



ISSUES PAPER

Rehoming of Companion Animals in NSW

*Prepared for
NSW Office of Local Government
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CANBERRA

Centre for International Economics
Ground Floor, 11 Lancaster Place
Canberra Airport ACT 2609

Telephone +61 2 6245 7800
Facsimile +61 2 6245 7888
Email cie@TheCIE.com.au
Website www.TheCIE.com.au

SYDNEY

Centre for International Economics
Level 7, 8 Spring Street
Sydney NSW 2000

Telephone +61 2 9250 0800
Email ciesyd@TheCIE.com.au
Website www.TheCIE.com.au

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Executive summary

The NSW Office of Local Government (OLG) is undertaking a review of rehoming practices in NSW (Review). This involves an examination of current rehoming practices and factors driving euthanasia rates. The Review will be undertaken in consultation with metropolitan, regional, and rural councils as well as NSW rehoming organisations, to collect and analyse information and data to better understand euthanasia rates and trends. It will examine breeding, desexing and rehoming practices and their impacts on euthanasia rates. The CIE is assisting OLG in this review.

The overarching objectives in undertaking the above tasks are to **reduce unnecessary euthanasia of companion animals** and to **increase successful rehoming of companion animals**. The Review will also consider ways to improve the efficiency of the system, which will enable these outcomes to be achieved at a lower cost.

This Issues Paper sets out our understanding of the outcomes for companion animals and key issues in order to inform stakeholder consultation. The aims of the first round of stakeholder consultation are to:

- identify additional data and evidence held by stakeholders or others that can inform the Review
- identify possible interventions that stakeholders consider should be investigated in detail during the Review.

Outcomes for companion animals

The evidence available to this Review to date suggests that there have been **large reductions in companion animal euthanasia** over the past decade through council pounds and other organisations.

- In 2012/13, council pounds euthanised more than 22 000 cats and dogs, of which over 5000 were euthanised because they were unable to be rehomed (but were suitable for rehoming)
- In 2020/21, 8800 cats and dogs were euthanised through council pounds, of which less than 800 were euthanised because they were unable to be rehomed.
- Similar reductions are observed in RSPCA data.
- The reductions in euthanasia have been particularly rapid for dogs.

The reduction in euthanasia of companion animals appears to have occurred in NSW and other Australian jurisdictions.

Key questions for stakeholders

Throughout this Issues Paper we have provided questions for which we are seeking stakeholder input. These are summarised below.

QUESTIONS FOR STAKEHOLDERS	
1	What has driven the substantial decline in the number of animals entering pounds and the reduction in the euthanasia rates of cats and dogs entering council pounds? 8
2	Is there other data we should be examining to understand outcomes for animals admitted to pounds, animal welfare and animal rehoming organisations? What are the strengths and weaknesses of available data? 16
3	Is there evidence of significant changes to outcomes in terms of number of animals seeking rehoming and being euthanised post COVID-19? 16
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6	Are there problems with existing NSW arrangements for rehoming of animals through councils and other organisations? 31
7	What have been the impacts of recent changes made to NSW rehoming legislation? 31
8	Are there aspects of the policies of other jurisdictions as set out in Chapter 3 that are considered best practice? 31
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10	What are possible approaches and datasets available to understand in detail the reasons for surrender and seizure of cats and dogs and the reasons for euthanasia of animals? Would your organisation be willing to engage with us to obtain more detailed data about animals entering your facility? 33
11	Is the evidence shown in this paper representative of the size of the problem in relation to unnecessary euthanasia of companion animals, or are there issues with categorisation of reasons? 33
12	How objective or subjective are assessments of behaviour and medical reasons for euthanasia, as well as assessment of whether cats are feral? 33

- 13 What companion animal interventions have proven successful in your view in reducing unnecessary euthanasia and increasing successful rehoming of companion animals in NSW and elsewhere? 36
- 14 What changes could be made to NSW legislation and regulations to further reduce unnecessary euthanasia of companion animals? 36
- 15 What other programs or interventions could be undertaken that could further reduce unnecessary euthanasia of companion animals? 36
- 16 Are there other changes outside of companion animal interventions that could reduce unnecessary euthanasia, such as strata rules for pets? 36
- 17 Are there other costs and benefits not identified in this paper that we should be considering as alternative interventions are examined? 36
- 18 Are there sources of evidence that you can provide that can assist in measuring the identified costs and benefits? This could include community surveys of attitudes to companion animal euthanasia and costs of rehoming of animals, for example. 36
- 19 Are there interventions that the Review should investigate that could reduce the costs of rehoming of animals? 36

1 Introduction

The NSW Office of Local Government (OLG) is undertaking a review of rehoming practices in NSW (Review). This involves an examination of current rehoming practices and factors driving euthanasia rates. The Review will be undertaken in consultation with metropolitan, regional, and rural councils as well as NSW rehoming organisations, to collect and analyse information and data to better understand euthanasia rates and trends. It will examine breeding, desexing and rehoming practices and their impacts on euthanasia rates. The CIE is assisting OLG in this review.

The objectives of the Review are to:

- provide the NSW Government with an overview of the current legislative and policy framework supporting the rehoming of companion animals in NSW and how the NSW framework and outcomes compare to other Australian jurisdictions
- provide an overview of existing practices and euthanasia rates in NSW council pounds and provide detail of sector challenges and best practice
- provide recommended strategies to further reduce euthanasia rates, encompassing:
 - possible legislative reform
 - improvements to impounding processes
 - education and capacity building, and
 - better data collection and reporting.

The overarching objectives in undertaking the above tasks are to **reduce unnecessary euthanasia of companion animals** and to **increase successful rehoming of companion animals**. The Review will also consider ways to improve the efficiency of the system, which will enable these outcomes to be achieved at a lower cost.

Previous Reviews

In the last decade there have been two major reviews into Companion Animals, upon which this Review will build.

- In 2012, the NSW Companion Animals Taskforce¹ provided 22 recommendations aimed at:
 - reducing the number of cats and dogs that are impounded and euthanised
 - improving the regulatory framework around the breeding, sale and management of cats and dogs, and
 - promoting socially responsible pet ownership to the whole community

¹ <https://www.olg.nsw.gov.au/wp-content/uploads/Companion-Animals-Taskforce-report-to-Ministers.pdf>

- In 2015, the Parliament of New South Wales conducted an Inquiry into Companion Animal Breeding Practices in New South Wales², and provided 34 recommendations to improve breeding practices, as well as touching on many other areas of regulation of companion animals.

This Review will particularly address Recommendation 5 of the Parliamentary Inquiry:

The Committee recommends that the NSW Government undertakes a comprehensive study of euthanasia rates to determine: the breed and source of animals entering pounds and those being euthanised; whether current litter restrictions impact on abandonment and euthanasia rates; what information should be recorded to allow euthanasia rates and trends to be better understood; and the impact of rehoming and low kill policies on euthanasia rates.

Process of review

The Review intends to take a consultative approach consistent with the NSW Guide to Better Regulation. The Guide sets out a best practice approach to policy development and evaluation. Although this project is not a Regulatory Impact Statement (RIS) or a Better Regulation Statement (BRS), we propose to apply this approach to the review.

This approach is simply a formal framework to help policy-makers think through the impacts of policy proposals in a disciplined and comprehensive way. This helps to ensure that policy decisions are based on best practice regulatory principles (see box 1.1) and the best available evidence, resulting in better policy outcomes for the community.

1.1 Better Regulation Principles³

Principle 1: The need for government action should be established. Government action should only occur where it is in the public interest, that is, where the benefits outweigh the costs.

Principle 2: The objective of government action should be clear.

Principle 3: The impact of government action should be properly understood by considering the costs and benefits (using all available data) of a range of options, including non-regulatory options.

Principle 4: Government action should be effective and proportional.

Principle 5: Consultation with business and the community should inform regulatory development.

Principle 6: The simplification, repeal, reform or consolidation of existing regulation should be considered.

² <https://www.parliament.nsw.gov.au/committees/listofcommittees/Pages/committee-details.aspx?pk=161>

³ NSW Government, *NSW Guide to Better Regulation*, October 2016, p. 6.

Principle 7: Regulation should be periodically reviewed, and if necessary reformed to ensure its continued efficiency and effectiveness.

The steps involved in our proposed approach are:

- release of an Issues Paper to stakeholders (this document)
- release of a Draft Report to stakeholders by the end of July
- release of a Final Report to the NSW Government by the end of October.

Purpose of this Issues Paper

This Issues Paper is the first step in the Review. It aims to highlight what we know and don't know about:

- companion animal arrangements in NSW and across other Australian and international jurisdictions, and
- outcomes for companion animals, in terms of euthanasia and rehoming of animals from pounds and other organisations.

It then aims to provide a basis for discussions with stakeholders on what are the key issues, what constitutes best practice and options to change current NSW arrangements to better achieve the objectives of the Review.

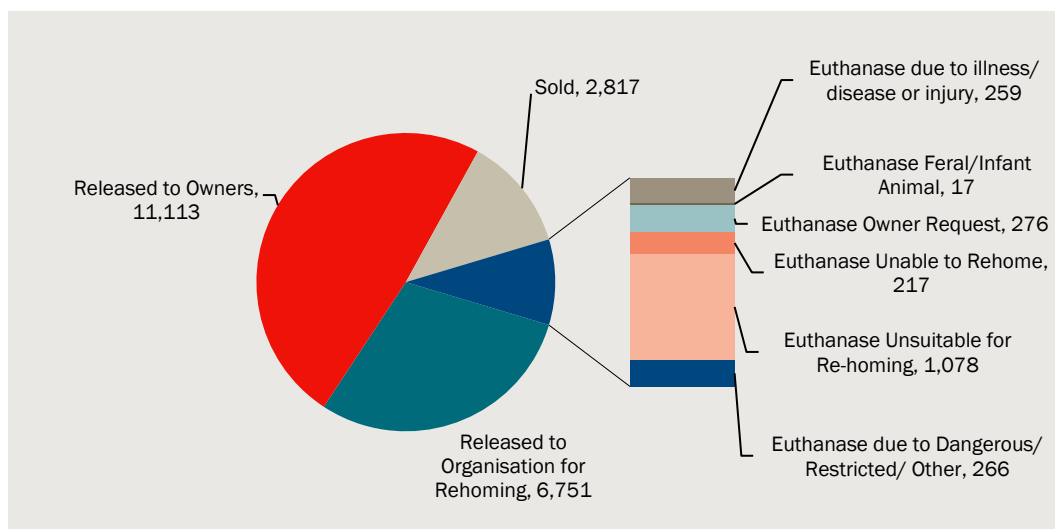
2 Outcomes for companion animals in NSW

Animals entering NSW local council pounds

In 2020/21, based on data reported by local councils to Office of Local Government (OLG), there were 44 000 cats and dogs that entered NSW council pounds, comprising 23 000 dogs and 21 000 cats. Of these, the majority are reunited with their owners, rehomed or sold. In 2020/21, 9 per cent of dogs were euthanised and 32 per cent of cats were euthanised. Reasons for euthanising animals included because they were sick, feral, unsuitable for rehoming, unable to be rehomed, requested to be euthanised by the owner or euthanised because dangerous.

