with those in the animal welfare

industry, and you need to have a plan about where you want the pounds—because what happens if RSPCA pulls out? That's your business decision but, suddenly, there's a big black hole, and you're asking other councils to actually stump up.

RSPCA, I must admit, have operated a lot of these pounds longer than their contracts said they had to so there could be a transition period. But there needs to be a plan in terms of how you actually house these animals and how you collect them, how you house them and how you adopt them. In terms of how we can play a role, we aren't a pound. I've got a funny feeling that, where we're heading with community expectations, pounds will become more like rehoming facilities and shelters like ourselves, which is probably a good thing. It is costly, but we're very willing to help. We're helping at the moment with various pounds that are struggling and, hopefully, we can continue to do that into the future.

The CHAIR: That has brought us to time.

The Hon. MARK BUTTIGIEG: Chair, for the benefit of my colleague who did have some more questions, and I do think that not much time was allocated in proportion, do you mind if we spend a few minutes just tying that up?

The CHAIR: Very quickly. I did actually do a bit of a breakdown of the time. Obviously, there was a few minutes for the introductory statements. There was a lot of time taken by the Opposition, about 14 minutes, and then there was about 12 minutes for the Government and the crossbench got about 12 minutes. I'm happy to provide an extra two minutes. Otherwise, questions on notice are probably more suitable.

The Hon. EMILY SUVAAL: My question is to the RSPCA. In 2021 the RSPCA NSW received \$1.34 million in State Government grant funding for a purpose-built wildlife and companion animal facility in Katoomba. Has that facility been built?

TROY WILKIE: No.

The Hon. EMILY SUVAAL: What are you doing with that grant funding?

TROY WILKIE: I will take that on notice.

The Hon. EMILY SUVAAL: How many veterinarians and animal welfare specialists does RSPCA employ in New South Wales?

GEMMA MA: I'll have to take the exact number on notice, but we have at least 20 veterinarians. We have several qualified behaviourists, including a veterinarian with clinical behaviourist qualifications who consults for our shelters, and a whole behaviour and rehabilitation team, all of whom have tertiary qualifications in animal behaviour.

The Hon. EMILY SUVAAL: We've heard evidence this morning from a number of councils who have animal holding facilities who have no vets or animal behaviour specialists on their books. Page 3 of your submission states:

Insufficient access to expertise in the field of canine and feline behaviour and welfare is a significant risk to the welfare of animals in pounds.

Given that, how are you assisting in the reduction of cruelty to animals, when councils don't have those resources and you're pulling out of contract with them?

GEMMA MA: I'd agree that this is something that should be funded by the State Government so that councils can do that job effectively.

TROY WILKIE: Anecdotally, we help a lot of councils with a lot of their requirements, whether it be advice on how to operate or veterinary care at a reduced or zero-dollar rate or programs being rolled out in their communities with the council or for the council at no cost. There are a lot of ways in which we utilise the expertise that we have at RSPCA to assist all the councils right across the State.

The Hon. EMILY SUVAAL: I'll send through questions on notice about some of these other council areas, but Central Coast Council received \$720,000 in grant funding in that same year. I don't think they have an RSPCA holding facility. Would you advise how that money is being spent?

TROY WILKIE: We have got a facility there, which is closed to the public. It's for long-term rehabilitation of dogs that need a lot of rehabilitation work. We also call it BARC, which is the Behavioural Animal Rehabilitation Centre, not to be confused with the council pound in Western Sydney. While it may no longer be open to the public, it's still very much being utilised for the care of some dogs that are in serious need of help.

The CHAIR: That takes us to time. If there are questions on notice then the secretariat will be in contact with you about those. Thank you for your evidence and for your time and, of course, for everything that you are all doing for animals.

(The witnesses withdrew.)

The Committee adjourned at 16:50.