

Government Response to Companion Animals Taskforce Recommendations

The NSW Government recognises the importance of pet cats and dogs to the wellbeing of families and individuals across NSW community and welcomes the opportunity to respond to two reports and 38 recommendations from the Companion Animals Taskforce.

The NSW Government is implementing a balance of practical and much needed measures to promote responsible cat and dog ownership in NSW, as listed below. In doing so, the Government is pleased to support most Taskforce recommendations, in full or in part, to help tackle dangerous dogs, improve animal welfare and promote community wellbeing.

Many key Taskforce recommendations have already been put in place through the newly enacted *Companion Animals (Amendment) Act 2013*. These include important measures to strengthen the framework to control dangerous dogs and reduce dog attacks to promote community safety. Most other recommendations are being rolled out in 2014. Where specified, a number of recommendations will be implemented through a redesign of the Companion Animals system, including the Companion Animals Register, in 2014 to better ensure responsible cat and dog ownership while minimising regulatory burden.

The Government thanks the Taskforce for their hard work and commitment to delivering their recommendations, including the Chair, the Member for Charlestown, Mr Andrew Cornwell MP, and the representatives of nine key stakeholder groups, including Animal Welfare League NSW, Australian Companion Animal Council, Australian Institute of Local Government Rangers, Australian Veterinary Association, Cat Protection Society of NSW, (then) Local Government and Shires Associations of NSW, Dogs NSW, Pet Industry Association Australia, and the Royal Society for the Prevention of Cruelty to Animals in NSW (RSPCA).

Recommendations on the management of dangerous dogs

Rec No.	Recommendation	Response	Comment
DD1.1	Amend the Companion Animals Act to introduce a “potentially dangerous” dog category.	Supported	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> . Control category termed ‘Menacing Dog’. Government will ask the Reference Group (see rec 22) to consider and advise on applying this category to specific high risk breeds.
DD1.2	Introduce provisions in the CA Act for a “dangerous” or “potentially dangerous” dog declaration to be revoked if behavioural training is undertaken for the dog in question and the council is satisfied that it is appropriate to do so.	Partially supported	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> for ‘Menacing Dogs’. Not supported in relation to declared ‘Dangerous Dogs’ given community concern about this issue.
DD1.3	Update the dog attack reporting framework to more clearly differentiate between “dog attacks” and less serious incidents involving dogs	Supported	Progressing in 2014.
DD1.4	Review existing powers of council officers under the CA Act relating to the seizure of dogs subject to dangerous or restricted dog declarations for the purposes of identification.	Supported	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> .
DD1.5	Review the statute of limitations under which councils can prosecute dog attack offences to ensure that it is in line with other relevant legislation.	Supported	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> .
DD2.1	Introduce annual registration of cats and dogs and a breeder licensing system to improve the ability of councils to track dangerous dogs throughout their lifecycle.	Not supported for all registrations	Annual registration is not supported in full due to the cost burden on owners. Further consideration will be given as to whether to