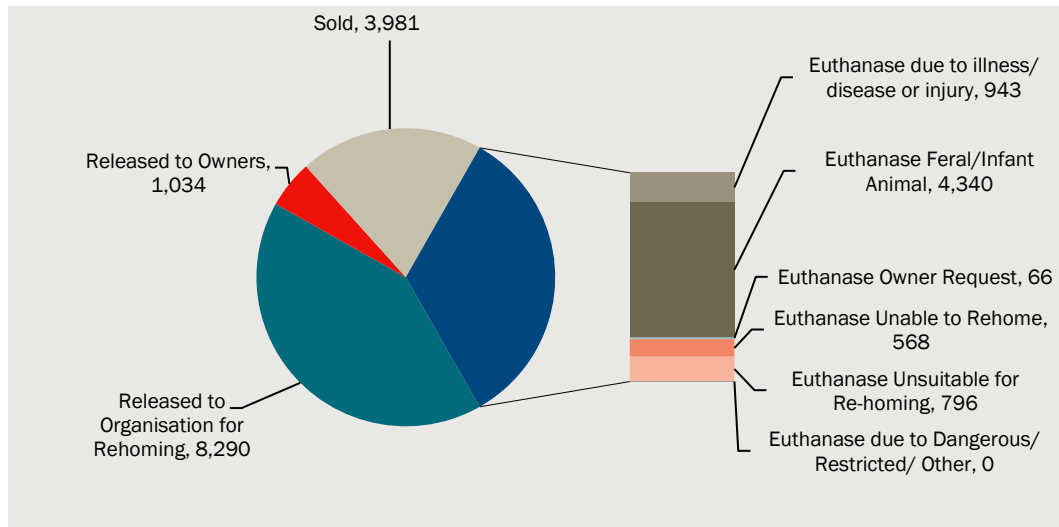
- Of the 9 per cent of dogs euthanised, the main reason was because they were unsuitable for rehoming (chart 2.1).
- Of the 32 per cent of cats euthanised, the main reason was that the animals were feral/infant animals (chart 2.2).

2.1 Outcomes for dogs entering NSW local council pounds 2020/21



Data source: The CIE analysis based on data from NSW OLG at <https://www.olg.nsw.gov.au/public/dogs-cats/responsible-pet-ownership/pound-and-dog-attack-statistics/>.

2.2 Outcomes for cats entering NSW local council pounds 2020/21



Data source: The CIE analysis based on data from NSW OLG at <https://www.olg.nsw.gov.au/public/dogs-cats/responsible-pet-ownership/pound-and-dog-attack-statistics/>.

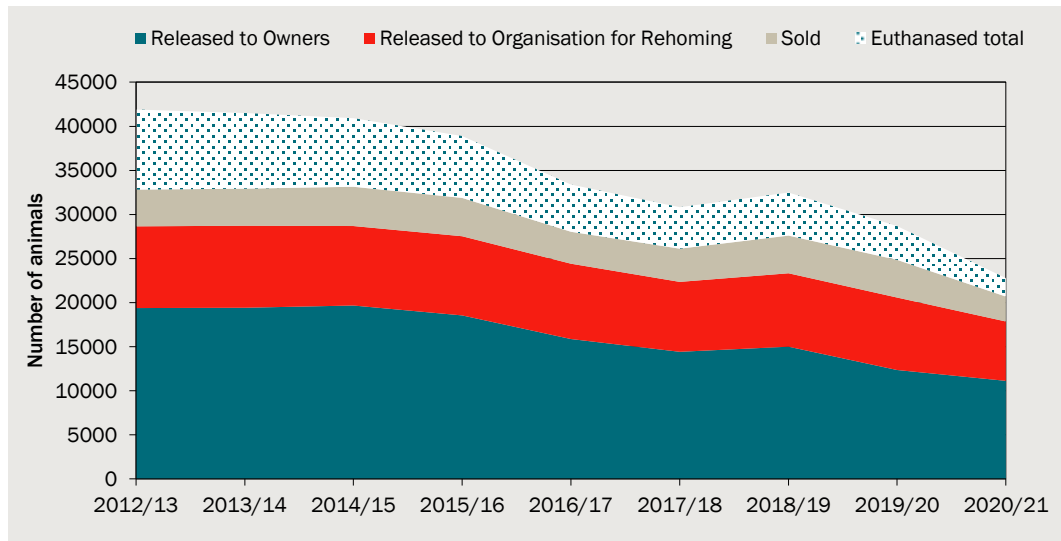
The local council data is available since 2012/13 and indicates strong trends over this time (chart 2.3 and chart 2.4).

- There has been a large reduction in dogs entering council pounds, while cats have been fairly stable.
- There has been a 77 per cent reduction in the number of dogs euthanised and a 50 per cent reduction in the number of cats euthanised, from 2012/13 to 2020/21.
- The number of animals euthanised because they were unable to be rehomed has fallen sharply, by 93 per cent for dogs and 76 per cent for cats, from 2012/13 to 2020/21 (chart 2.5).

The specific reasons for these sharp declines are not yet clear and will be investigated during the Review, including through stakeholder consultations.

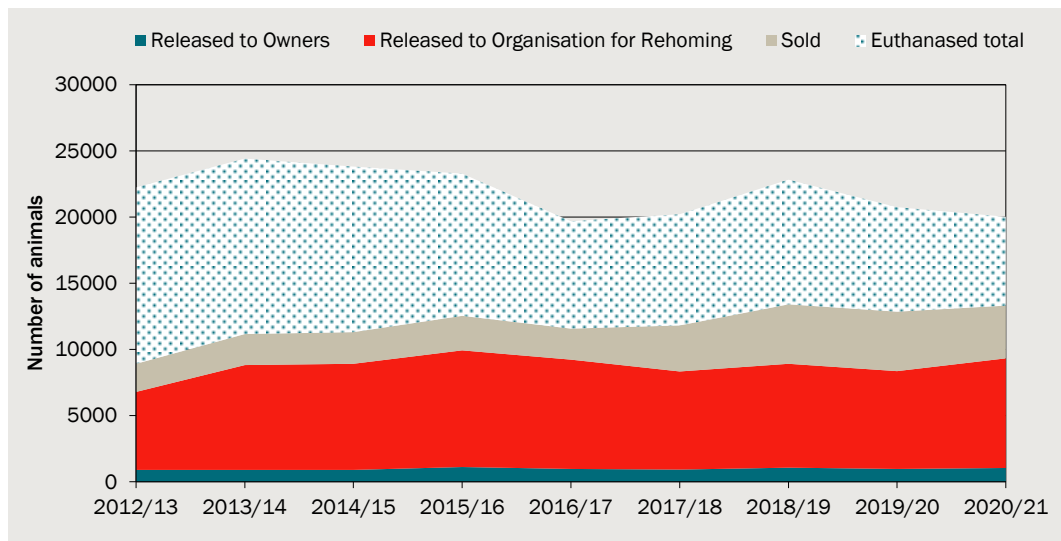
- 1 What has driven the substantial decline in the number of animals entering pounds and the reduction in the euthanasia rates of cats and dogs entering council pounds?

2.3 Outcomes for dogs entering pounds – 2012/13 to 2020/21



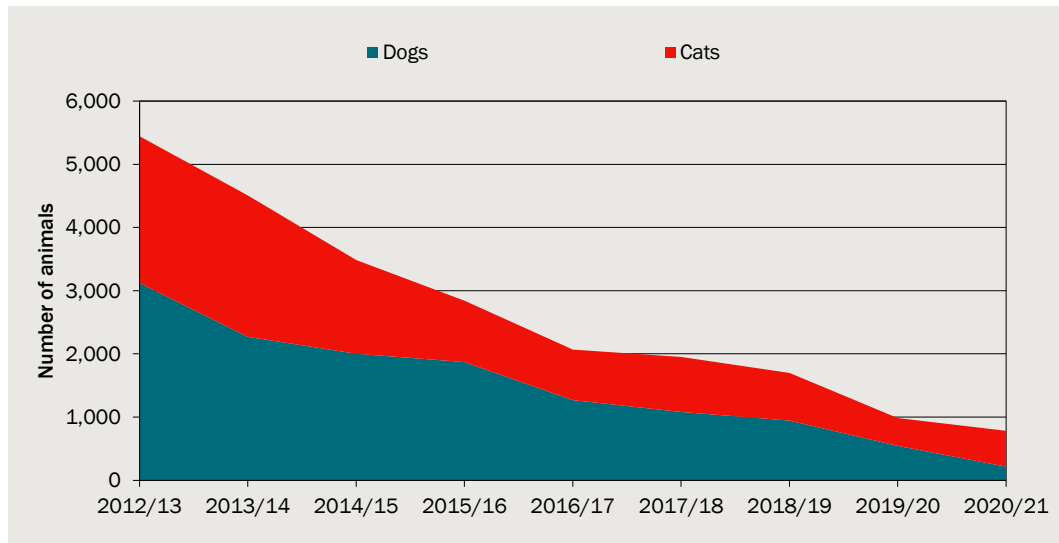
Data source: The CIE analysis based on data from NSW OLG at <https://www.olg.nsw.gov.au/public/dogs-cats/responsible-pet-ownership/pound-and-dog-attack-statistics/> and previous years data provided by NSW OLG.

2.4 Outcomes for cats entering pounds – 2012/13 to 2020/21



Data source: The CIE analysis based on data from NSW OLG at <https://www.olg.nsw.gov.au/public/dogs-cats/responsible-pet-ownership/pound-and-dog-attack-statistics/> and previous years data provided by NSW OLG.

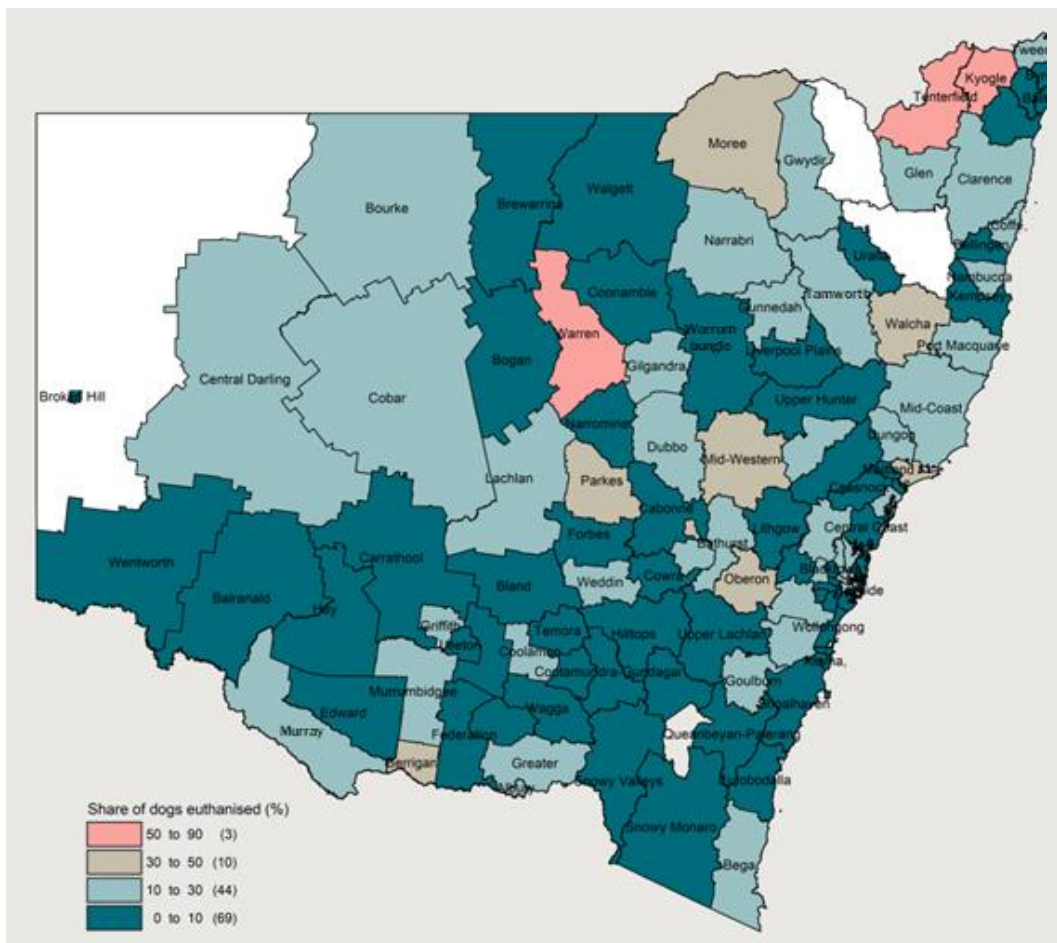
2.5 Number of animals euthanised because they were unable to be rehomed



Data source: The CIE analysis based on data from NSW OLG at <https://www.olg.nsw.gov.au/public/dogs-cats/responsible-pet-ownership/pound-and-dog-attack-statistics/> and previous years data provided by NSW OLG.

