

Submission
No 422

**INQUIRY INTO MANAGEMENT OF CAT POPULATIONS
IN NEW SOUTH WALES**

Name: Name suppressed
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Partially
Confidential

I do not support imposing blanket containment or curfews for cats. I acknowledge that cats do hunt and cause harm to wildlife, as do humans and other companion animals like dogs, but we have a responsibility to balance mitigating the harm cats cause with ensuring our companion animals have a quality of life. If we make the burden of cat ownership too onerous there will be less adoptions and more surrenders/dumping, which will mean more cats needing to hunt for survival. Presumably this will also have a flow-on effect on human mental health, as keeping a cat companion may become a privilege only afforded to those who have the means and capabilities to deal with containment requirements.

Welfare

As with most animals, cats benefit from contact with the natural environment – from feeling grass under their paws, sun on their fur, fresh air in their lungs, the mental enrichment of smelling new scents, getting genuine exercise not constrained by rooms and furniture. Cats deserve these things as much as dogs, yet if a dog is kept in an apartment and never walked it is considered by most people to be animal cruelty, but when a cat is confined indoors 100% of the time this is apparently considered fine.

The reality is that dogs contained indoors can live better lives than cats contained indoors, because dogs tend to be more social/pack-oriented and can be walked outdoors and have the benefit of dedicated off-leash areas. On the other hand, cats tend to need their own space, and it is rarely safe for cats to be walked, due to the threat of dogs and due to their less cooperative and generally more flighty disposition. There are also no dedicated public areas for cats to enjoy the outdoors without the constraint of a leash.

There are arguments that it is in the best interests of cats to be kept contained to avoid attack or being hit by a car, but all life carries risk (e.g. most people drive daily despite the risk of crash) and we need only look at what people experienced during covid lockdowns, and at most cats' desperate attempts to sneak out an open door, to know that being kept exclusively in a cage, even if the cage is a house, is not compatible with a full and happy life. Further, if cats are to be solely indoors, they are unlikely to ever wear a collar, so if they escape there is a greater chance of them not being reunited with their owner (microchips are known to migrate so are not always discoverable) and of them successfully hunting (as there will be no bell, unlike is the case with many intentionally outdoor cats). Such indoor cats who escape will also be unfamiliar with the area and threats, like cars, so cat mortality rates may actually be no better with confinement (if local lost and found pages are anything to go by, indoor cats escape a lot, presumably because they crave freedom from their house-cage).

Stretch of Containment

If laws are imposed to contain cats, this will likely result in more surrenders and less adoptions of cats, because this will impose an impossible burden on owners – the choice will be between having a cat that never leaves the house or spending a great deal of money on outdoor enclosures like a “catio”. Each is problematic for most pet owners.

To keep a cat inside at all times, many owners would feel guilt and unhappiness. On top of that are the practical considerations: having to clean a litter daily rather than allow your cat to use your own yard as most opt to do when given the choice, dealing with the destructive tendencies of bored cats (e.g. shredding the furniture when they sharpen their claws on your couch rather than a tree trunk), the inconvenience of being unable to open a door or window without the stress of trying to contain a cat intent on escaping. Many of these may rule a person out of

owning a cat – for example someone with young children who make it too hard to quickly close doors on all occasions, or those suffering a physical disability that makes bending down to clean a litter difficult.

As an example, only this week my daughter thoughtfully opened a door for me, knowing I was about to hang out some laundry. Unfortunately, both our cats immediately dashed past her legs to escape outside. My partner and I then tried to catch them for a considerable period, but they would dart away any time we got close. Eventually we managed to grab one, but the other we just could not catch, no matter how we tried, until hours later. If owners are facing potentially hundreds or even thousands of dollars of fines a year for breaching cat containment laws (assuming, for example, a \$110 fine for each cat on each occasion) for accidental escapes like this, there would be a disincentive to own cats in the future. Further, if there are blanket containment or curfew laws, this will encourage people to treat any cat they see on the streets as “vermin” to be eradicated because they should not be there/must be a stray, which will again make people more hesitant to adopt a cat knowing that any accidental escape could lead to the heartache of someone deliberately running their cat over, shooting their cat, trapping and killing their cat etc (see below).

