

# CLASSIFICATIONS OF CATS: WHY DEFINITIONS MATTER



- 1. Background to the regulation of cats**
- 2. Why definitions matter**
- 3. How cats are defined in Australia**
- 4. Problems of this approach**
- 5. Improving the regime**

# 1. BACKGROUND TO REGULATION OF CATS IN AUSTRALIA

**Arrived in 1788**

**Valued for their companionship and  
ability to control rats and mice**

*Rabbit Nuisance.*

31. The Governor may from time to time by Proclamation declare any animal to be a natural enemy of the rabbit and prohibit within certain proclaimed districts the killing or capturing of any such animal without a special permit in that behalf and may from time to time alter and revoke any such Proclamation.

32. Any person capturing or selling or disposing of or killing any animal so declared to be a natural enemy of the rabbit without permit signed by an inspector so to do or in whose possession or on whose premises any such animal shall be found by any inspector or by any constable unless such person shall prove that the animal so killed or sold or in his possession was lawfully in his possession or that the same was on his premises without his knowledge or consent shall be liable to a penalty of not less than two nor more than ten pounds.

33. Any person who shall falsely represent himself to be or shall personate an inspector or a person authorized by an inspector under this Act in any manner whatsoever shall be guilty of a misdemeanor and shall on conviction be liable to be imprisoned with or without hard labor for any period not exceeding twelve months and shall in addition to such imprisonment be liable to forfeit and pay a penalty of not less than twenty pounds nor more than one hundred pounds.

34. If any person not being an inspector or a person authorized in writing by an inspector or an owner acting under the provisions hereof shall trespass upon any private land for the apparent purpose of destroying rabbits thereupon he shall be liable to a penalty of not more than ten pounds.

35. Any person who shall wilfully assault obstruct hinder interrupt or mislead or cause to be assaulted obstructed hindered interrupted or misled any inspector or any person authorized in writing by an inspector or any owner in the exercise of any power or authority vested in him by this Act whilst in the performance or execution of his duty under this Act shall for every such offence if not otherwise specially provided for be liable to a penalty not exceeding twenty pounds and

New South Wales  
Government Gazette Thu  
19 Apr 1883 [Issue No.151  
(VICTORIAE REGINAE).

XIV.

An Act to provide for the  
Abatement of the Rabbit  
Nuisance. [Assented to,  
14th April, 1883.] From

“Trove” site of the  
Australian National  
Library

## Regulatory Impasse

- ▶ Cats implicated in the extinction of 14% of the world's “native bird, mammal, and reptile species”
- ▶ But predation by feral cats is only one of multiple reasons why species become extinct
- ▶ RSPCA - there are three objectives relevant to cat management: welfare of cats; reduce public nuisance; reduce impact on wildlife
- ▶ Yet, management of cats largely framed as an environmental issue, making cats “killable”



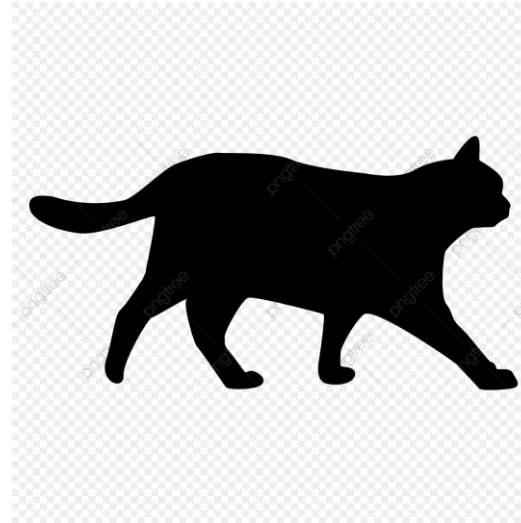
## 2. WHY DEFINITIONS MATTER

- ▶ Triggers and parameters for regulation
- ▶ Short-cut to decision making
- ▶ Create meaning of how a problem and its solutions are perceived

### 3. HOW ARE CATS DEFINED IN AUSTRALIA



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Range of terminology, including feral, restricted matter, a threatening process, pest, nuisance, stray, unowned, unidentified, unclaimed, surrendered, abandoned, unwanted, semi-owned, identified, owned and domestic.

NSW Scientific Committee, Predation by Feral Cats, Threatening Process Listing (2000) parag 2 defines domestic, stray and feral cats

Model Code of Practice for the Humane Control of Feral Cats (2012), defines domestic, stray and feral in context of pest species

Threat Abatement Plan for Predation by Feral Cats 2015 (CTH) p7 defines domestic stray and feral cats

Cat Management Act 2009 (Tas) s 4 defines feral/stray cats

Cat Act 2011 (WA) ss34, 49 uses terms, unidentified, unclaimed and feral cats, but not defined

ACT Pest Animal Management Strategy, 2012-2022, p 70 uses terms, domestic, stray and feral

Tasmanian Cat Management Plan, 2017-2022, page 2 feral, stray, domestic defined,



## Restricted Matter

*Biosecurity Act 2014* (QLD), s 21 restricted matter, schedule 2, category 3, 4, 6, applies to cats, other than domestic cats

Biosecurity plans, eg *Brisbane City Biosecurity Plan* p7 feral cats identified as a pest, defined as a cat other than a domestic cat