		Subject to further review for specific categories of registration	introduce annual fees for certain categories (eg dangerous dogs) to reflect the costs to the community of these animals as part of the broader system redesign.
DD2.2	Develop a model behavioural assessment for the use of councils and other impounding agencies.	Supported	Progressing in 2014-2015.
DD2.3	Provide funding for research into dangerous dog issues	Supported	Subject to available funding and priority, determined in consultation with the proposed Reference Group (Rec 22). This will include funding for research into why dogs attack.
DD2.4	Improve the dissemination of information about disqualified animal owners	Supported in principle	Progress through the redesign of the Companion Animals Register (Recs 14.3 and 20)
DD3.1	Develop a Memorandum of Understanding template for use by councils and NSW Police regarding the enforcement of the CA Act.	Supported	Progressing in 2014.
DD3.2	Develop a Memorandum of Understanding between councils, animal welfare organisations and relevant State Government agencies to standardise information sharing protocols in relation to dangerous and potentially dangerous dogs.	Supported	Progressing in 2014.
DD3.3	Strengthen cross-agency delivery of educational resources on dog attack and dangerous dog issues.	Supported	The Division of Local Government will work with key agencies, such as the Department of Housing, to deliver key programs.
DD3.4	The Minister for Local Government and NSW Attorney General should write to the Federal Attorney General to request that a cross-jurisdictional working group be established to develop a national dog attack and dangerous dog database.	Supported	Responsible Pet Ownership Reference Group to consider whether additional breeds should be added to the restricted breeds list. Following advice from the Reference Group, the NSW Government will also write to the Federal Government to request a review of restricted breeds listed in the <i>Customs Act 1901</i> [Cwlth] to encourage a nationally consistent approach to this issue that better reflects the risks posed by certain breeds of dogs.
DD3.5	Amend the CA Act to allow councils to automatically declare a dog to be "dangerous" or "potentially dangerous" if they receive confirmation that the dog is the subject of such a declaration in another jurisdiction.	Supported	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> .
DD3.6	Establish a working group to improve dog attack data captured by hospitals and general practitioners.	Supported	The proposed Reference Group will consider this issue.
DD4.1	As part of a community-wide socially responsible pet education campaign, review and update existing dog bite prevention and dangerous dog management educational resources for the public, councils and other agencies.	Supported	Subject to available funding, the proposed targeted grant program for councils will include a focus on managing dangerous dog issues and unregistered dogs in 'hotspots' (Rec 13).
N/A	Consider requiring veterinary surgeons to report to regulatory authorities if they are called to treat/attend to a dog which is a restricted breed which is not microchipped, registered and/or desexed	Additional initiative	Consult with the Vets Practitioners Board about this issue and mechanisms to progress.
N/A	Increase powers of councils to deal with non-compliance with required 'Dangerous Dogs' controls in line with existing powers to deal with restricted breeds.	Additional initiative	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> . Ensures that any declared 'Dangerous Dog' that

			attacks or breaches control requirements is not given a second chance if they are not registered, desexed or adequately enclosed at home and muzzled in public.
N/A	Increase compliance certificate fees for inspections of dangerous and restricted dog enclosures in line with other similar fees.	Additional initiative	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> . Increase to better reflect the cost to councils.
N/A	Increase penalties for not registering a companion animal and for dog attack offences.	Additional initiative	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> . These increases will ensure penalties are commensurate with offences to act as a stronger incentive for responsible pet ownership and to increase funding for enforcement of these dogs.
N/A	Require courts to order destruction of dogs that cause serious injury or death unless there are exceptional circumstances and enable courts to order owners to undertake responsible pet ownership courses	Additional initiative	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> . Better reflects community expectations in relation to dogs that have attacked causing serious or fatal injury and provides another tool for courts to deal with irresponsible pet owners.

Recommendations on the management of all companion animals

1*	A breeder licensing system should be established and the Companion Animals Register should be updated to capture breeder licence information for each animal record (with Minister for Local Government).	Supported in principle	The redesign of the Register and registration system, in consultation with key stakeholders via the Reference Group will ensure that breeder details are captured and linked to animals they breed at point of microchipping, whilst minimising regulatory burden on breeders and better targeting problem breeders. Further consideration will be given to mechanisms to provide additional resources to 'puppy farm' enforcement.
2*	The Animal Welfare Code of Practice – Breeding Dogs and Cats should be revised to ensure that the existing guidelines it contains become enforceable standards.	Supported in principle	Animal Welfare Advisory Council to consider as part of the next review of the Code of Practice.
3*	Relevant animal welfare codes of practice should be amended to require the sellers of cats and dogs to display an animal's microchip number (or the licence number of the breeder of an animal) in all advertisements, and at point of sale in the case of pet shops, markets and fairs.	Supported	Progress in consultation with the Animal Welfare Advisory Council and in conjunction with proposed redesign of the Register and registration system (Recs 14.3 and 20) to enable a breeder identification number to be used on advertising in lieu of multiple microchip numbers.
4	The Companion Animals Regulation should be amended to remove the existing provision that allows recognised breeders to sell unmicrochipped cats or dogs to pet shops.	Supported	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> .
5*	An information sheet should be issued in relation to the advertising and sale of cats and dogs.	Supported	Progressing in 2014.
6*	Mandatory standardised information on socially responsible pet ownership should be developed to be given out at point of sale	Supported in principle	Progress through the proposed Reference Group, including consideration about making this mandatory (Rec 22)
7*	Relevant animal welfare codes of practice should be updated to require that at least one staff member working in a pet shop, breeding establishment, pound or animal shelter must hold a	Not supported	This places a regulatory and cost burden on small businesses and volunteer organisations and places