Again containment of cats is very different from dogs. Cats are not “pack animals” like dogs, so are more likely to try to escape their house and far less likely to return when called. Cats are also generally a lot less trainable/cooperative and less food motivated, so harder to catch if they do escape. They are also more agile (to the point of jokes about them being “liquid”), are able to climb and jump in a way that dogs cannot, and are generally smaller and faster than dogs so more likely to take you unawares and escape through a cracked door or window, slip through a slot in fencing, jump onto a high window-ledge you didn’t realise they could reach, or climb a tree that you didn’t realise has now grown enough to breach the fence-line. It sometimes feels like you plug up one vulnerability in the fencing only for them to discover another.

The alternative of building an enclosure or implementing other yard containment measures is unrealistic for most owners. These are likely unaffordable for most people, and even if affordable may not be realistic or permitted when renting (most landlords won’t let you put a nail in a wall to hang a picture, so are hardly going to allow netting to be attached to the house, fence etc) or part of a strata/community scheme (often prevent changing the façade of balconies/courtyards). Those who move often (not necessarily by choice in the current state of housing) may also not be able to afford the time and money involved in constantly taking down and putting up enclosures.

It is also unrealistic to expect stray cats who have been living exclusively on the streets without any human contact whatsoever to move to an exclusively indoors environment in close quarters with people. Many “feral” cats can only be domesticated to the extent of feeds, desexing and vet attention when needed, such as is the case with “cat colonies”, either due to their untamed nature or due to lack of available homes. If those cats had to be legally contained, the capacity to care for them would be greatly reduced due to limited homes and the cats lucky enough to be selected for the few indoor spots would experience severe trauma moving from one mode of living to another overnight, which may ultimately decrease the success rate of rehabilitation.

This will result in a welfare outcome of more homeless and uncared for cats and therefore more hunting of wildlife (as well as healthy cats being put down). This will also likely drive those who crave a pet companion for their mental health to go without or to choose other animals that they may not have the expertise or time for, to the detriment of the animal and all of society – for

example, it is widely recognised that there is “no such thing as a bad dog, just a bad owner”; if someone chooses to adopt a dog instead of a cat, but doesn’t have the time to socialise and train the dog (in a way that is not necessary with cats) the dog could pose a danger to people and other animals.

Actual Impact of Roaming

There is no doubt that cats do kill other animals, including natives, however the amount killed pales in comparison to the amount killed by humans every day. Dogs also kill many animals, including natives, yet it is considered an inevitable and unavoidable part of dog ownership – you do not hear of calls to keep dogs solely indoors, even though this would reduce the damage done by them, because it would be cruel for them to not enjoy outdoor exercise and the mental stimulation of a changeable environment (new scents each day etc).

Speaking of just dogs I have known, their kills include lizards, rodents, birds, frogs, insects, possums, rabbits, guinea pigs, lambs, cats – and all of these kills, excepting the lamb which was done by a dog visiting a country property, were kills that occurred in the dog’s own suburban backyard, a neighbour’s suburban backyard or while on a leash on a suburban street (this one was a cat!). People have a hypocritical mentality, with dogs praised as a hero for “protecting the family” when the dog kills a snake, even though it was almost certainly the dog’s prey-drive, but a cat who kills a snake due to their instincts is a problem. (Just to be clear, my position is that both are a problem, not that cats killing wildlife is not a problem).

