

**Submission from the Cat Protection Society of NSW to the NSW Government
Department of Primary Industries and Regional Development**

Public Consultation Draft – Prevention of Cruelty to Animals Regulation 2025

The Cat Protection Society of NSW supports Option 2 of the Regulatory Impact Statement on the Draft Prevention of Cruelty to Animals Regulation, that is, to make the Draft Prevention of Cruelty to Animals Regulation 2025.

Cat Protection appreciates the opportunity to comment.

We are pleased to see that the draft regulation provides that cats' claws may only be removed in circumstances where it is necessary to treat injury or disease. Fortunately, we're not aware of NSW veterinarians practising declawing of cats for any other reason, but it is appropriate that the law reflects contemporary animal welfare standards and science. We welcome this change.

Clause 41 of the draft regulation *matters to be included in reports of approved charitable organisations*, (ACOs) largely mirrors clause 34 of the existing regulation. It is noted that under the existing regulation clause 34(1) (b) ACOs must report on 'counsel, advice or cautions given' and under the draft regulation at clause 41(1) (c) only 'cautions given' are specified. The Regulatory Impact Statement notes this change as offering "more realistic reporting requirements". Given the vagueness of 'counsel' and 'advice' we don't disagree. We imagine that 'counsel' and 'advice' would be given to people in situations where animal welfare issues do not meet the threshold for more serious action, and the numbers of these (counsel/advice) are included in the balance of complaints and investigations that do not result in actions such as cautions, notices and proceedings.

Under draft regulation clause 41(2), (b) and (c) both require a statement of the number of visits *or* investigations made by officers. While this terminology reflects existing clause 34(2) (b) and (c) we submit that the word "or" should be replaced with "and" to make explicit that reports require data on both visits *and* investigations.

The "Examples – routine inspections of abattoirs, pet shops or saleyards" included under subclause (c) in the draft regulation is an example of a visit, but not an example of an investigation *per se*. It is understood that such a visit might lead to an investigation, however, as drafted, the ACO report does not have to include that aspect given the use of the word 'or' rather than the word 'and'.

To replace 'or' with 'and' would also be more consistent with the level of detail required under subclause (h).

The draft regulation at clause 41(2) requires reports to include various statements of numerical data which are important, but reports would be more meaningful if they included information on the nature of the concern that motivated a complaint, the offence, if applicable, and the animal species. Subclauses (a) (b) and (c) must include animal species, and (b) and (c) must include the nature of the concern. Subclause (a) seems to provide for an overall summary; one would expect any summary to include the nature of concerns, by species.

Subclauses (d) (e) and (g) should note the offence and species, and (f) should note animals seized not just by number, but also by species, and, not just “the number of days for which the animals remained in the organisation’s possession or care” but the outcome for the animals, by species.

These minor drafting changes should not add any additional burden to the ACOs. These changes would enhance the quality and relevance of the reports, allowing for faster identification of any trends or emerging issues, and improve transparency.

Cat Protection is aware that there is an urgency to making this regulation and therefore we do not see this as the time to consider broader improvements to animal welfare law. We appreciate there have been some improvements but look forward to progress on major reforms to animal welfare law in New South Wales.

This submission may be published.

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