	<i>Certificate II - Animal Studies</i> qualification.		their viable operation at risk.
8	The Companion Animals Act should be amended to require cats and dogs to be registered on an annual basis.	Not supported for all registrations Subject to further review for specific categories of registration	Annual registration is not supported in full due to the cost burden on owners. Further consideration will be given as to whether to introduce annual fees for certain categories (eg dangerous dogs) in line with the goals to promote responsible pet ownership and community safety as part of the broader system redesign.
9	Cat and dog registration fees should be reviewed and set at such a level to provide an additional incentive for owners to desex their animals.	As above	As above
10	The Companion Animals Regulation should be amended to require a cat to be registered from the time it is 4 months of age.	Supported	This will be progressed as part of the redesign of the Companion Animals Register.
11	The Companion Animals Regulation should be amended to allow cat and dog registration fees to be indexed to the Consumer Price Index.	Supported	Implemented through the <i>Companion Animals (Amendment) Act 2013</i> (to commence on 1 Jan 2014). This ensures that fees reflect fair value (fees last updated in early 2006) and will increase funds for council activities and responsible pet ownership education.
12	A new discounted registration category ' <i>Desexed animal – purchased from a pound or shelter</i> ' should be established to further encourage the purchase of desexed cats and dogs.	Supported	This will be progressed through proposed review of the registration system.
13	A grant funding program should be established for councils and partner organisations to deliver targeted microchipping, registration and desexing programs.	Supported	This will commence in 2014. It may also include a focus on targeting areas with large numbers of unregistered dogs, dog attacks or dangerous dog issues (see also Rec DD 4.1).
14	Measures should be introduced to improve compliance with companion animal legislation data entry requirements (Measures include: Expanding registration agents to include RSPCA and Animal Welfare League and providing a fee for service (14.1, 14.2); updating the CA Register and enabling Register self-service for owners (14.3); and a campaign to increase registration rates by targeting owners on Register with microchipped but unregistered pets (14.4))	Supported	A comprehensive review of the Register and registration system is proposed to address this and other recommendations. This will require further policy development work and significant funding (see also Rec 20).
15	A community-wide socially responsible pet ownership education campaign should be developed	Supported	Progressing in 2014-2015
16	The socially responsible pet ownership school-based education program should be expanded to include the preschool age group.	Supported	This will be expanded in 2014 to additionally include a focus on new parents, subject to available funding.
17	Comprehensive education material about the importance of confining cats to their owner's property should be developed.	Supported	Progressing in 2014.
18	Funding should be provided for research into key cat and dog issues.	Supported	Subject to available funding and priority, determined in consultation with the proposed Reference Group (Rec 22).
19	Better practice guidelines should be issued to councils with a view to standardising impounding practices.	Supported	Progressing in 2014.
20	The Companion Animals Register should be updated to provide a centralised impounded animal management tool for use by all councils, relevant State agencies and animal welfare organisations.	Supported	A comprehensive review and redesign of the Register and registration system will be undertaken. This will require further policy development work and funding (see also Rec 14).

21	The Ministers should write to the Minister for Fair Trading to request that barriers to cat and dog ownership in relation to residential tenancy laws be reviewed (with Minister for Primary Industries)	Supported	Incorporated into current residential tenancy law proposals.
22	An ongoing reference group on cat and dog management issues should be established.	Supported	The Responsible Pet Ownership Reference Group will commence in 2014.

The Minister for Local Government is the responsible lead Minister for most recommendations

The Minister for Primary Industries is the responsible lead Minister for those marked by an asterisk (*)