I have always done my best to confine my cats to my own yard and to keep them indoors overnight as well as to only let them outside when supervised in some capacity. From this I know that my cats spend about half their “outdoors time” inside, and a good deal of the remaining half sleeping - in the sun, on outdoor furniture, or under a bush. Probably only about 10% of their time is spent active: eating grass, rolling in the dirt, investigating and smelling things, going to the toilet, running around, playing with each other, scratching their claws on trees, and hunting (primarily insects, which humans deliberately kill with sprays everyday). On the very rare occasion, our cats have caught something more than an insect. In Sydney this would almost always be a non-native, like a common rat, Indian myna or pigeon (considered pests and deliberately killed by people). Clearly in more sensitive areas (e.g. homes abutting national park) the risk of damage to native fauna is increased so more drastic measures may be justified in certain environments, but balancing cats’ needs must also factor into those.

Social Impact

Confinement and curfew laws will likely incite further hatred towards cats. As it stands, people are constantly threatening death and violence on cats for being outdoors in any capacity. In my community there is a large dog who escapes his yard multiple times a week, often multiple times a day. He poses a risk to people because he has no road sense and runs out right in front of cars, causing swerving and sudden braking. As a large dog he also has the potential to cause serious harm or death to other animals and people should he ever attack. But all the comments about him in an online community group simply say how he deserves a better owner who does a better job at keeping him contained, never threatening him with harm for nearly causing a car crash or for the damage he has potential to cause. Meanwhile, in the same community group, if there is mention of a cat being sighted in any capacity (e.g. just walking across a front garden), the majority of responses are invariably calls for violence (I’d run it over; shoot it!; it wouldn’t be

going back home if it was on my land, etc), which are joyfully backed by many others as if they are funny or the appropriate response, just because a cat *could* cause harm.

Given that this is the current climate when cats are legally allowed to roam, one can only imagine the violence that will occur if laws require containment and a cat escapes containment or is unable to be contained before a curfew (or is a stray who has no choice in the matter). People like this who already view cats as a nuisance will likely be inspired to hate on cats even more; if the law endorses that a cat is too problematic to be allowed out, these types of people will see this as free rein to kill or abuse any they see “for the greater good” (yes, there are animal cruelty laws which should act as a disincentive but the reality is that there are not likely to be witnesses, and even if there are witnesses it would be difficult to establish that running a cat over was deliberate; in any case, it’s usually a slap on the wrist for even extreme cases of cruelty).

Solutions

Presumably unfed stray cats, particularly in less suburban areas, kill the most wildlife, so the primary focus should be in reducing those numbers, through reducing breeding, and increasing opportunities for cats to find homes or at least be cared for. Places with more wildlife, particularly vulnerable or endangered species, could benefit from stronger restrictions that still allow cats to have quality of life.

To reduce the amount of cats that end up on the street, desexing of all cats should be mandatory without a licence to breed or medical exemption, and such licences and exemptions should be rarely granted and on a very strict basis. For example, breeders should provide a lifetime financial guarantee/bond as surety that they will keep any cats that are not able to be rehomed or are later surrendered, with hefty penalties and a lifetime ban from breeding if not strictly adhered to (including any instance of euthanising a cat simply because it did not find a home/did not remain homed).

To deal with existing stray cats, Trap-Neuter-Release (TNR) and Colony Feeding programs should be expressly legalised (due to the existing grey area surrounding assuming care for a cat and then returning it to the street) and encouraged through grants to participating cat rescue organisations. This will ultimately decrease the number of cats on the street over time and decrease the wildlife killed by those that are on the street, as a fed cat does not need to hunt for survival.

There should also be funding for cat rescues to increase their capacity to trap and rehabilitate strays, and to assist with desexing, rehoming and caring for cats that might otherwise be dumped or neglected which would likely lead to increased hunting and breeding.

To increase the opportunities for cats having homes, strata/community scheme, rental and council laws and regulations should be revised, to ensure that people can have as many cats as they wish (within reason) and that they can erect structures necessary to safely contain such cats where required. For example:

- Most people I know who are renting are either too scared to have a pet because they fear they will not be able to find a rental that allows pets or are too scared to have more than two pets in total (e.g. one dog, one cat) because there is the perception that most rentals, strata/community schemes and even council will not allow more than this;

- Rental and strata/community scheme discretion and council regulations may not permit structures to be erected to safely contain cats on balconies or cover off structures to the fence-line as may be necessary when living in high-rises, on main roads or near wildlife areas (for example, erecting a frame and netting to the fence-line to enclose a backyard may not be allowed by Council due to planning requirements regarding proximity of structures to the fence-line; strata and community schemes may not allow netting off balconies and courtyards due to consistent façade requirements).