Across geographic areas there are noticeable differences in outcomes for animals impounded. Charts 2.6 and 2.7 show the average euthanasia rate for dogs and cats entering pounds from 2018 to 2021 in NSW local government areas. A substantial majority of councils maintain euthanasia rates for dogs below 10 per cent, which is often considered as representing zero euthanasia of healthy and treatable animals (although this will depend on how many animals are returned to owners). There were three LGAs having higher rates than 50 per cent for dogs.

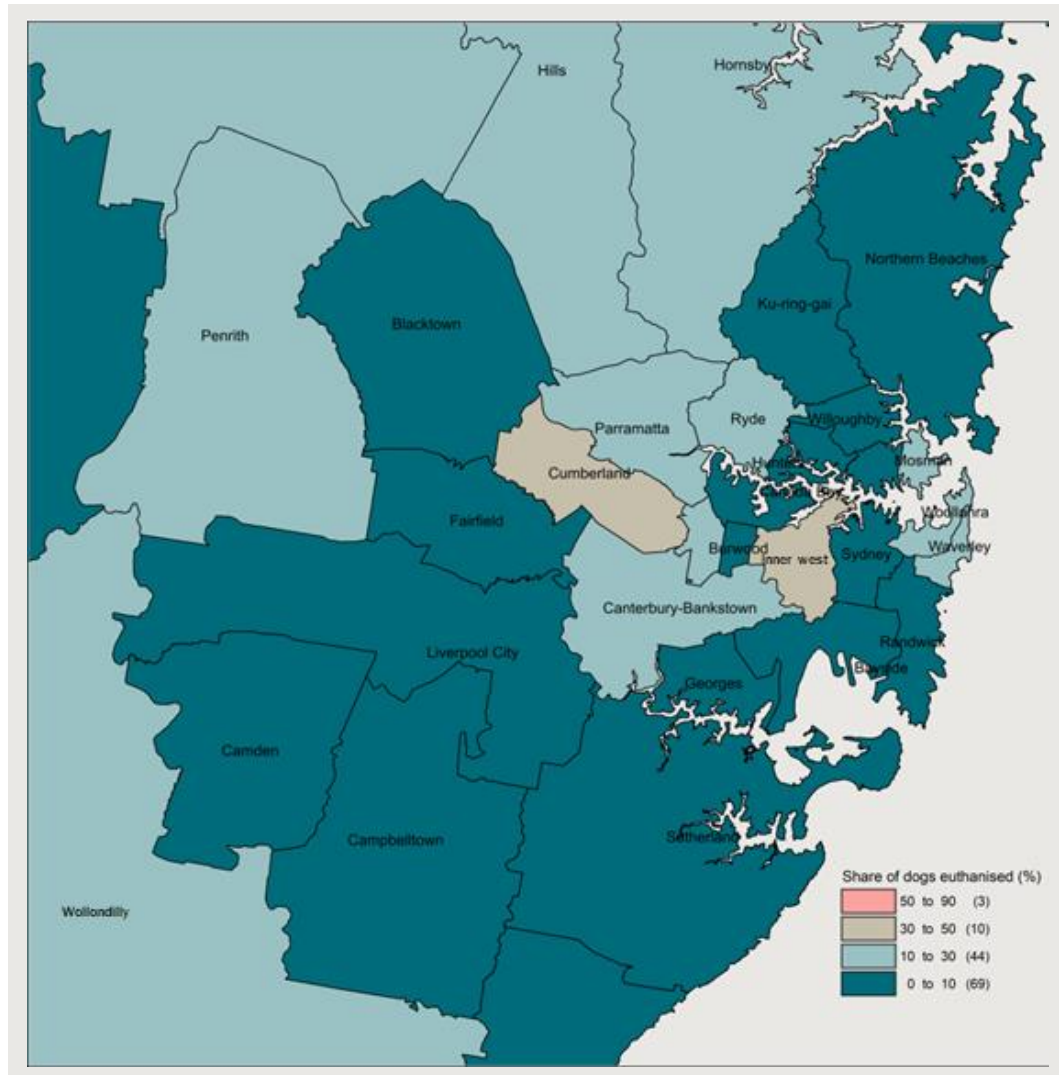
2.6 Share of dogs euthanised by local government area NSW



Note: Based on the euthanasia rate for 2018/19, 2019/20 and 2020/21.

Data source: The CIE analysis based on data from NSW OLG at <https://www.olg.nsw.gov.au/public/dogs-cats/responsible-pet-ownership/pound-and-dog-attack-statistics/>.

2.7 Share of dogs euthanised by local government area NSW (Sydney snapshot)

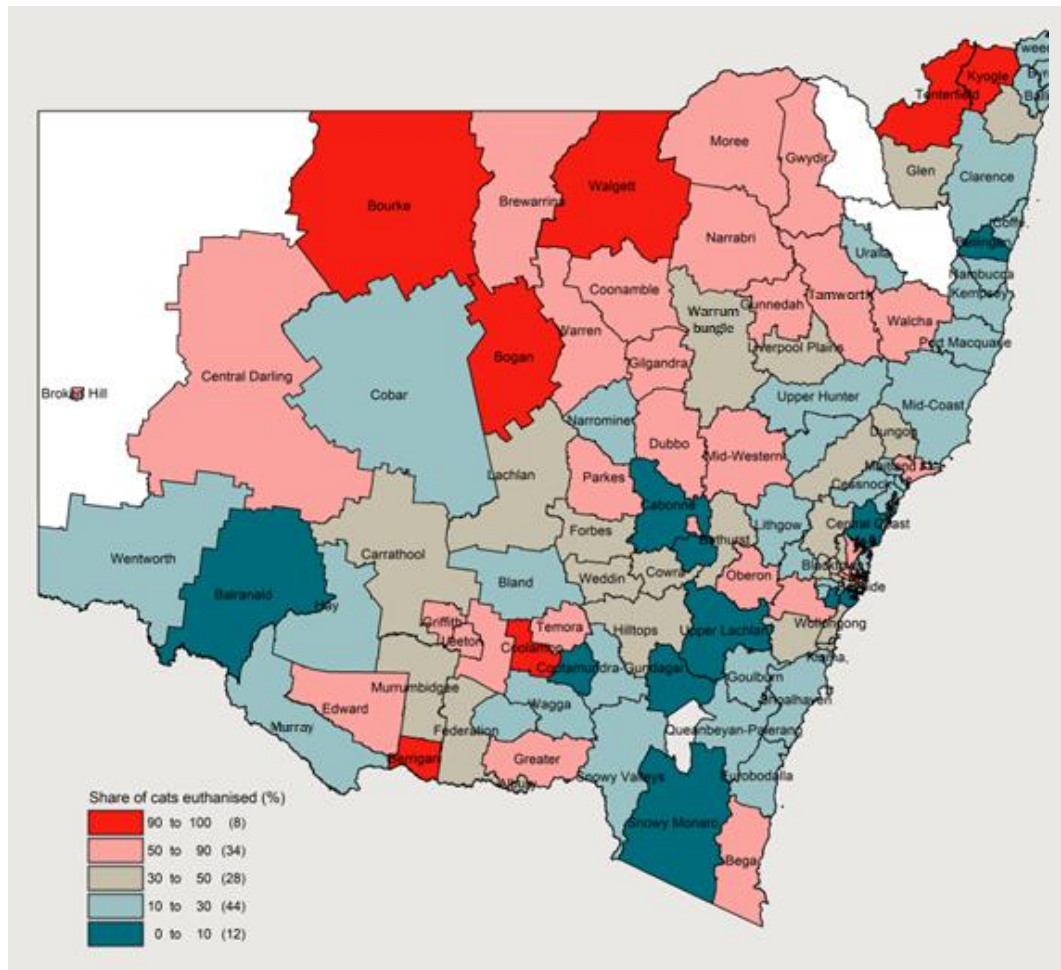


Note: Based on the euthanasia rate for 2018/19, 2019/20 and 2020/21.

Data source: The CIE analysis based on data from NSW OLG at <https://www.olg.nsw.gov.au/public/dogs-cats/responsible-pet-ownership/pound-and-dog-attack-statistics/>.

The euthanasia rate for cats across NSW is substantially higher than dogs, as shown in charts 2.8 and 2.9. Councils that are located away from metropolitan centres tend to have higher cat euthanasia rates, with the highest rates seen in the north of the state. These patterns will be explored as part of the Review.

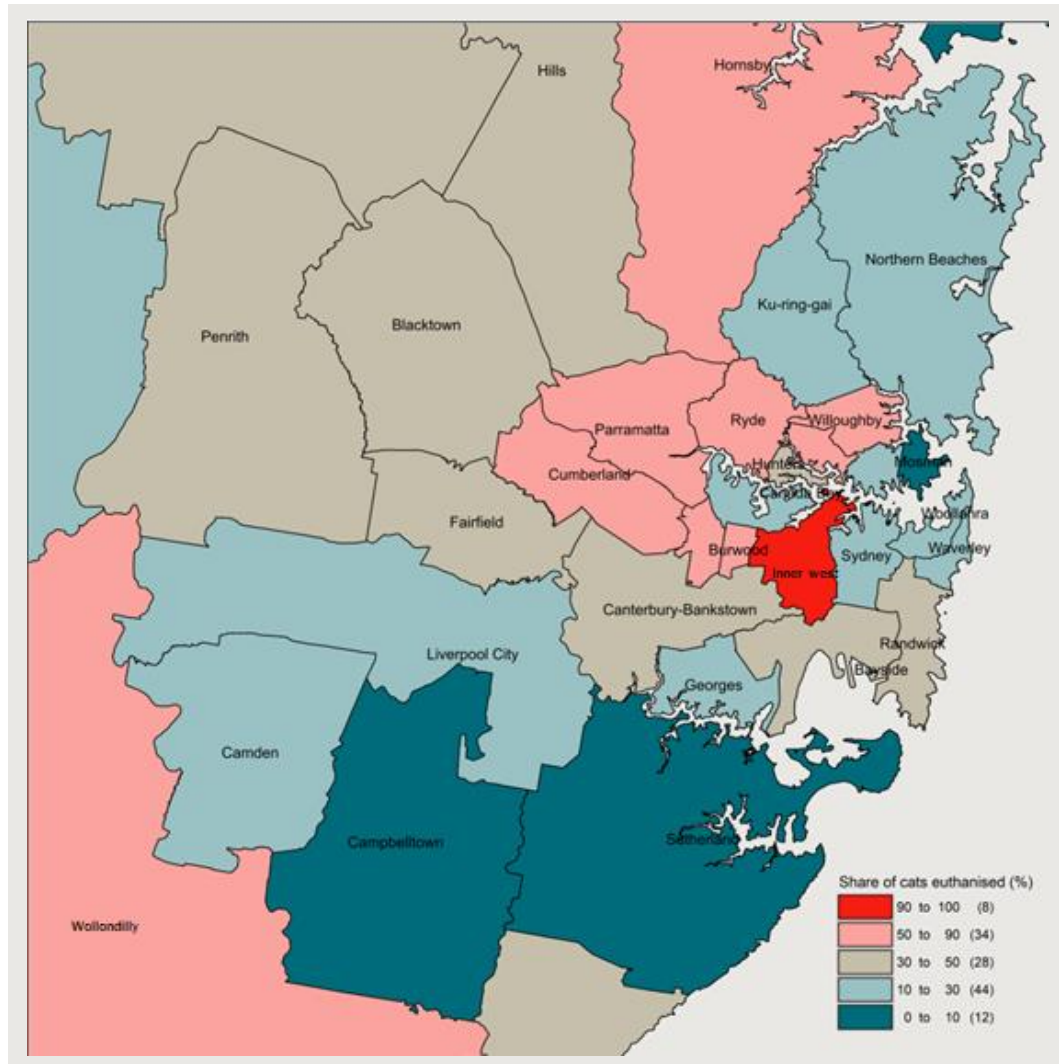
2.8 Share of cats euthanised by local government area



