

Submission
No 202

INQUIRY INTO MANAGEMENT OF CAT POPULATIONS IN NEW SOUTH WALES

Organisation: NSW Young Lawyers Animal Law Sub-Committee

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Inquiry into the management of cat populations in New South Wales

13 December 2024

Animal Welfare Committee, Legislative Council NSW Parliament

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The NSW Young Lawyers Animal Law Sub-Committee (**Sub-Committee**) makes the following submission in response to the Inquiry into the management of cat populations in New South Wales.

NSW Young Lawyers

NSW Young Lawyers is a Committee of the Law Society of New South Wales that represents the Law Society and its members on issues and opportunities arising in relation to young lawyers i.e. those within their first five years of practice or up to 36 years of age. Through its 15 sub-committees, each dedicated to a substantive area of law, NSW Young Lawyers supports practitioners in their professional and career development by giving them the opportunity to expand their knowledge, advance their career and contribute to the profession and community.

The Sub-Committee comprises of a group of volunteers and subscribers interested in laws regulating the treatment and management of animals. The Sub-Committee aims to educate the legal profession and wider community about the importance of defending animals from abuse and neglect. The Sub-Committee is made up of a diverse range of individuals who have a passion and desire to use their legal skills to improve the lives of animals.

Preliminary Matters

The Sub-Committee welcomes the opportunity to make a submission to the Inquiry into the management of cat populations in New South Wales, and makes comments on consultation questions (b), (d) and (i).

For the purposes of this submission, and in the absence of universally adopted terminology in this area, the Sub-Committee has used the terms of 'owned', 'semi-owned', 'unowned', 'stray' and 'feral' in the following way:

- Owned* Also referred to as 'domestic pet cats' and are typically micro-chipped, registered, or have identifiable persons taking responsibility for the cat. These cats have a direct dependence on humans. Also referred to in this submission as 'domestic pet cats'.
- Semi-owned* These are domestic cats that are cared for in some way by individuals, usually through feeding, but those individuals do not take full responsibility for the cat or identify as the cat's 'owner'.
- Unowned* Domestic cats with only an indirect dependence on, or indirect interaction with, humans. These cats often live in colonies, have limited interaction with humans, but still rely on humans indirectly for their survival.
- Stray* Term used to collectively refer to semi-owned, unowned, abandoned and/or lost domestic cats.
- Feral* Cats with no relationship, interaction or dependence on humans.

Summary of Recommendations

1. The Sub-Committee generally supports cat containment practices as being beneficial to reducing risks to native wildlife caused by cat predation and to reducing risks to feline safety caused by roaming. The Sub-Committee strongly supports voluntary cat containment practices adopted by domestic pet cat owners.
2. The Sub-Committee submits that mandatory containment should be avoided. The Sub-Committee submits that mandatory cat containment is penalty-focused, disincentivises pet cat owners from taking responsibility for their cat, has not been shown to clearly impact on the number or roaming cats in a community, and results in increased rates of euthanasia of domestic cats.
3. The Sub-Committee submits that the introduction of community education programs targeting existing and prospective domestic pet cat owners, initiatives that support responsible pet ownership, and policies that encourage voluntary cat containment should be preferred and include:
 - a. education on the benefits of containment for cats, native wildlife and the community generally;
 - b. education on strategies that can be adopted to transition cats to living in a contained environment;
 - c. education on simple enrichment activities, diets and environmental modifications to ensure the physical and mental well-being for cats under containment; and
 - d. financial assistance to low-income earners to facilitate the installation of cat enclosures or other modifications to assist with and incentivise containment.
4. The Sub-Committee submits that evidence-based initiatives such as targeted free cat desexing programs (and registration and microchipping) should be introduced to:

