



for all creatures **great & small**



Submission: 2021/2022 State Budget

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1. Executive summary

Preparation of the state budget each year provides the government with the opportunity to reaffirm their commitment to community priorities.

Community demands for better animal welfare are in line with independent survey results show most Australians believe animal welfare is important to them.

We know we speak for the majority of Tasmanians when we say animal welfare should be a high priority for the state government.

This document sets out six actions the RSPCA believes are essential to ensure improved animal welfare outcomes in Tasmania. These initiatives are a blend of recommended actions that will improve the lives of many animals, foster innovation, and support regional communities.

All have real, measurable benefits to the community, and can assist in economic recovery and resilience as together, we work through the COVID-19 pandemic.

These six actions will enable us to continue to meet the increasing demands of the Tasmanian community for better animal welfare.

Initiative	Cost 2021/2022	Total Cost (over 3 years)	Agency
Facilitating RSPCA capacity to assist in the implementation of the Cat Management Act	\$220,000	\$220,000	DPIPWE
Enabling the RSPCA Inspectorate to deliver improved animal welfare outcomes	\$720,000	\$2,160,000 + CPI	DPIPWE
Establishment and management of a Tasmanian dog breeder register to address (among other things) puppy farming and online pet scams	\$150,000	\$450,000	DPIPWE Consumer Affairs
Delivery of the RSPCA AWARE program to every primary school in Tasmania to improve knowledge, skills and understandings around improving the welfare of all animals	\$150,000	\$450,000	Education DPIPWE
Organisation and delivery of an Animal Welfare Symposium in 2022	\$75,000	\$75,000	DPIPWE
Support the establishment and management of a Safe Beds Program.	\$50,000	\$150,000	Communities DPIPWE

2. From the CEO

Community trust and respect for our work, along with sound scientific evidence, is the foundation on which the RSPCA is built.

The community respects our knowledge of animal welfare, which is grounded in science and based on experience. In the 143 years since the RSPCA was established in the state, we have helped thousands of animals in need in all kinds of situations: in homes, backyards, on farms, in the wild and at sporting arenas.

During the past three years, RSPCA has:

- Investigated over 25,000 reports of animal cruelty;
- Provided care for more than 6670 animals; and
- Delivered information to thousands of people on animal welfare, responsible animal care and pet ownership through school, community and online education.

Animals play a central role in the lives of many people. Most Tasmanians, whether they live in suburbia, rural properties, or in regional towns, say animal welfare is important or extremely important to them.

Our role is to act as a conduit for the community's concerns about animal welfare, to ensure those concerns are heard by our State's decision makers.

On that basis, RSPCA is calling on the state government to show the people of Tasmania that they care for and support the welfare of all animals in our community.

This document sets out our priority expectations for funding in the 2021/2022. We urge our elected representatives to recognise these projects in developing a forward plan for Tasmania.



Jan Davis
CEO



3. About RSPCA Tasmania

The Royal Society for the Prevention of Cruelty to Animals Tasmania (RSPCA) is a not-for-profit non-government organization that cares for, treats, protects, and rehomes animals across the state. We have been working to improve the lives of animals in this state since 1878.

As a charity, we strive to maintain an open-door policy, so no abandoned, neglected, injured or surrendered animal is turned away or forgotten. Along with cats and dogs, the RSPCA provides assistance to a wide range of other animals, including horses, rabbits, guinea pigs, birds, goats and sheep.

The community respects our knowledge of animal welfare, which is grounded in science and based on experience. In the 143 years since the RSPCA was established in Tasmania, we have helped thousands of animals in need in all kinds of situations: in homes, backyards, on farms, in the wild and at sporting arenas. Community trust and respect for our work, along with sound scientific evidence, is the foundation on which the RSPCA is built.

With an ultimate goal of improving animal welfare education and keeping people and animals together, we acknowledge the crucial role of humans in keeping our animals safe.