Note: Based on the euthanasia rate for 2018/19, 2019/20 and 2020/21.

Data source: The CIE analysis based on data from NSW OLG at <https://www.olg.nsw.gov.au/public/dogs-cats/responsible-pet-ownership/pound-and-dog-attack-statistics/>.

2.9 Share of cats euthanised by local government area NSW (Sydney snapshot)



Note: Based on the euthanasia rate for 2018/19, 2019/20 and 2020/21.

Data source: The CIE analysis based on data from NSW OLG at <https://www.olg.nsw.gov.au/public/dogs-cats/responsible-pet-ownership/pound-and-dog-attack-statistics/>.

Outcomes from rehoming and animal welfare organisations

As can be seen in the NSW local council data, more than 15 000 animals are released to other organisations for rehoming from NSW local councils. This could include:

- approved animal welfare organisation, which are the RSPCA NSW, Animal Welfare League NSW, The Cat Protection Society of NSW, and
- approved rehoming organisations, of which there are 87.4

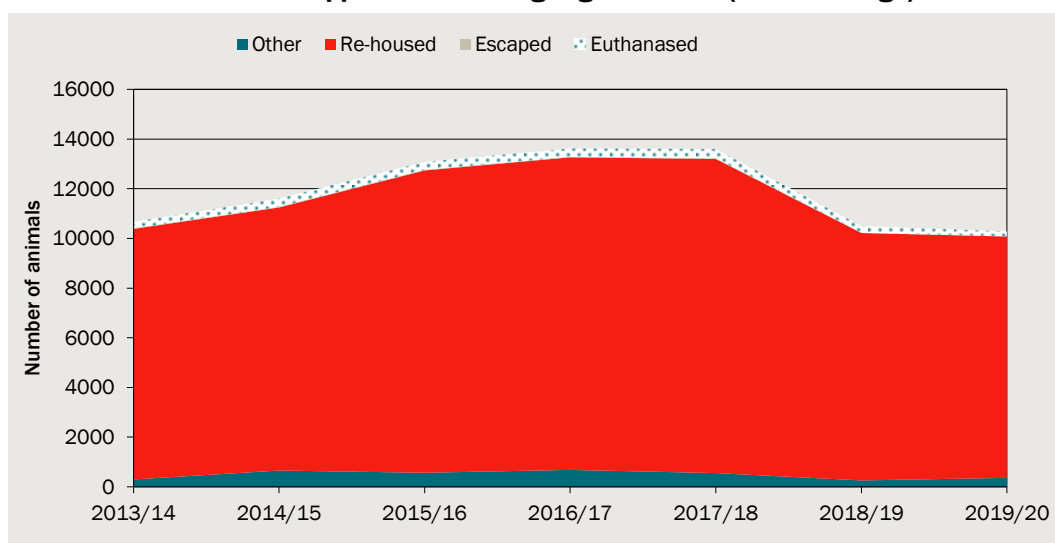
⁴ See chapter 3 for a detailed overview of rehoming organisations. NSW OLG website, accessed 17 May 2022, <https://www.olg.nsw.gov.au/public/dogs-cats/information-for-professionals/information-for-animal-rescue-organisations/>.

There are also animals that go directly to approved animal welfare organisations and approved rehoming organisations, such as through being surrendered by owners.

NSW OLG collects data on animals entering and exiting approved rehoming organisations. In addition, approved animal welfare organisations have annual reports that detail their outcomes.

- Approved rehoming organisations have received over 10 000 animals per year since 2013/14. A very small share of animals (~2 per cent) are euthanised, the majority of which are euthanised for medical reasons (chart 2.10). About half of the animals that go into approved rehoming organisations are from council pounds.
- RSPCA data suggests similar trends to council pounds, of reducing number of animals entering facilities and reducing euthanasia, particularly for dogs (chart 2.11 and chart 2.12). Note that this data overlaps with council pound data as RSPCA manages some local council pounds.
- The Cat Protection Society and Animal Welfare League both indicate that all animals euthanised are for medical reasons (Cat Protection Society) or medical and behavioural reasons (Animal Welfare League).⁵

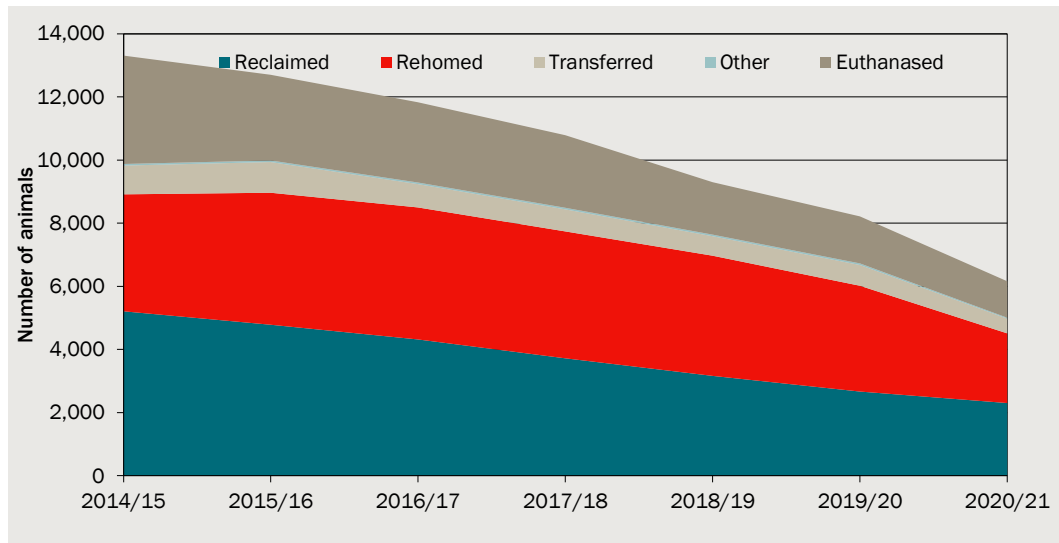
2.10 Destinations from approved rehoming organisations (cats and dogs)



Data source: The CIE analysis based on Annual Report data collated by NSW OLG.

⁵ Animal Welfare League NSW Annual Report 2020/21, https://www.awlnsw.com.au/wp-content/uploads/2022/02/AWL21_NSW_AnnualReport_18.2.22_MR.pdf and Cat Protection Society website, accessed 18 May 2020, <https://catprotection.org.au/our-philosophy/>.

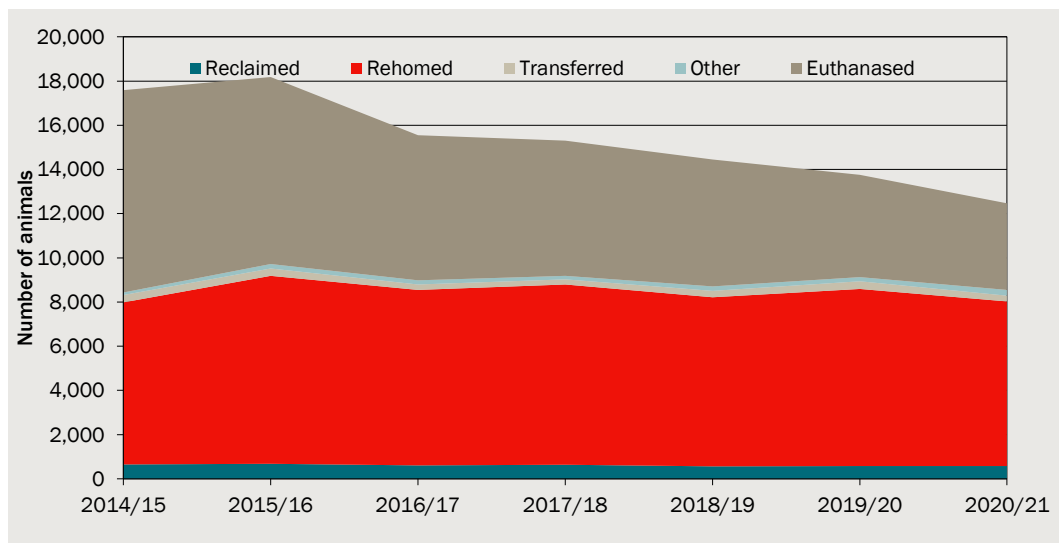
2.11 RSPCA outcomes in NSW for dogs



Note: RSPCA data includes data for council pounds managed by the RSPCA.

Data source: RSPCA annual statistics, <https://www.rspca.org.au/what-we-do/our-role-caring-animals/annual-statistics>.

2.12 RSPCA outcomes in NSW for cats



Note: RSPCA data includes data for council pounds managed by the RSPCA.

Data source: RSPCA annual statistics, <https://www.rspca.org.au/what-we-do/our-role-caring-animals/annual-statistics>.

- 2 Is there other data we should be examining to understand outcomes for animals admitted to pounds, animal welfare and animal rehoming organisations? What are the strengths and weaknesses of available data?
- 3 Is there evidence of significant changes to outcomes in terms of number of animals seeking rehoming and being euthanised post COVID-19?
- 4 Do the substantial reductions in euthanasia and in euthanasia of animals that were unable to be rehomed observed in the data reflect actual outcomes? Why/why not?

Comparison of outcomes to other jurisdictions

There have been few comparisons of outcomes for companion animals across jurisdictions because of the lack of data available. A 2017 study (Chua et al 2017) sought to obtain data across Australian jurisdictions for the 2012/13 year related to dogs.⁶ This study found:

- In 2012–2013, 43,900 dogs (1.9 per 1000 residents) were euthanised across Australia, which represented 21 per cent of national admissions or 40 per cent of unclaimed admissions.
- New South Wales had the highest euthanasia percentage at 29 per cent of admissions with 46 per cent of unclaimed admissions ending with the dog being euthanized.
- Australia had lower euthanasia rates compared to the US but substantially higher than the UK.