- a. encourage semi-owners to take full responsibility for cats they care for but do not 'own';
 - b. reduce the breeding capacity of stray and semi-owned cats;
 - c. reduce the number of unwanted litters at risk of abandonment or surrender and adding to the roaming cat population; and
 - d. reduce the overall number of complaints, impoundments and euthanised domestic pet cats.
5. The Sub-Committee supports the introduction of regulations that reduce barriers for renters and/or people living in strata schemes to making cat containment modifications to a home.
 6. The Sub-Committee submits that regulation should be introduced requiring domestic pet cat owners to desex their cats by 4 months of age, with limited numbers of breeder exemptions, and requiring the desexing of all cats prior to adoption. This would be in conjunction with subsidised or free desexing in certain circumstances.
 7. The Sub-Committee submits that lethal control methods for feral cats should be avoided as they do not provide an effective long-term management solution to invasive species, and have adverse impacts on native species and non-target animals.
 8. The Sub-Committee supports further investigation, development and investment into non-lethal and humane control methods as a long-term solution to the management of feral cat populations.

(b) Effectiveness of Cat Containment Policies Including Potential Barriers

1. As a general statement, the Sub-Committee supports the keeping of domestic pet cats within property boundaries and acknowledges the benefits of containment to the protection of native fauna and the reduction of feline illness or injury associated with roaming. At the same time, however, the Sub-Committee has concerns about the efficacy and reasonableness of a blanket mandatory containment program – that is, one in which any uncontained cat can be seized, impounded and, potentially, euthanised. That is to say, the Sub-Committee’s primary concerns are in respect of the approach taken to containment (i.e. penalty-based and potentially lethal), rather than the practice of containment generally (subject to containment measures and environments themselves being humane and appropriate).
2. Research conducted in 2020 into cat management regulations of Local Councils throughout Australia revealed that over one-third of Councils had introduced some form of cat containment regulation: night curfews, 24-hour cat containment, prohibition zones, or a combination of these strategies.¹ Despite increasing cat containment regulation in the last two decades, a 2018 report produced by RSPCA Australia found no reports of formal monitoring or evaluations had been conducted by Councils with 24-hour mandatory cat containment regulations in force.² The RSPCA Australia report also found that Councils with any type of cat containment regulations in force were unable to demonstrate any measurable reduction in cat related complaints or the number of roaming cats after containment regulations were introduced.³
3. The 2020 research into cat management regulations, referred to above, obtained survey responses from 240 different Local Councils in Australia on their cat management

¹ National Environmental Science Programme, Threatened Species Recovery Hub, *The Management of Cats by Local Governments of Australia* (NESP Project Report, November 2021) 18 (*‘Management of Cats by Local Governments’*).

² RSPCA Australia, *Identifying Best Practice Domestic Cat Management in Australia* (Full Report, May 2018) 57 (*‘Best Practice Domestic Cat Management’*).

³ *Ibid.*

regulations. Responses revealed that only 107 of the 240 responding Councils monitored the effectiveness of cat management regulations with respect to issues regarding nuisance or roaming cats.⁴ Survey responses further revealed that 54 out of the 240 participating Councils reported a total absence of monitoring the cat management regulations in force, and only one Council indicated they monitored outcomes with respect to local wildlife.⁵ The most common monitoring method adopted by Councils was recording the number of complaints received from the community or the number of cats seized during a period.⁶ The Sub-Committee submits that although the number of nuisance complaints and seizures/impoundments may be useful indicators of the total roaming cat population in an area, they fail to provide any meaningful data on the domestic pet cat population they are intended to target.

4. Cat containment regulations have been operating in various Councils in Victoria for some time. Data from Victorian Local Councils in relation to their cat management regulations is below:

a. *Yarra Ranges Council*

Comparative annual data from the Yarra Ranges Council shows that rates of cat complaints, impoundments and euthanasia increased following the implementation of their 24-hour cat containment regulation.⁷ Increases in each of these measures were disproportionately higher than the increase in human population over the relevant three-year period and suggest that 24-hour cat containment has not yielded a reduction in the number of roaming cats.

b. *Hobsons Bay City Council*

Hobsons Bay Council declined to implement cat containment measures after analysing its own data for impounded cats. The Council found that the

⁴ *Management of Cats by Local Governments* (n 1) 23.