We not only serve animals in need, but also owners and carers who require guidance and support through education and assistance in relation to domestic violence, aged care, homelessness, mental health, and more.

Animals deserve our protection and respect – they make our lives full and remind us what it means to live humanely.

- Our Animal Care Centre (ACC) at Devonport is dedicated to caring for, rehabilitating and rehoming animals.
- Our Animal Retail Centres (ARCs) in Launceston and Hobart are our bases in the community. Animals are surrendered and rehomed through these centres; owners can access advice and supplies for their companion animals; and our ARC teams assist with local microchipping and education activities in their communities.
- Our Inspectorate operates under delegated powers from the state government to investigate and prosecute instances of alleged animal cruelty. This team is supported by a national call centre equipped to handle cruelty reports.
- Our team of dedicated volunteers assists across all our activities. They serve on our board; they care for animals in our ACC and ARCs; they organise fundraising events; and they support us in many other activities. We could not do what we do without these wonderful people.
- Supporting our frontline teams, we have a group of dedicated professionals working across many areas – including fundraising and marketing, policy and advocacy, volunteer organisation, project delivery and – last but not least – our administration team who answer the phones and keep the lights on.

4. Animal welfare in Tasmania

The RSPCA and the Department of Primary Industries Parks Water and Environment (DPIPWE) are jointly responsible for undertaking investigations and enforcement action with respect to issues under the *Animal Welfare Act 1993*.

RSPCA and Biosecurity Tasmania (DPIPWE) supplied data for the last reporting period (1 July 2019 to 30 June 2020) to a recent meeting of the Animal Welfare Advisory Committee.

In summary, this data showed:

- The majority of complaints related to companion animals. However, that is not necessarily indicative of the seriousness of the complaints;
- Geographically, the location of complaints is commensurate with the species trends ie the areas with the most complaints tend to be around human population centres which are areas where a higher population of companion animals could be expected;
- In terms of outcome, only very few matters are of a nature that require penalties, and then even less that require significant penalties;
- In most circumstances, issues can be and are resolved through the work of the officer attending to it; either by educating or instructing owners or those with care and charge to take action;
- Compared to the previous period (2018/19) there was a 16.5% increase in complaints, primarily related to companion animals; and
- The influence of the COVID-19 pandemic became apparent in the last quarter of the period, at which time there was a slight reduction in complaints.

The total reports of animal welfare issues across the state for financial year 2020/2021, split by response agency, are shown in the chart below. The total number of complaints received in the period was 2,357 (compared to 2,023 in the previous year, which represents an increase of 334 (16.5%).