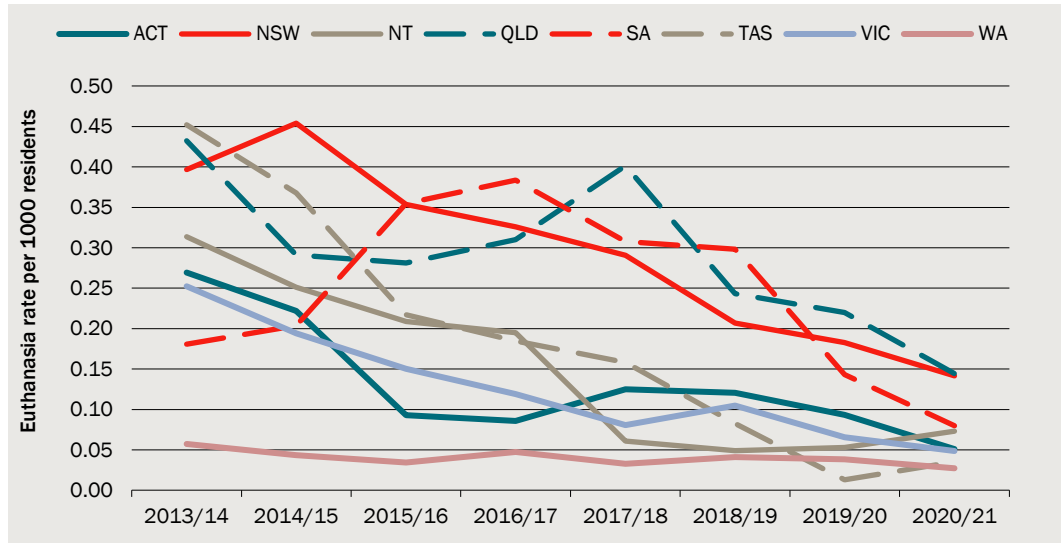
It is clear that outcomes have changed dramatically since this study. For example, in 2020/21, the euthanasia percentage was 9 per cent for NSW pounds, in 2019/20 it was 2 per cent for animal rehoming organisations and in 2019/20 it was 17 per cent for the RSPCA NSW. Chua et al (2017) suggested that a euthanasia rate less than 10 per cent is generally accepted as representing zero euthanasia of healthy and treatable animals.

At this stage we do not have a more recent comprehensive comparison of euthanasia rates across jurisdictions. This will be a task for the review. We do have access to RSPCA data across jurisdictions. This suggests:

- rapidly falling euthanasia rates per 1000 residents for dogs across most jurisdictions (chart 2.13), NSW is towards the top end of rates. However, comparison across states using only this data is not meaningful given different roles that the RSPCA has
- much higher but falling euthanasia rates per 1000 residents for cats (chart 2.14)
- a falling euthanasia rate per admitted animal for cats and dogs in NSW, compared to relatively stable rates for dogs in other jurisdictions and falling rates for cats in most jurisdictions. The euthanasia rate per admitted animal is higher in NSW than nearly all other jurisdictions for both dogs and cats (chart 2.15). Whether this reflects the type of RSPCA operations or a real difference is not yet clear.

⁶ Chua, D., Rand, J., & Morton, J. (2017). Surrendered and Stray Dogs in Australia-Estimation of Numbers Entering Municipal Pounds, Shelters and Rescue Groups and Their Outcomes. *Animals : an open access journal from MDPI*, 7(7), 50.
<https://doi.org/10.3390/ani7070050>.

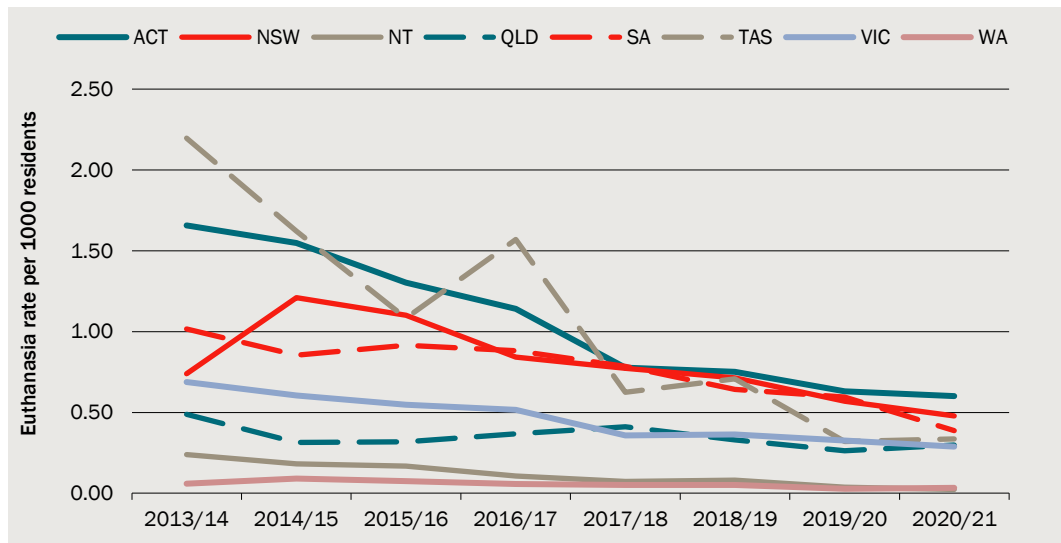
2.13 RSPCA euthanasia rate per 1000 residents across jurisdictions – dogs



Note: RSPCA data for NSW includes data for council pounds managed by the RSPCA.

Data source: RSPCA annual statistics, <https://www.rspca.org.au/what-we-do/our-role-caring-animals/annual-statistics>.

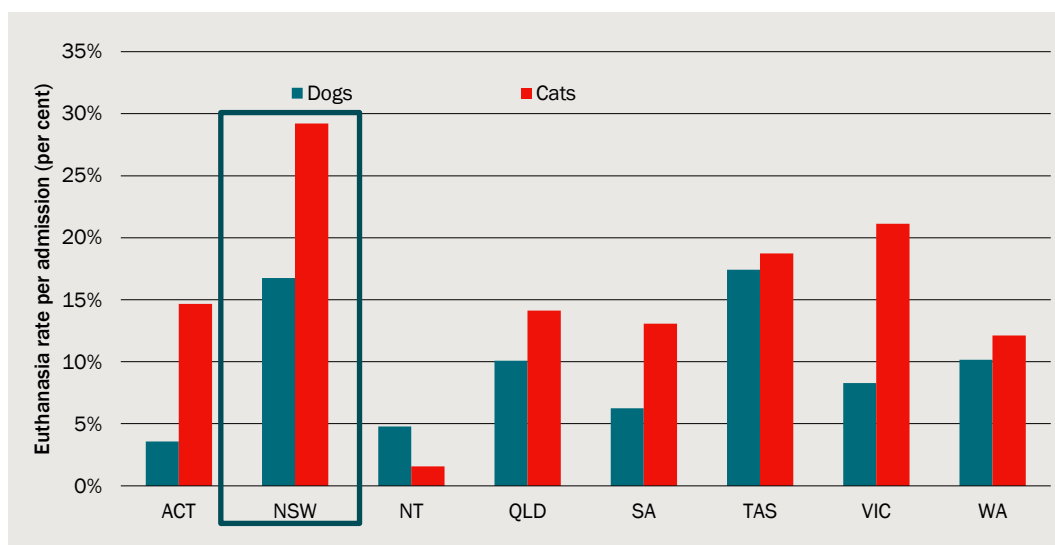
2.14 RSPCA euthanasia rate per 100 residents across jurisdictions – cats



Note: RSPCA data for NSW includes data for council pounds managed by the RSPCA.

Data source: RSPCA annual statistics, <https://www.rspca.org.au/what-we-do/our-role-caring-animals/annual-statistics>.

2.15 RSPCA euthanasia rate per admitted animal 2019/2020



Note: RSPCA data for NSW includes data for council pounds managed by the RSPCA.

Data source: RSPCA annual statistics, <https://www.rspca.org.au/what-we-do/our-role-caring-animals/annual-statistics>.

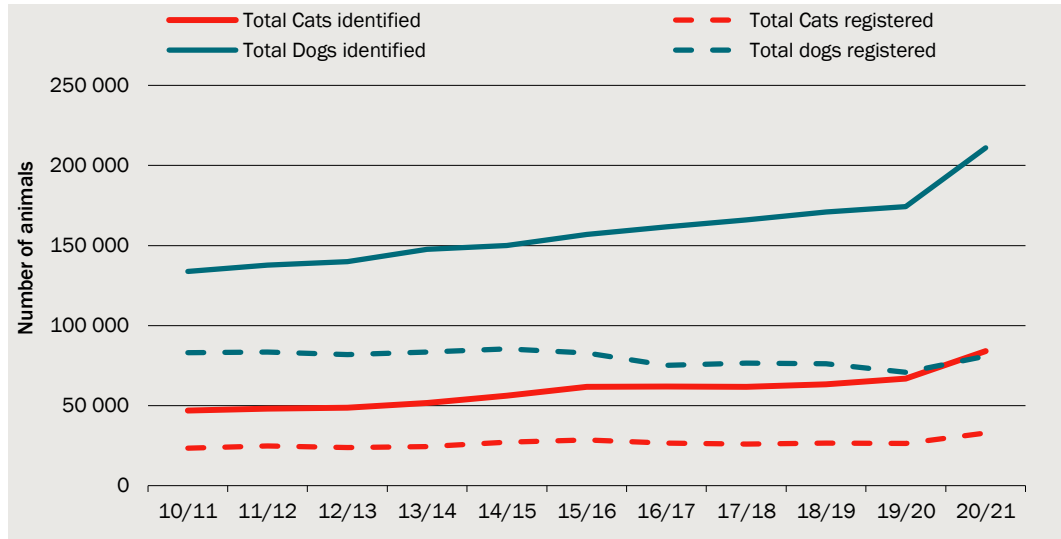
5 Is there other evidence we should be examining of the euthanasia and rehoming outcomes in NSW in comparison to other jurisdictions, and the policy and other instruments that impact on these outcomes?

Other relevant trends

There are a number of other trends relevant for companion animals in NSW.