⁵ *Ibid.*

⁶ *Ibid.*

⁷ See 'Key Issues to Consider Related to Mandated 24/7 Cat Containment', *Australian Pet Welfare Foundation* (Web Page) 1 <<https://petwelfare.org.au/2022/09/02/key-issues-to-consider-related-to-mandated-24-7-cat-containment/>> ('Key Issues in 24/7 Cat Containment').

overwhelming majority of roaming cats seized were unowned, semi-owned or 'feral' cats and were generally not owned domestic pet cats.⁸ The Council resolved in 2014 that, in light of this analysis, the implementation of cat containment policies would be of limited utility, and other means ought to be implemented to deal with issues related to roaming cats.⁹

c. *City of Casey*

After 20 years of 24-hour mandatory cat containment in force, data shows that the number of cats impounded had increased at more than twice the rate of the human population in the area for the same period.¹⁰ This data suggests that 24-hour cat containment has not been effective in reducing the roaming cat population.

d. *Mornington Peninsula Shire*

Mornington Peninsula Shire's mandatory 24-hour cat containment regulations have been in place for over 20 years. In 2013, estimates completed by Council revealed that only 36% of domestic pet cats were registered (down 8% from the preceding 5 years) and even less had been microchipped or desexed despite the requirement that cats over three months of age are to be desexed.¹¹ This is contrary to a general trend that areas with mandatory desexing obligations report a higher number of desexed pet cats.¹² Reduced desexing rates could suggest a reluctance toward desexing in the context of mandatory 24-hour cat containment. Low registration and microchipping rates reduce a Council's ability to enforce containment regulations against domestic pet cat owners, as enforcement mechanisms can only be taken against an identifiable owner.

⁸ 'Ordinary Council Meeting Minutes', *Hobsons Bay City Council* (Meeting Minutes, 16 December 2014) 13 <<https://www.hobsonsbay.vic.gov.au/Council/Council-Meetings/Minutes-and-Agendas/Ordinary-Council-Meeting-16-December-2014>>. See also Hobsons Bay City Council, 'Cat Curfew Discussion Paper', (Discussion Paper, Hobsons Bay City Council, 16 December 2014).

⁹ *Ibid.*

¹⁰ *Key Issues in 24/7 Cat Containment* (n 7) 1.

¹¹ 'Domestic Animal Management Plan 2013-2017', *Mornington Peninsula Shire* (Archived Plan) 4, 35, 37 <https://www.mornpen.vic.gov.au/files/0731d26c-b536-4800-ba88-a27b00a7f9f3/132511ca_att_37_1.pdf>.

¹² *Management of Cats by Local Governments* (n 1) 22-3.

Recent community surveys in the area indicate that the impact of roaming cats on wildlife remained the key cat-related concern amongst community members.¹³ This suggests that, despite long-standing mandatory 24-hour cat containment regulations being in force in the area, the regulations have done little to address the issue of roaming cats.

e. *Banyule City Council*

In 2010-2011 Banyule City Council impounded 1,004 cats. The Council euthanised 578 of the 1,004 impounded cats (58%).¹⁴ The impounded cats came from both owner-surrenders and through trapping or seizure activities of the two Council animal management officers. The Council officers were aware that a low desexing rate, mostly due to financial barriers, was the main reason for the high number of unwanted or roaming cats.¹⁵ Council officers worked with RSPCA Victoria to develop a program that offered free cat desexing and other related services. Since the program's inception in 2013, Banyule Council has recorded increased numbers of desexed cats, increased rehoming rates of impounded cats, and a significant reduction in both impoundments and rates of euthanasia. The total cost of the cat desexing program over the first 7 years (2013-2020) was \$60,000.¹⁶ In 2019-2020 a total of 152 cats were impounded (a decrease of 85%), with 24 of the 152 cats being euthanised.¹⁷ It should be noted that Banyule City Council plans to introduce night curfew regulations from 2025-2027 and cat prohibition zones for identified environmentally sensitive areas.¹⁸

5. Therefore, whilst mandatory cat containment could theoretically reduce the number of roaming cats, there is limited evidence from Councils that have implemented cat

¹³ 'Domestic Animal Management Plan 2021-2025', *Mornington Peninsula Shire* (Animal Management Plan, 1 November 2021) 20 <<https://www.mornpen.vic.gov.au/About-Us/Strategies-Plans-Policies/Strategy-Plan-Listing/Domestic-Animal-Management-Plan>>.