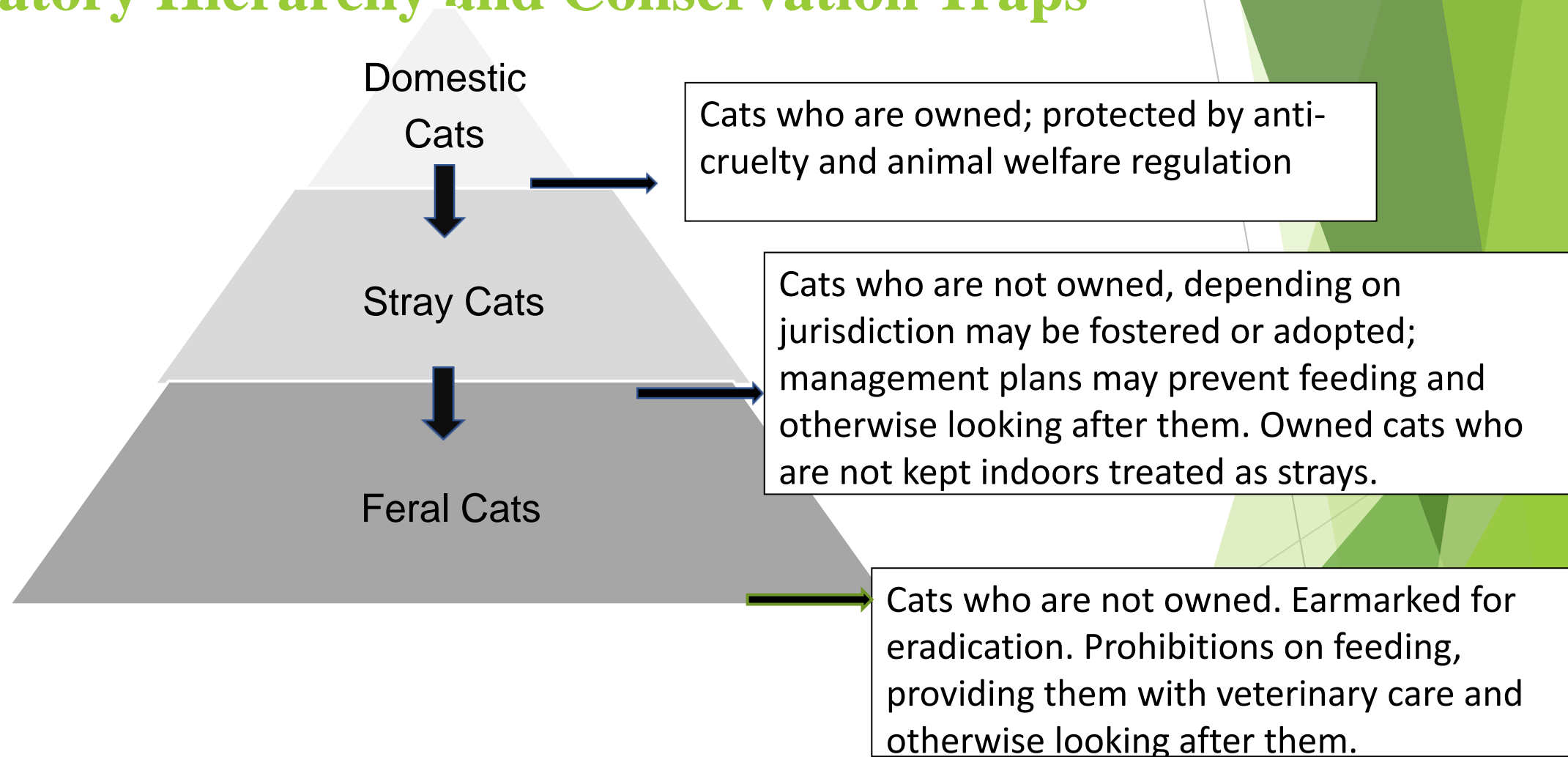


## *Threat Abatement Plan for Predation by Feral Cats*

- *feral cats* are those that live and reproduce in the wild (e.g. forests, woodlands, grasslands, deserts) and survive by hunting or scavenging; none of their needs are satisfied intentionally by humans;
- *stray cats* are those found in and around cities, towns and rural properties; they may depend on some resources provided by humans but are not owned; and
- *domestic cats* are those owned by an individual, a household, a business or corporation; most or all of their needs are supplied by their owners.

## 4. PROBLEMS OF THIS APPROACH

### Regulatory Hierarchy and Conservation Traps



# Two Examples (1) Queensland Biosecurity Act

- ▶ Stray or Feral?
- ▶ Prohibitions and offences for dealing with feral cats, no feeding, caring or veterinary treatment
- ▶ Illegality of non-lethal measures, such as Trap Neuter Return
- ▶ Biosecurity Regulation 14 - research involving stray or feral cats is prohibited unless the end-point is death or a special permit has been obtained.
- ▶ Flow on effect to local government plans



## Two Examples (2) Cat Curfews

- ▶ Domestic cats treated as strays
- ▶ Animal protection organizations support cat curfews, but have reservations concerning animal welfare and the fact that the public needs time and assistance to become accustomed to the laws.
- ▶ Use of Cat Traps
  - ▶ Minimal advice on animal welfare issues
  - ▶ May burden animal welfare organizations
  - ▶ How are guidelines policed and enforced?
  - ▶ Compare - California Food and Agriculture Code, Division 14.5, Regulation of Cats [31751-31765] §31752.5,
- ▶ Operation of the regulations across the spectrum of society





## 5. IMPROVING THE REGIME

Modifications needed to the detail of programs

- ▶ Reliance on ownership as a categorisation
- ▶ Reliance on categories for control and eradication measures

Zito et al

Legislation requiring sterilisation, identification and cat curfews will only have an impact on the owned cat population and then only with the compliance of owners. Strategies [based on]... euthanasia... may be ineffective for semi-owned cats as the success of these programs is dependent on community support. Cat caretakers, such as semi-owners, are unlikely to support such programs. . . .