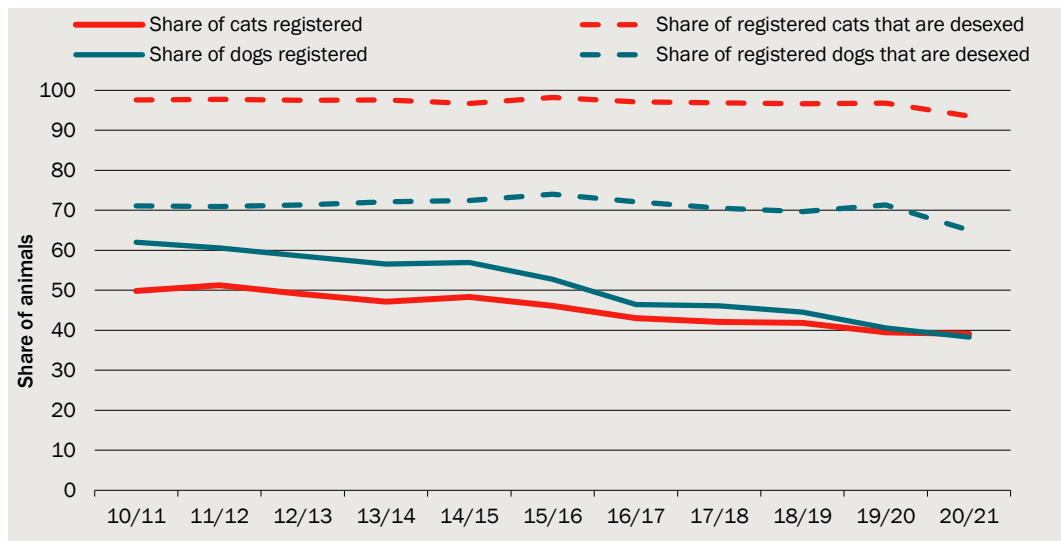
- The number of companion animals identified (i.e. microchipped) each year has been increasing, and increased particularly sharply during COVID-19 (chart 2.16). In 2020/21 there were over 200 000 dogs identified and 84 000 cats.
- The share of identified animal that are registered is falling and is now well below 50 per cent for both cats and dogs (chart 2.17). This suggests that there will be significant gaps in identifying owners for council pounds and animal welfare organisations, as well as significant revenue from registration fees that is not being collected.
- The share of registered animals that are desexed remains fairly stable, at close to 100 per cent for cats and 70 per cent for dogs (chart 2.17).
- The price of companion animals appears to be increasing, although formal data is not readily available. The average price per dog from a selection of 800 advertisements on Gumtree in May 2022 for puppies in Sydney was \$3000. The number of rehomed dogs advertised on this channel was much smaller, with an average price of over \$1000.

2.16 Number of companion animals identified and registered NSW



Data source: The CIE analysis based on NSW OLG data extracted from the Pet Registry.

2.17 Cat and dog registration and desexing status NSW



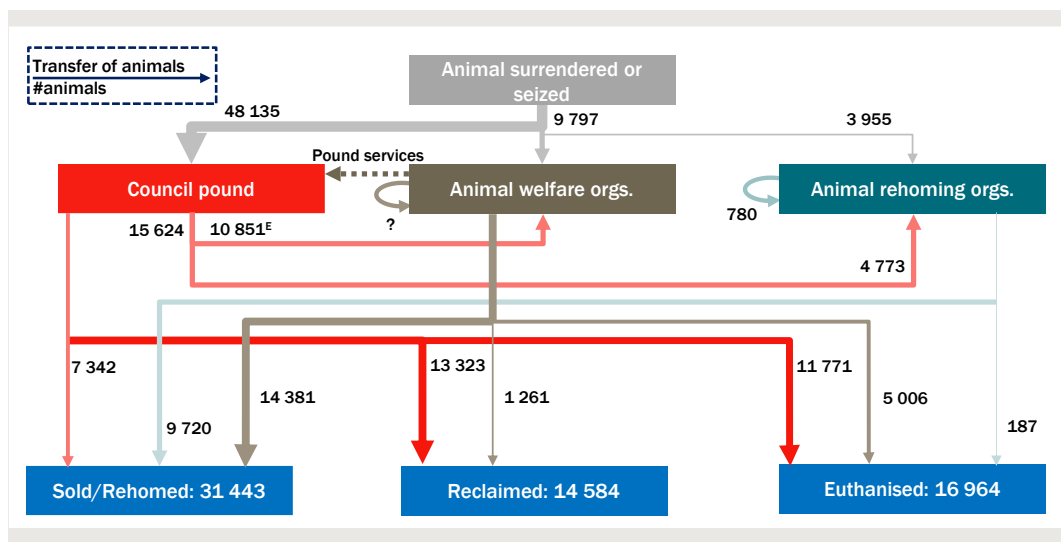
Data source: The CIE analysis based on NSW OLG data extracted from the Pet Registry.

3 Current arrangements for rehoming of animals in NSW and other jurisdictions

Rehoming of animals in NSW

The overall system for rehoming of animals involves council pounds, animal welfare organisations and animal rehoming organisations (these organisations are explained further below). Animals can enter the system at any of these organisations, although in practice the majority enter through council pounds and animal welfare organisations. An overall snapshot of the organisations involved and the movement of animals is shown in chart 3.1.

3.1 Transfer of animals between pounds and rehoming organisations in 2019/2020



Note: ^E estimate based on data from RSPCA pounds.
 Data source: CIE based on OLG data for council pounds, OLG data for animal rehoming organisations and annual report data for animal welfare organisations.

Companion Animals Amendment (Rehoming Animals) Bill

On 23 February 2022, a Private Members Bill, the Companion Animals Amendment (Rehoming Animals) Bill passed Parliament and was assented to on 4 March 2022. The Amendment Act seeks to improve rehoming outcomes for pet cats and dogs in the care of NSW council pounds and shelters.

Key changes include:

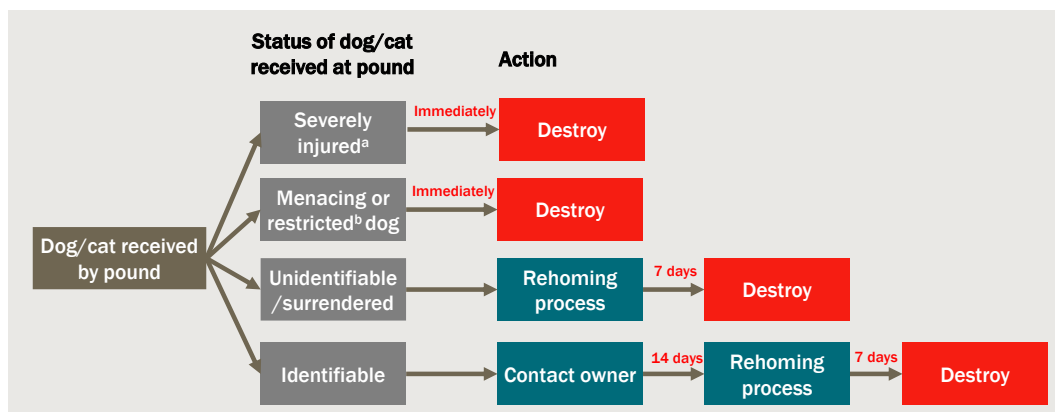
- The need for councils to give written notice to at least 2 rehoming organisations that the animal is available for rehoming and will remain available for at least 7 days from the date the notice is given.
- The need to take reasonable steps to advertise on a webpage or through a social media platform that the animal is available for rehoming.
- New record-keeping requirements in relation to:
 - the identification of animals either rehomed or destroyed, and
 - in the case of animals that are destroyed, the actions a council took to rehome that animal.

The changes standardise the rehoming process and create a consistent approach to rehoming across all NSW councils. It also aims to foster the development of closer partnerships with local rehoming organisations that will enable the development of a system that works best for both parties, including shared, cost-effective arrangements for the collection of animals from pounds.

Process for pounds to destroy and animal

Since the implementation of the Amendment Act, the process councils must follow before they destroy an animal has been prescribed. Chart 3.2 illustrates this process for the various statuses of animals the pound would receive. There are provisions in the *Companion Animals Act 1998* retained to deal with severely injured⁷ cats and dogs and dangerous / menacing / restricted dogs whereby they can be destroyed immediately.

3.2 Pathway for NSW pounds to destroy an animal



Note: a: Opinion needs to be provided by a veterinary practitioner, b: if a proposed declaration the owner has 7 days to object, holding days are statutory minimum and may be longer at council discretion

Data source: CIE based on NSW Companion Animals Act.

⁷ In the opinion of a veterinary practitioner, is so severely injured, so diseased or in such a physical condition that it is cruel to keep the animal alive (section 64B(8)).

Pound system

Under the Companion Animals Act, a local council may establish a public or private pound for the holding of companion animals surrendered to the council, or seized by an authorised officer of the council.

Councils are required to impound and care for companion animals in a way consistent with animal welfare laws when they choose to seize them and when a member of the public surrenders them. These responsibilities create the positive obligation on councils to maintain pound facilities.

Councils may establish and run their own pounds or enter into arrangements with other organisations to do so on their behalf, such as the RSPCA, another animal shelter or rehoming organisation. Regardless, the relevant council retains responsibility for all companion animals impounded by, or on behalf of, that council.

Importantly, councils will still be able to establish pounds when the *Impounding Act 1993* is repealed following commencement of the new *Public Spaces (Unattended Property) Act 2021*, potentially later in 2022. This is because the definition of pound under section 5 of the Companion Animals Act enables councils to establish a pound at “*any [sic] place approved by a council for the purposes of the holding of animals for the purposes of this Act*”.

Animal welfare organisations

Animal welfare organisations are registered charities which, among other things, assist council pounds in the management of companion animals. They have been designated powers under the Companion Animals Act to receive dangerous, menacing or restricted dogs. In addition, they are able to investigate cases of animal cruelty under the Prevention of Cruelty to Animals Act.

There are 3 registered animal welfare organisations in NSW:

- Royal Society for the Prevention of Cruelty to Animals NSW
- Animal Welfare League NSW
- Cat Protection Society of NSW Limited.

Rehoming organisations

Section 88B of the Act authorises the Office of Local Government (OLG) to designate an organisation as a rehoming organisation. The designation confers on the organisation certain privileges in relation to companion animals that it has in its custody for rehoming purposes. These privileges provide financial relief to those organisations to assist them in their endeavours to find new homes for unwanted or abandoned companion animals and to encourage members of the public to acquire such animals from those organisations rather than from other sources.

To encourage members of the public to adopt desexed companion animals from rehoming organisations, no registration fee is payable for the registration of the animal.

This places rehoming organisations on the same footing as is the case where such animals are acquired from council pounds.

Rehoming organisations must report to the OLG annually information relating to animals received and transferred out, with particular detail for any animal euthanised under its care.

There are currently 87 rehoming organisations registered with the OLG⁸.

Arrangements in other jurisdictions

Across Australia, all states and territories except for the Northern Territory, have a legislative approach to animal welfare and management. However, there is significant variation across policies for each jurisdiction.

Recent reviews and legislative amendments

All jurisdictions have conducted a review and amended state animal welfare and management legislation in the past 5 years, see table 3.3 for a summary.

3.3 Recent reviews and legislative changes for companion animals between jurisdictions

State	Amendment	Key changes for companion animals
New South Wales	Companion Animals Amendment (Rehoming Animals) Bill 2021	Introduced need for councils to give written notice to at least 2 rehoming organisations that the animal is available for rehoming and will remain available for at least 7 days from the date the notice is given. Increase record keeping requirements of animals being destroyed
Victoria	Domestic Animals Amendment (Reuniting Pets and Other Matters) Bill 2021 Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017	Under the DA Act, shelters and participating vets will be able to reunite lost pets with their owners more efficiently and without the need for a written agreement with local council The PFPS Act amended the Act to: <ul style="list-style-type: none"> ■ limit the number of fertile female dogs breeders can keep ■ restrict pet shops to selling dogs and cats sourced from shelters, pounds or enrolled foster carers ■ define 'recreational breeders' and 'microbreeders' ■ introduce the animal sale permit system ■ improve traceability of cats and dogs through the establishment of the Pet Exchange Register
Queensland	The Animal Care and Protection Amendment Bill 2022, 12 May 2022	Prohibition of the use and possession of pronged dog collars. A requirement for dogs to be secured on a vehicle, with an exemption for working dogs. Clarification of some inspector powers in relation to entry and compliance with animal welfare directions.