¹⁴ Banyule City Council, Submission No 141 to Housing Standing Committee on the Environment and Energy, *Inquiry into the Problem of Feral and Domestic Cats in Australia* (2020) 6 ('*Banyule Council Submission*').

¹⁵ *Ibid* 3-4.

¹⁶ *Ibid* 7.

¹⁷ *Ibid*.

¹⁸ 'Cats in Public Places', *Banyule City Council* (Web Page, 2024) <<https://www.banyule.vic.gov.au/Community-services/Pets-and-animals/Cat-and-dog-rules/Rules-for-cats-in-public-places>>.

containment regulations to show that these regulations have achieved their intended outcomes in practice.

6. It is well understood that most cats entering shelters and pounds are young strays, typically originating from low socio-economic areas. They are usually semi-owned domestic cats being fed by individuals who do not consider themselves to be the cats' 'owner', nor do they take full responsibility for the cats they feed.¹⁹
7. Recently, the Victorian state government awarded grants to 14 Local Councils across the state to implement targeted cat desexing programs with the aim of encouraging semi-owners to take full responsibility for the cats they feed and reducing the number of unowned and semi-owned cats.²⁰ Grant recipients included Councils with varying regulations or positions on cat containment; Councils with mandatory 24-hour cat containment in force, Councils with night curfews only, Councils currently considering the feasibility of cat containment regulations, and Councils that have declined to implement cat containment regulations or have reduced containment regulations previously in place.
8. Encouraging semi-owners to take responsibility for cats is key to reducing the number of roaming cats.²¹ The Sub-Committee submits that mandatory cat containment regulations pose a barrier to semi-owners taking full responsibility for the cats they feed due to onerous containment obligations, potential costs of effecting containment and the risk of enforcement action by way of fine for failing to contain a cat.²²

¹⁹ See *Key Issues in 24/7 Cat Containment* (n 7) 2; Jacquie Rand et al, 'Outcomes of a Community Cat Program Based on Sterilization of Owned, Semi-Owned and Unowned Cats in a Small Rural Town' (2024) 14(21) *Animal* 3058: 1-33; *Banyule Council Submission* (n 14); Australian Pet Welfare Foundation, *2021 End-Year Report: Community Cat Program* (Report, December 2021) <<https://petwelfare.org.au/wp-content/uploads/2022/02/Aust-Community-Cat-Program-Dec-2021.pdf>> ('2021 Community Cat Program Report').

²⁰ Animal Welfare Victoria, 'Targeted Cat Desexing Program', *Agriculture Victoria* (Web Page, 6 September 2024) <<https://agriculture.vic.gov.au/livestock-and-animals/animal-welfare-victoria/cats/cat-management-initiatives/targeted-cat-desexing-program>>.

²¹ See *Key Issues in 24/7 Cat Containment* (n 7) 2. See also Rand et al (n 18); *Banyule Council Submission* (n 14); *2021 Community Cat Program Report* (n 18).

²² See 'Key Issues in 24/7 Cat Containment' (n 7) 2, 4.

9. The Sub-Committee submits that mandatory cat containment regulations are geared toward domestic pet cats, but operate primarily on stray, semi-owned or unowned cats. To this end, and due to the challenges associated with holding and rehoming stray, semi-owned and unowned cats, mandatory cat containment functions as a de-facto 'trap-adopt-kill' management approach. 'Trap-adopt-kill' approaches are ineffective at reducing total numbers of roaming cats over time due to high reproduction rates, the introduction or migration of new cats to the area and high juvenile survival rates.²³
10. The Sub-Committee submits that the issue of roaming cats cannot be adequately addressed through the implementation of mandatory cat containment regulations, and there are unintended consequences of mandatory cat containment that may, in fact, contribute to an increase in the number of roaming cats.
11. The Sub-Committee submits that voluntary cat containment should be encouraged as a cornerstone to responsible pet ownership. Regulatory, policy and cultural changes that promote voluntary containment should be preferred over penalty-focused and frequently lethal cat containment regulations.