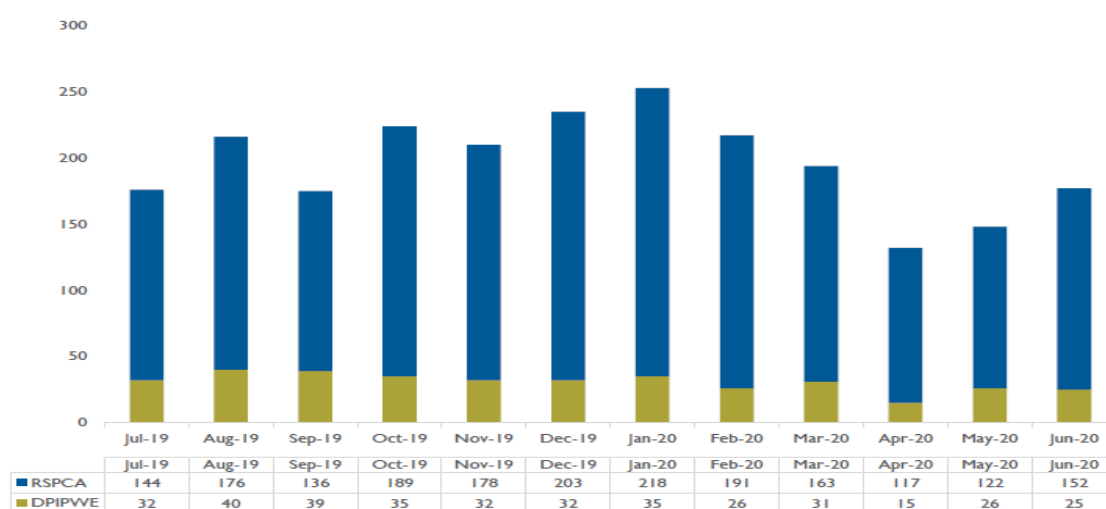


Chart 1: Reports of animal welfare issues 2019/2020

Chart 2 shows the scope of alleged issues dealt with in the 2019/2021 ear. The categories of complaint are those employed by RSPCA inspectorates nation-wide, and they do not always directly align to a single section/regulation of Tasmanian legislation.

DPIPWE data is not included in this chart. However, given the majority of matters come through RSPCA to DPIPWE, the relative proportions of types of matter are reasonably representative.

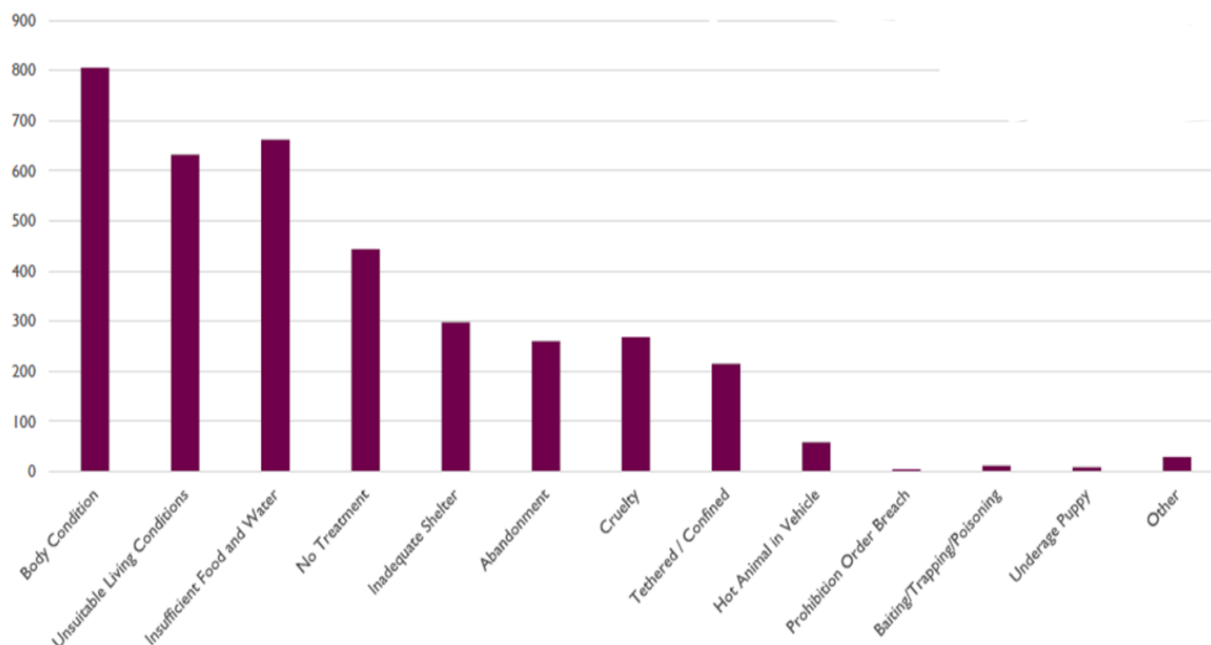


Chart 2: Alleged animal welfare issues 2019/2020

The next chart shows that the majority of outcomes were dealt with at the ‘lower’ end of the compliance spectrum. Outcomes classified as ‘other’ might be reports where no issue existed, or where compliance was successfully achieved without penalty. Obviously, this data reflects only situations where formal reports were made. It also is restricted to outcomes achieved within the reporting period (ie matters ongoing past 30 June 2020 are not included).