⁸ <https://www.olg.nsw.gov.au/wp-content/uploads/2022/04/Rehoming-Organisations-07042022.pdf>

State	Amendment	Key changes for companion animals
Western Australia	May 2019 commissioned the Independent Review (the Review) of the operation and effectiveness of Animal Welfare Act 2002. Dog Amendment (Stop Puppy Farming) Bill 2021 (the Bill)	The Bill Increase the transparency of, and information on, the source of dogs Enhance the ability of authorities to identify and detect puppy farms Enhance the ability of authorities to prevent irresponsible breeders from breeding dogs Decrease the number of puppies and dogs that are bred indiscriminately Improve community understanding about responsible purchase and care of dogs Transition pet shops into adoptions centres for unwanted dogs.
ACT	Domestic Animals Legislation Amendment Act 2022 The Canberra Dog Model (the Model) was released in 2019 Canberra Cat plan 2021-31 released in 2021	Cats will be required to be registered from 1 July 2022
South Australia	Dog and Cat Management Act 1995 amendment 2015	Improve the ability of pounds and shelters to return lost dogs and cats to their homes Reduce the number of lost dogs and cats that end up in shelters Provide assurance to people that the puppy or kitten they are buying comes from a reputable breeder Enhance the ability of authorities to detect and prosecute 'puppy farms' Enhance local councils' capacity to manage dogs and cats
Tasmania	The Tasmanian Parliament passed the Dog Control Amendment Act 2019 (the Act) on 28 November 2019. Amendments to the Cat Management Act 2009 change the way cats are cared for and managed in Tasmania. Some of the changes commenced on 1 March 2021 and the remaining changes on 1 March 2022.	The Act amends the Dog Control Act 2000 to include a new offence for where a dog attacks sensitive wildlife, such as Little Penguins. A cat that is being cared for at a cat management facility must be microchipped and desexed before being reclaimed from the facility. A person is permitted to humanely trap a cat on their private property

Source: State and Territory legislature.

The sections below outline state arrangements for:

- pound responsibilities
- euthanasia policies
- breeding policies
- pet shop policies, and
- registration policies.

Pound responsibilities

The statutory holding period for an animal seized or accepted by the pound is relatively similar across jurisdictions, with NSW having the longest period. NSW is the only jurisdiction to have obligations to try to rehome an animal (table 3.4).

3.4 Pound responsibilities across jurisdictions

State	Statutory holding period	Pound responsibilities for rehoming
New South Wales	For dogs/cats: 14 days after giving notice, 7 days after if no notice given	Give written notice to at least 2 rehoming organisations and take reasonable steps to advertise on a webpage the animal is available for rehoming before destroying animal
Victoria	For dogs/cats: Seized 8 days Abandoned 14 days	No obligations
Queensland	For dogs: Seized with owner identified 3 days Seized without owner identified 14 days No policy for cats identified	No obligations
Western Australia	For dogs/cats: Owner identified, 7 days from notice Owner is not identified, 3 days	No obligations
ACT	For dogs/cats: 7 days	No obligations
South Australia	For dogs, 3 days Cats no time limit	No obligations
Tasmania	For dogs/cats: Owner identified 5 days Owner not identified 3 days	No obligations
United Kingdom	For stray dogs, 7 days from notice given to owner No guidance for cats found	No obligations

Source: State and Territory legislature

Euthanasia policy

Across jurisdictions, euthanasia is permissible when an animal is trespassing on protected land (farm or nature) and when a dog is aggressive. Some jurisdictions allow for immediate destruction of feral and infant cats. Queensland stands alone in requiring the destruction of a regulated dog as soon as practicable after surrender. Reporting of euthanasia is only required in NSW and Western Australia, with Victoria considering a review into this topic (table 3.5).

3.5 Euthanasia policies across jurisdictions

State	When permissible	When required	Reporting
New South Wales	<p>When dog/cat enters enclosed lands and harasses animals on the land</p> <p>When a restricted dog is seized. If proposed declaration, 7 days after notice is given to the owner</p> <p>After statutory period lapses and rehoming notification process completed</p> <p>Dangerous, menacing or restricted dog entering pound</p>	<p>Under a destruction order from the Court</p> <p>Companion Animals Act</p>	<p>A council must keep records of the dog/cat destroyed and the actions the council took to rehome the animal when required to follow the process</p> <p>Companion Animals Act</p>
Victoria	<p>When dog or cat found in certain areas (forests, conservation zones) or any area specified by council</p> <p>If dog is dangerous or council decides to not renew registration. Council must record reasons for decision within 24 hours after seizure and council must decide to destroy dog within 48 hours</p> <p>After seizure, end of the statutory period for cats and dogs</p> <p>Immediately after seizure if cat is unidentifiable or diseased</p>	<p>Restricted dog that cannot be recovered must be destroyed immediately after stat period</p> <p>After seizure when advised by Vet</p> <p>When advised by court due to dog attack</p>	<p>Not mandatory, current review ongoing to establish mandatory reporting of animal fate data</p> <p>If dog danger to public then must be reported after destroyed</p>
Queensland	<p>For seized regulated dogs, The authorised person may, without notice, immediately destroy the dog if—</p> <p>(a) the person reasonably believes the dog is dangerous and the person can not control it; or</p> <p>(b) an owner of the dog has asked the person to destroy it</p> <p>If animal is a biosecurity threat or on rural land and is not under control</p>	<p>The local government must destroy a surrendered regulated dog as soon as practicable after the surrender.</p>	<p>No specific policy</p>
Western Australia	<p>May destroy immediately if the operator believes on reasonable grounds that the cat:</p> <p>(i) is feral, diseased or dangerous; and</p> <p>(ii) has caused or given, or is likely to cause or give, serious injury, or serious illness, to a person, another animal or itself;</p> <p>When dog endangers livestock</p>	<p>Court ordered after attack</p>	<p>Required for all establishments such as pounds, pet shops and breeders with more than 5 fertile females</p> <p>Standards and Guidelines for the Health and Welfare of Dogs</p>
ACT	<p>If the animal is viciousness, injured or diseased it may be destroyed instead of seized</p>	<p>The registrar must destroy the dog if satisfied that—</p> <p>(a) a dog attacked a person or an animal; and</p> <p>(b) the attack caused—</p> <p>(i) the death of the person; or</p> <p>(ii) serious injury to the person; or</p> <p>(iii) the death of the animal.</p>	<p>No specific policy</p>

State	When permissible	When required	Reporting
South Australia	If dog is harassing animals within national parklands, or cat is present in national parklands If dog is dangerous and cannot be seized If dog is sick or diseased and cannot be maintained If cat is 1km from any place generally used as a place of residence If cat is unidentifiable	No specific policy	No specific policy
Tasmania	If dog is dangerous If dog/cat is unauthorised on farm land or nature land if cat is more than 1 kilometer from usual residence and found on primary production land If ordered by court	No specific policy	No specific policy
United Kingdom	After statutory holding period When advice from vet given for animals best interest	No specific policy	No specific policy

Source: State and territory legislature

Breeding policy

There is considerable variation in the desexing policies across jurisdictions, for both species and age of animal. Each jurisdiction has incentives for desexed animals, such as cheaper registration. Most jurisdictions enforce a limit on litters per bitch and queen, however Victoria is the only jurisdiction to limit the number of fertile females for a breeder (table 3.6).

3.6 Breeding policies across jurisdictions

State	Desexing	Limits for fertile females	Limits for litters
New South Wales	Not mandatory	None identified	Bitches must not have more than two litters in any two year period, unless excepted by vet Queens must not have more than 3 litters in any two year period, unless excepted by vet
Victoria	Council sets policy. Not mandatory, reduced registration fees if desexed. In the Casey Council dogs desexing is not mandatory, for cats it is mandatory If dog/cat seized by pound, must be desexed before release	Microbreeder: 1-2 fertile female cats/dogs. Recreational breeder: Less than 10 fertile female cats/dogs and is a member of an Applicable organisation. Domestic animal business: More than 3 fertile dogs/cats and not an applicable organisation.	A female dog must have no more than 5 litters in her lifetime, after which she must be retired from breeding

State	Desexing	Limits for fertile females	Limits for litters
		More than 10 cats/dogs must comply with code and seek approval from the Minister. Cap of 50 dogs	
Queensland	Not mandatory but encouraged unless dangerous or restricted breed. Desexed dogs/cats must be tattooed. Local government must incentivise desexing with registration fee	No, breeders require a permit for more than 2 dogs for breeding and any number of cats for breeding	A bitch should not be allowed to have more than two litters in an 18 month period. Cat breeding regulated by local Council
Western Australia	Mandatory for dogs by age of 2 unless breeder Mandatory for cats by 6 months of age unless breeder	5 or more female dogs requires adherence to code for establishments from the Standards and Guidelines for the Health and Welfare of Dogs, similar to pounds	A breeder must not use a bitch to produce more than: (a) two litters in any eighteen month period; and (b) five litters before the dog is retired from breeding.
ACT	Mandatory for dogs and cats	No limit found	For dogs max 4 litters, max one litter per 18 months For cats max 8 litters, max 3 times in 2 year period
South Australia	Mandatory for dogs and cats by 6 months	No limit found	The owner must not permit a bitch to have more than five litters over her lifetime The owner must not permit a queen to have more than eight litters over her lifetime, and no more than two litters in 12 months SA standards and guidelines for the breeding and trading of companion animals
Tasmania	Mandatory for cats	No policy located	No policy located
United Kingdom	Not mandatory	No policy located	The licence holder must ensure that no bitch— (a) is mated if aged less than 12 months; (b) gives birth to more than one litter of puppies in a 12-month period; (c) gives birth to more than six litters of puppies in total; (d) is mated if she has had two litters delivered by caesarean section. The Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018

Source: State and territory legislature

Pet shop policy

Victoria and Western Australia enforce a rule on pet shops that they can only sell dogs and cats that are being rehomed. NSW and QLD encourage pet shops to form relationships with rehoming organisations (table 3.7).

3.7 Pet shop policies across jurisdictions

State	Policy for rehoming
New South Wales	Encouraged, but not mandatory, to develop relationships with pounds and shelters
Victoria	Can only sell puppies and kittens sourced from a registered pound, shelter or voluntarily enrolled foster carer
Queensland	Encouraged, but not mandatory, to develop relationships with pounds and shelters
Western Australia	Need to be approved and can only sell dogs sourced from a refuge
ACT	No policy
South Australia	No policy
Tasmania	No policy
United Kingdom	No policy

Source:

Registration policy

All jurisdictions require registration for dogs whereas for cats there are considerable differences. Some jurisdictions delegate this decision to local government. NSW is the only state to mandate a one-time only registration, where other jurisdictions require either annual confirmation of details or a recurring payment. Some councils in Western Australia may offer between 1 year and lifetime registration (table 3.8).

3.8 Registration policies across jurisdictions

State	Registration system	Renewal
New South Wales	Required for dogs/cats by the time it is 6 months old	One time only
Victoria	Required for dogs and cats, Mandatory for release from pound	Annual with fee
Queensland	Required for dogs Local council determines for cats	Set by local council, maximum 3 years
Western Australia	Dogs and cats must be registered and microchipped by age of 3 months (dogs) and 6 months (cats) and wear tags in public	Various from 1 year to lifetime
ACT	Mandatory for dogs over 8 weeks old Mandatory for cats from 1 July 2022	No, however details must be confirmed annually

State	Registration system	Renewal
South Australia	For dogs mandatory Cats set by each council	Annually for dogs
Tasmania	Mandatory for dogs, council sets rules for cats	Annually for dogs
United Kingdom	No	n.a.

Source: State and territory legislature

Other relevant arrangements

In addition to the Companion Animals Act, animal welfare is also protected through the *Prevention of Cruelty to Animals Act 1979* (POCTAA) and the *Prevention of Cruelty to Animals Regulation 2012*.