In terms of assisting with voluntary containment of cats, grants could be made available to assist homeowners (particularly when in proximity to national parks etc) to install fencing additions like Oscillot to prevent cats from leaving their own yards. Education programs and incentives could also be implemented to encourage owners to mitigate the damage of cats by keeping them primarily indoors and certainly overnight and have them wear belled collars when outside.

In vulnerable areas (properties alongside national park or a small endangered species' habitat) harsher measures could be adopted. For existing residences, regulations could be imposed to require containment to their own yards, provided that all applicable laws and regulations allow for large cat enclosures and funding is provided, so that those owners are not put in a position where they feel compelled to surrender or dump their cat because they cannot comply.

In vulnerable areas where new builds are being erected (at far greater cost to wildlife and the environment than cats could ever do), restrictions could be imposed on title to require cats to be contained within their own yards and a condition of the development approval being granted could be that all properties must come with Oscillot (or similar) fencing as standard at no additional cost to the homebuyer (i.e. at the cost of the developer).

Excepting new builds where the requirements should be known upfront, if there are to be any changes, these should be made gradually or grandfathered if they are to be significant to ensure existing owners are not compelled to surrender/dump their existing companion/s (although less harsh measures are preferred so that such owners continue to adopt to reduce strays over time). There should also be leniency in anything introduced, so that an owner does not feel they will be fined or persecuted if their cat escapes (or cannot be caught in time in the event of a curfew) on occasion over the years, as fear of this will be a disincentive to adopt, leading to more homeless cats.

Ultimately humans kill more wildlife every day than a cat could ever hope to – roadkill from the cars we drive, our shooting of native animals to protect crops and livestock, whole ecosystems destroyed with our bug sprays, pollution and deforestation. While it is worthwhile to examine how we can minimise harm caused by cats, it feels as if they are the scapegoat that allows us not to change our habits. The focus should really be on what measures we can take to reduce the harm caused by humans – by building more animal crossing, by outlawing the killing of any native animals (no licences), by reducing builds near or instead of natural environments, by educating people on the importance of “creepy crawlies” and so forth.

In Summary:

- It is in cats' and people's best interests to allow the option of cats being outdoors, to facilitate a quality of life not necessarily afforded indoors for cats, and to ensure all

people, no matter their age, financial or family status or physical capabilities, the opportunity to have a cat companion;

- Introducing laws to confine cats will place financial and practical burdens on owners, which may reduce adoptions and increase surrenders/dumping, and lead to poorer mental health outcomes for people who want a low maintenance companion;
- Cats are vilified while the harm caused by people and dogs is largely ignored; introducing containment laws will incite further cruelty and hatred towards cats;
- Focus should be on reducing cat homelessness by restricting breeding, allowing and funding TNR and feeding programs, and funding rescue organisations to trap and rehome cats;
- Laws and regulations should be revised to ensure those that want pet cats are permitted to have multiple cats and to erect the structures necessary to contain them on a voluntary basis; if any mandatory containment laws are to be imposed these should not be enacted until containment structures are allowed by all relevant bodies (Councils, strata/community schemes, landlords);
- Funding/financial grants should be provided to owners wishing to contain cats in their yards, particularly in vulnerable areas or where containment is made mandatory, to ensure cat companionship is not made a privilege for only the wealthy;
- New builds in vulnerable areas should include restrictions and cat containment measures as standard;
- Education of owners and leniency regarding any changes should be provided, with any significant changes grandfathered (other than for new builds);
- We should be prioritising minimising harm to wildlife by humans.