(d) Effectiveness of community education programs and responsible pet ownership initiatives

Community Education Programs

12. Community education programs and responsible pet ownership initiatives targeted towards shifting attitudes and behaviours of domestic pet cat owners are important elements of any cat management strategy. Results of studies into cat owner attitudes and behaviours vary

²³ 'Key Issues in 24/7 Cat Containment' (n 7) 2, 4. See also Philip Miller et al, 'Simulating Free-Roaming Cat Population Management Options in Open Demographic Environments' (2014) 9(11) *PLoS ONE*; Billie Lazenby, Nicholas Mooney and Christopher Dickman, 'Effects of Low-Level Culling of Feral Cats in Open Populations: A Case Study from the Forests of Southern Tasmania' (2015) 4195) *Wildlife Research* 407-420; *Best Practice Domestic Cat Management* (n 2).

significantly. Some studies indicate that as many as 71% of domestic pet cats roam,²⁴ while the results of a 2023 NSW-specific study showed that up to 89% of domestic pet cats were either fully contained or curfewed at night voluntarily.²⁵ Reasons given by the remaining 11% of respondents for not practicing any voluntary containment related to their actual or perceived capability of containing their cat, personal beliefs and understanding of predation risks, concerns for cat safety, social norms and individual cat characteristics.²⁶ Of these reasons, the greatest influencing factors on containment related to capability to prevent roaming (including actual and perceived difficulty and ability) and concerns about feline enrichment needs.²⁷

13. The results of this NSW study suggest that community education campaigns that focus on reducing perceived barriers to cat containment, promoting awareness of the benefits of cat containment, and educating owners on simple enrichment activities could increase voluntary containment rates among domestic pet cat owners. The results of the Tweed Shire Council's 'Love Cats Love Wildlife' project support such a conclusion; domestic pet cat owners in Northern NSW were educated on the benefits of keeping their cats indoors and were provided with tools and resources to assist in implementing voluntary cat containment. A shift in attitudes towards containment was recorded following participation in the program.²⁸

14. The Sub-Committee submits that, in addition to community education programs, policies and initiatives should be introduced that reduce practical barriers to voluntary containment. This could include regulation that reduces barriers for renters and/or people living in strata schemes to make containment modifications to their premises – many of which, by design, are now capable of being rendered entirely visually unintrusive - and providing financial

²⁴ National Environmental Science Programme, 'Research Findings Factsheet: The Impact of Pet Cats on Australian Wildlife' *Threatened Species Recovery Hub* (Fact Sheet, 2019).

²⁵ Gemma Ma and Lynette McLeod, 'Understanding the Factors Influencing Cat Containment: Identifying Opportunities for Behaviour Change' (2023) 13 *Animals* 1630: 1-18, 5.

²⁶ *Ibid* 1, 12.

²⁷ *Ibid* 12.

²⁸ Tweed Shire Council, 'Love Cats Love Wildlife', *Griffith University* (Fact Sheet)

<https://www.griffith.edu.au/__data/assets/pdf_file/0034/1984093/Love-Cats-Love-Wildlife.pdf>.

assistance to low-income earners to obtain and install secure outdoor or semi-outdoor (e.g. balcony) enclosures.

Desexing and Initiatives to Reduce Passive Cat Ownership

15. The impact of low desexing rates on the high number of roaming cats cannot be overstated. Stray or otherwise free-roaming cats that are not desexed have a very high reproductive capacity. Cats can begin reproducing from four months of age and breed rapidly. A pair of undesexed cats can produce up to 30,000 cats over the span of six years.²⁹ In NSW, there are currently no requirements for the desexing of domestic pet cats. Desexing is only encouraged by reduced registration fees and the avoidance of an annual permit.³⁰
16. Desexing cats has been identified as the most effective intervention to reduce numbers of roaming cats.³¹ Research has shown that areas requiring domestic pet cats to be desexed typically report higher desexing rates. A 2020 study on cat management regulation by local governments found that Councils in NSW mostly reported either 'low' or 'very low' rates of desexing in their region (i.e. less than 50% or less than 25% respectively).³² The Sub-Committee submits that rates of desexing in NSW could be significantly increased by introducing mandatory desexing requirements (with very few exceptions) in conjunction with initiatives aimed at financially and practically supporting individuals to desex their cats and/or reduce passive or semi-ownership.
17. As outlined earlier in this submission, large-scale free desexing programs have proven to be an effective strategy for managing the roaming cat population. The program implemented by Banyule City Council aimed at reducing financial and other barriers to desexing domestic cats provides a useful model for similar programs to be implemented in

