



**Submission from the Cat Protection Society of NSW  
to the NSW Department of Primary Industries  
NSW Animal Welfare Reform Issues Paper**

The Cat Protection Society of NSW welcomes the opportunity to provide feedback on the NSW Animal Welfare Reform Issues Paper. Cat Protection completed the online survey so the comments here will be brief and confined to broad principles.

**Sentience**

Scientific understanding of animal sentience, as well as of animal health and behaviour, has grown enormously over the past couple of decades and continues to expand. The reform process provides an opportunity to use evidence-based research to improve animal welfare in NSW.

**Five Domains model**

There needs to be a shift from thinking about cruelty as simply extreme physical events and 'welfare' being the absence of cruelty. Animal welfare needs to include health and wellbeing; animals should be able to experience good lives.

Cat Protection recommends the work of Professor David J Mellor and others on the Five Domains model and understanding animal welfare to provide guidance in the development of NSW animal welfare law.

**One Welfare framework**

The OIE Global Animal Welfare Strategy recognises that animal welfare is closely linked to animal health, the health and wellbeing of people, and the sustainability of socio-economic and ecological systems.

Cat Protection recommends developing the animal welfare reform legislation in a "One Welfare" framework to ensure it captures the many and varied issues animal law encompasses. For example, animal cruelty involves spectrum from simple neglect based on ignorance (where education might be the most appropriate intervention) to industrial-scale cruelty for profit, to organised crime (such as dog fighting) to the use of animals in domestic and interpersonal violence, to intentional abuse and torture.

Some of these acts of non-compliance are serious criminal matters that ought to be dealt with by police; some are appropriately dealt with by qualified animal welfare inspectors; and some will need the assistance of social workers and mental health professionals. Some breaches of animal welfare will have consequences for biosecurity, some have consequences for human safety, and in some cases the animals can be saved and given a 'good life'. The breadth is enormous but task is not impossible.

## **Ethics**

One of the guiding principles included in the OIE Terrestrial Animal Health Code (Chapter 7.1; Article 7.1.2 (6) is “That the use of animals carries with it an ethical responsibility to ensure the welfare of such animals to the greatest extent practicable.”

Animal welfare can be complex and involve competing views. Expert scientific input is vital but in respect of the animal welfare committees and panels referred to in the Issues Paper, Cat Protection advocates the inclusion of an ethicist is also vitally important to assist with navigating ethically challenging animal welfare issues. We would also recommend a public health representative given the many areas of intersection between animal and human health and welfare (from antimicrobial resistance to zoonoses).

## **Enforcement**

Finally, to be effective, the law needs to be enforced. The range of penalties needs to be appropriate to the range of non-compliance (and circumstances – is hoarding a criminal offence or a mental health issue? But if not treated as a criminal offence, will the animals be left to suffer?). Penalties need to be stronger. The courts and police need to be better educated in animal welfare, and those responsible for enforcing animal welfare need to be well-resourced and given appropriate tools and powers to do their job. The standard for what is regarded as acceptable animal welfare is too low, and the threshold for proving and prosecuting animal cruelty is too high. People can literally get away with murder if the victim is an animal. The community does not accept this. Community attitudes to animal welfare have changed significantly since the inception of POCTA and the new legislation must provide stronger protections for animals, meaningful actions to promote animal welfare and stronger penalties for non-compliance.

Thank you for the opportunity to provide feedback to the Issues Paper. Cat Protection would be happy to assist the reform process as it progresses. We informed our members of this Issue Paper and invited them to contribute to the survey; please let us know if we can assist your work through our networks.

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