The protections under POCTAA extend to vertebrates, including any amphibian, bird, fish, non-human mammal, reptile, and to crustaceans at places where food is prepared/offered for retail consumption. A distinction is drawn between stock animals, being cattle, horse, sheep, goat, swine, poultry, and domestic animals, being wholly or partly tame animals or animals being tamed to serve a purpose for humans. Stock animals are generally afforded less protection due to a number of exemptions in POCTAA.

Questions for stakeholders

- 6 Are there problems with existing NSW arrangements for rehoming of animals through councils and other organisations?
- 7 What have been the impacts of recent changes made to NSW rehoming legislation?
- 8 Are there aspects of the policies of other jurisdictions as set out in Chapter 3 that are considered best practice?
- 9 What are the different challenges for rural, regional and metropolitan jurisdictions of meeting obligations, given different processes and varying levels of access to services such as vets and rehoming organisations?

4 *Key issues for review*

The data suggests that there are differences in rehoming outcomes for companion animals across NSW and compared to other jurisdictions. In 2020/21, there were about 800 companion animals that were euthanised by councils because they could not be rehomed. There would also be animals euthanised through other organisations that could not be rehomed, particularly cats. There are also a large number of animals whose behaviour is considered unsuitable for rehoming. A key part of our task is understanding the reasons for these differences and the extent to which policies can be adjusted to **reduce unnecessary euthanasia and increase successful rehoming**.

We also expect that the outcomes and policies will be heavily influenced by the broader market for companion animals. In the short term this is likely to include changes in the number of companion animals available for rehoming in response to COVID-19, for example.

Reasons for euthanasia

Evidence available from council and RSPCA reporting suggests that the majority of euthanised companion animals are euthanised because they are unsuitable for rehoming because of their behaviour or medical condition (dogs) or are feral (cats). The number of animals that are indicated as suitable for rehoming that are not rehomed is relatively low, although whether this reflects accurate reporting is not clear.

- In 2020/21, there were 217 dogs and 568 cats that councils indicated could not be rehomed.
- In 2020/21, the RSPCA indicated that there were only 2 dogs that were not categorised as euthanised because of infectious, medical, behavioural or legal reasons). There were 1671 cats in this 'other' category.⁹

This suggests that currently, most dogs deemed suitable for rehoming are being rehomed, subject to whether the categorisation is accurate. There is a gap in rehoming demand for cats.

There are a larger number of companion animals euthanised for behavioural reasons — 1078 dogs and 796 cats from pounds considered unsuitable for rehoming and 872 dogs and 723 cats euthanised by the RSPCA for behavioural reasons.¹⁰ The basis for assessments of suitability will need to be understood further during the Review.

⁹ Note that RSPCA data includes data for some council pounds.

¹⁰ Note that RSPCA data includes data for some council pounds.

The available information does not currently provide a clear picture on other aspects of the euthanasia of companion animals, such as age, breed, desexing status and registration status. Nor does it provide an indicator of the level of success of rehoming. The Pet Registry may provide a better indicator of this through tracing through the characteristics of animals that are impounded (age, breed, desexing status, registration status), and what happens to them post impounding. This will be investigated in the next stage of the Review. Based on our initial review, many animals entering pounds have not likely been recorded as such in the Pet Registry and we may need to match data from council pound management systems with data from the Pet Registry to obtain a more complete picture of outcomes for different animals.

10 What are possible approaches and datasets available to understand in detail the reasons for surrender and seizure of cats and dogs and the reasons for euthanasia of animals? Would your organisation be willing to engage with us to obtain more detailed data about animals entering your facility?

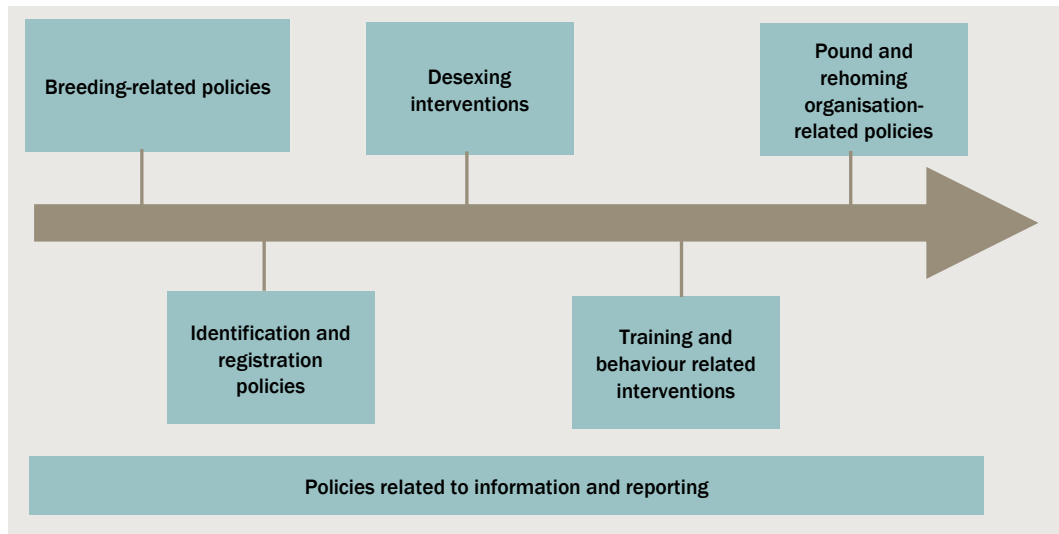
11 Is the evidence shown in this paper representative of the size of the problem in relation to unnecessary euthanasia of companion animals, or are there issues with categorisation of reasons?

12 How objective or subjective are assessments of behaviour and medical reasons for euthanasia, as well as assessment of whether cats are feral?

What interventions best address the reasons for euthanasia of companion animals?

NSW has a range of different policies in place in comparison to other jurisdictions (chapter 3). Our expectation is that different outcomes for surrendered animals could be driven by policies across different stages of an animal's life, from breeding to training to impounding (chart 4.1). Given a large part of euthanasia is indicated for behavioural reasons, interventions that influence animal behaviour may make a larger difference than interventions at the pound.

4.1 Policies impacting at different stages of an animal's life



Data source: The CIE.

Within the broad legislative framework, there are various strategies that councils can use to reduce euthanasia rates for impounded dogs and cats. For example, Rand et. al. (2018) identified the following strategies used by councils in Victoria.¹¹

- Reducing animal intake — strategies used by Victorian councils to reduce animal intake included:
 - Promoting responsible pet ownership through:
 - ... local newspaper, social media, pet expositions and school visits
 - ... training programs and information seminars
 - Returning roaming animals directly to owners
 - Escalating fines for owners with repeatedly wandering animals
 - Subsidised sterilisation programs
 - Offering alternatives to surrender
 - Slowing intake when at or near capacity
- Increasing animal reclaim rates — strategies used by Victorian councils to increase animal reclaim rates included:
 - Increasing animal identification through:
 - ... micro-chipping events to increase the number of animals with microchips and the accuracy of the owner contact details
 - ... compliance monitoring to increase current registrations using ‘door-knocking’
 - ... targeted compliance monitoring to people where registration for an animal has not been renewed
 - ... utilising microchip registry data to extract the details of owners of animals living in postcodes within the LGA and identify those without current registration

¹¹ Rand, J. Lancaster, E. Inwood, G. Cluderay, C. and Marston, L. 2018, “Strategies to Reduce the Euthanasia of Impounded Dogs and Cats Used by Councils in Victoria, Australia”, *Animals*.

- ... informing owners via telephone, email or SMS of the overdue renewal
- ... advertising an amnesty period during which owners could register their animals without penalty, prior to door-knocking
- ... offered to check microchip details when door-knocking for compliance checks.
- Advertising stray animals, using: the council website, Facebook, the local newspaper, rescue group websites, brochures at veterinary clinics, or on a community app.
- Extended holding and reclaim rates through:
 - ... allowing pick up of wandering animals over weekends and until 8:30 pm on weekdays
 - ... identifying stray animals held at council offices until the evening, before being transferred to welfare agency, to facilitate contacting owners and reclaim of animal.
- Increasing rehoming rates — strategies used by Victorian councils to increase rehoming rates included:
 - Vaccination protocols, including:
 - ... routine vaccination of dogs and cats within 48 hours (depending on veterinarian’s ability to attend the shelter)
 - ... other treatments as required, including: parasites (fleas, worms, mites, ringworm/mange), kennel cough (dogs), cat flu (cats), trimming nails, clipping matted fur, treating cuts/abrasions, wounds and treating animals in pain.
 - Encouraging finders of stray animals to adopt them if unclaimed
 - Programs in full-service facilities included:
 - ... animals available for adoption advertised on social media, council websites, newspapers
 - ... reduced adoption fees for older animals
 - ... free registration for the remainder of the year for animals adopted from facility
 - ... working in collaboration with rescue organisations
 - ... volunteer programs (where volunteers were tasked with: walking, grooming and feeding animals and assessing their suitability for adoption)
 - ... utilising fostering programs through rescue groups or veterinary clinics
 - ... accepting public donations of food, bedding, blankets and toys
 - ... training program for adoption staff
 - ... formal rehabilitation program to improve the adoptability of animals
 - ... adoptions through local pet shops
 - ... adoptions through local veterinary clinics
 - ... special induction/education building with room set up with a couch in home-like setting for prospective adopters to bring children and other pets to meet animals.

These types of interventions could also be considered in NSW.

- 13 What companion animal interventions have proven successful in your view in reducing unnecessary euthanasia and increasing successful rehoming of companion animals in NSW and elsewhere?
- 14 What changes could be made to NSW legislation and regulations to further reduce unnecessary euthanasia of companion animals?
- 15 What other programs or interventions could be undertaken that could further reduce unnecessary euthanasia of companion animals?
- 16 Are there other changes outside of companion animal interventions that could reduce unnecessary euthanasia, such as strata rules for pets?

What are the costs and benefits of possible interventions?

The Review will explore a range of possible interventions to reduce unnecessary euthanasia and increase successful rehoming of companion animals. These will be examined in terms of how effective they are expected to be in achieving these outcomes and in terms of their costs and benefits to the NSW community.

The types of costs and benefits that are likely to be relevant are set out in table 4.2. Whether these can all be measured will need to be determined, but we anticipate that some of the benefits will be difficult to measure.

- 17 Are there other costs and benefits not identified in this paper that we should be considering as alternative interventions are examined?
- 18 Are there sources of evidence that you can provide that can assist in measuring the identified costs and benefits? This could include community surveys of attitudes to companion animal euthanasia and costs of rehoming of animals, for example.
- 19 Are there interventions that the Review should investigate that could reduce the costs of rehoming of animals?

4.2 Types of costs and benefits of interventions to reduce unnecessary euthanasia

Benefits	Costs
Benefits of rehomed companion animals to their new owners	Costs to councils of arrangements, such as costs for locating owners, housing of animals, registering, desexing, advertising
Reduced costs of euthanasia of animals	Costs to other organisations of rehoming, such as costs for housing of animals, registering, desexing, advertising
Community value of reduced unnecessary euthanasia of companion animals	Costs of programs such as desexing programs, training programs
Reduced impacts on health and wellbeing of shelter staff	Costs of incidents involving companion animals that are rehomed such as dog attacks or native wildlife impacts of feral cats
	Administrative costs of arrangements, such as data collection and reporting

Source: The CIE.



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