²⁹ 'RSPCA Kitten Season: The Importance of Desexing Your Cat', *RSPCA New South Wales* (Blog Post, 2 November 2023) < <https://www.rspcansw.org.au/blog/animal-care-information/kitten-season-2023/>>.

³⁰ *Companion Animals Act 1998* (NSW) s 11B.

³¹ Ma and McLeod (n 24) 14.

³² *Management of Cats by Local Governments* (n 1) 22-3.

other urban areas. In addition, research into the outcomes of a cat desexing program in rural Queensland showed that after three years of targeted desexing, cat impoundments had decreased by 60%, euthanasia decreased by 85% and cat-related complaints to Council had reduced by 39%.³³ These results suggest that the use of high-intensity and targeted desexing programs to decrease the size and impact of roaming cat populations can be effective in both urban and rural areas.

18. Furthermore, such programs can also assist pet cat owners with increasing the amount of time cats spend contained. Desexing has been shown to reduce behaviours that might otherwise discourage voluntary cat containment; wandering, fighting other cats, and other challenging behaviours such as aggression and marking.³⁴

Consideration of Other Initiatives and Regulatory Measures

19. The Sub-Committee is of the view that, in addition to desexing initiatives, the following regulatory measures that promote responsible pet ownership should be considered:
- a. Limits on the number of cats per household.
 - b. Limits on the number of breeding permits and/or desexing exemptions for breeders.
 - c. Introduction of reforms that adequately address backyard breeding and the oversupply of domestic cats.
 - d. Introduction of positive obligations for the desexing of all domestic cats prior to rehoming.
 - e. Consideration of a staged approach to the introduction of localised cat prohibition zones for areas containing vulnerable or threatened species prone to cat predation.
 - f. Monitoring and evaluation of the effectiveness of amendments to the *Residential Tenancies Act 2010* (NSW) aimed at making renting with pets easier.

³³ Rand et al (n 18) 1.

³⁴ RSPCA Australia, *Cat Containment* (Position Paper A8, 26 October 2023) 6.

(i) Options for reducing the feral cat population

20. Lethal methods of animal population control often fail to deliver a long-term solution for invasive species management.³⁵ Eradication of major invasive species, such as feral cats, is unlikely to be achieved by lethal methods, except within confined areas such as enclosures and small islands. In Australia's long history of reliance upon such methods, no widespread introduced species has ever been eliminated from the mainland.³⁶
21. The Sub-Committee has previously made submissions addressing, at length, the adverse population and welfare impacts that lethal control measures can have on non-target and native species.³⁷ We do not repeat these submissions here, as the concepts in them are by now well-known.
22. For completeness, and given the relevance of the practice of trapping to containment regulations, the Sub-Committee notes that even methods that are not designed to kill target species can have serious consequences for non-target animals. Data collected on soft-catch leg-hold trapping aimed at capturing feral cats at six Western Australian sites over 18 years revealed that 431 non-target individuals were captured, including 232 belonging to native species. Amongst native fauna, severe injuries were observed in 33% of birds, 21% of reptiles and 12% of mammals captured.³⁸
23. The Sub-Committee considers that there are other opportunities for the development of preferable, more effective, and more manageable cat population control, that also offer better animal welfare outcomes. In respect of feral cat populations, the Sub-Committee notes that alternatives to 'blunt' control measures (like blanket containment policies in the form described above, or baiting and other similar lethal measures) would benefit from further investigation, development and refinement. Such alternatives may include, but are

³⁵ Sophie Riley, 'Model Codes for Humane Treatment of Animals: Australian Law and Policy on Lethal Control of Pests' (2015) 18(4) *Journal of International Wildlife Law & Policy* 276, 280 – 281.

