

South Australia

yourSAy: Clarifying current cat management laws

RE: Dog and Cat Management (Cat Management) Amendment Bill 2024

Animal Defenders Office responses

The feedback process regarding the proposed amendments to the Dog and Cat Management Act 1995 demonises cats and makes them the scapegoat for the perilous plight of our native wildlife. The images of cats used in the document titled 'Proposed amendments to the Dog and Cat Management Act to improve cat management. Explanatory Guide' support this one-sided view of cats, as does the short title of the Guide ('Explanatory Guide to Feral Cats'). In reality, the threats to native wildlife are varied, complex, and largely anthropogenic.

One of the main problems regarding the oversupply of domestic cats is the ability to breed cats. The amendments do nothing to control the cat breeding industry. It defies common sense to decry the impact of cats on our natural environment but to allow the breeding of cats to continue at current levels.

Allowing persons to kill or injure cats will inevitably cause harm to these animals as the manner of killing or injuring the cats will be completely unmonitored. It will be impossible to determine whether the killing or injuring of the animal breaches the Animal Welfare Act 1985 (SA) and especially s13(3)(c) (a person ill treats an animal if the person, having caused the animal harm (not being an animal of which that person is the owner), fails to take reasonable steps to mitigate the harm), s13(3)(g) (a person ill treats an animal if the person kills the animal in a manner that causes the animal unnecessary pain), and s13(3)(h) (a person ill treats an animal if the person, unless the animal is unconscious, kills the animal by a method that does not cause death to occur as rapidly as possible). These are recognised animal cruelty offences under existing SA law and yet there will be no way to monitor compliance with these anti-cruelty laws regarding cats killed or injured by members of the public under the amendments such as proposed s63(1)(c) or potentially under proposed s63(1)(h) (depending on the content of the regulations). Furthermore it is not clear whether the proposed s63(1)(c) will allow a person to kill or injure their own cats as their own cats will ordinarily be found in or near the place of residence owned or occupied by the person, and the proposed s63 ('Power to destroy cats') applies to 'a cat' ie any cat.

We do not support 24/7 cat containment. Proposals to contain cats usually refer only to supposedly positive consequences of cat containment for the cats themselves, such as 'allowing beloved cats to live a longer, healthier life'. Health and longevity are important, but they do not equate to an animal's 'wellbeing'. Animal welfare strategies typically consider aspects of naturalness a fundamental element of animal welfare, yet the lack

of 'aspects of naturalness', or 'natural living' when cats are contained is rarely considered. Respected veterinarian Dr Michael Archinal has observed that: "There are many cases where it [ie containment] is actually detrimental to the health of the cat rather than being beneficial... also more and more we are recognising depression and anxiety in our pets and this is often because of a lack of environmental enrichment. We have great concerns about cats being totally confined to the house (where) there is a total lack of environmental enrichment for the cat especially with people being away for extended periods of time. It is not fair for the cat and it is not appropriate." We also note that cats are less domesticated than other domestic animals such as dogs. In other words, they are closer to being wild animals than dogs are. This should be taken into account when considering cats' overall wellbeing in the context of cat containment. If an animal will suffer because he or she is deprived of opportunities to perform natural behaviours, and suffer mental distress through frustrated instincts and lack of stimulation, then as a general principle containment or captivity of that animal, including cats, should be avoided as a blanket or permanent requirement.

4 September 2024