³⁶ Quentin Hart and Mary Bomford, 'Australia's Pest Animals: New Approaches to Old Problems' (February 2006) *Science for Decision Makers – Bureau of Rural Sciences*, 4-5.

³⁷ NSW Young Lawyers Animal Law Sub-Committee, Submission to the Natural Resources Commission, *NSW Invasive Species Management Review* (10 November 2023).

³⁸ Chantal Surtees, Michael Calver and Peter Mawson, 'Measuring the Welfare Impact of Soft-Catch Leg-Hold Trapping for Feral Cats on Non-Target By-Catch' (2019) 9 *Animals* 217: 1-10, 1.

not limited to, further research into the use of artificial intelligence, emerging technologies (including biotechnologies), commissioning further research into the impact of supporting healthy dingo populations on feral cat numbers, and trialing habitat and environmental controls (such as increasing native ground cover or hiding spaces after fire) to reduce hunting efficacy in target areas.³⁹

24. The Sub-Committee also holds concerns about the risk of mandatory containment regulations potentially increasing feral cat numbers through:

- a. increased abandonment of cats by owners who are concerned about fines and penalties if they are unable to contain their cat;
- b. relaxation of commitment to desexing due to a public perception that having a containment policy in place means that unplanned mating and litters are less likely, which could in turn increase unplanned kitten numbers, abandonment and result in less rigorous welfare maintenance.

25. As a general statement, given the demonstrated inefficacy of lethal measures in Australia to date, the Sub-Committee submits that a broad shift in approach to feral cat management is warranted. This approach should start with a non-lethal model, with research developed from there. A lack of consideration and investigation of this approach thus far has left non-lethal solutions generally underdeveloped and under-utilised.

26. While it is only one example, and one which may not be scalable across the board for feral cat populations, some analysis of high-proportion sterilisation indicates that it is a more effective long-term method of reducing feral or roaming cat populations than lethal methods.⁴⁰ The Sub-Committee cites this as an example of how a more considered, long-term approach could produce preferable results when compared to the short-term, reactive lethal methods that are commonly adopted in NSW. The Sub-Committee is of the view that

³⁹ See Bush Heritage Australia, 'Bush Heritage Set to Tackle Single Greatest Driver of Mammal Extinctions with AI' (Media Release, 10 September 2024); National Environmental Science Programme, 'Research Findings Factsheet: The Impact of Cats in Australia' *Threatened Species Recovery Hub* (Fact Sheet, 2017); Bush Heritage Australia, 'Controlling Invasive Species' (Web Page) <<https://www.bushheritage.org.au/what-we-do/our-challenge/feral-animals>>.

⁴⁰ John Boone et al, 'A Long-Term Lens: Cumulative Impacts of Free-Roaming Cat Management Strategy and Intensity on Preventable Cat Mortalities' (2019) 6 *Frontiers in Veterinary Science* 238:1-9, 6.

there ought to be further, concerted investigation into non-lethal solutions such as this example, which have regard to long-term population levels, animal behaviour, environments, and holistic welfare outcomes.

Concluding Comments

27. The Sub-Committee submits that strategies intended to address the impact of cats in NSW should consider animal welfare outcomes, and be effective, humane and proportionate. The effectiveness of mandatory cat containment regulations in reducing the roaming cat population and the impact of roaming cats on native fauna and the community has not been sufficiently established. The overwhelming majority of cats trapped, impounded and euthanised under mandatory cat containment policies are stray, unowned or semi-owned cats and the killing of these cats on an ad hoc basis does little to manage roaming cat populations.
28. The Sub-Committee strongly supports the implementation of targeted desexing programs as a well-evidenced strategy to reducing the number and impact of roaming cats. The Sub-Committee also strongly supports initiatives to encourage the voluntary containment of domestic pet cats and for semi-owners to take full responsibility for the cats in their partial care. Such changes should be preferred over the penalty-based and unworkable strategy of mandatory cat containment.
29. NSW Young Lawyers and the Sub-Committee thank you for the opportunity to make this submission. If you have any queries or require further submissions please contact the undersigned at your convenience.

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