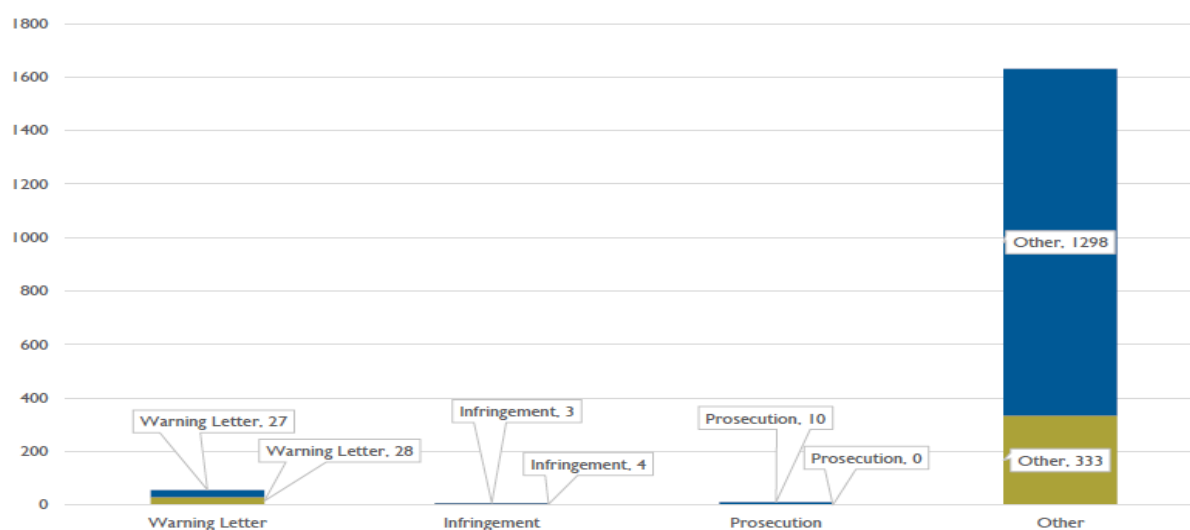


Chart 3: Outcomes of animal welfare reports 2019/2020

Chart 4 shows that species that attracted the largest number of complaints related to dogs, with cats being the next largest category.

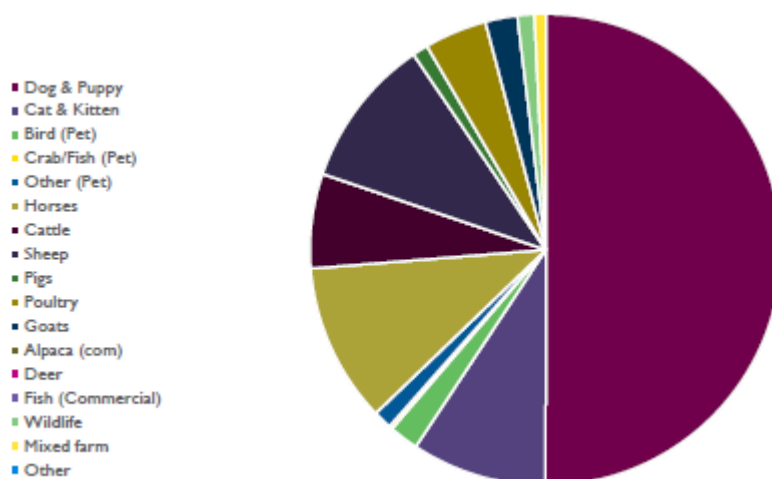


Chart 4: Animal welfare reports by species 2019/2020

Chart 5 shows locations of reports received. It is not an indication of outcome, i.e. proven offence, or of species involved.

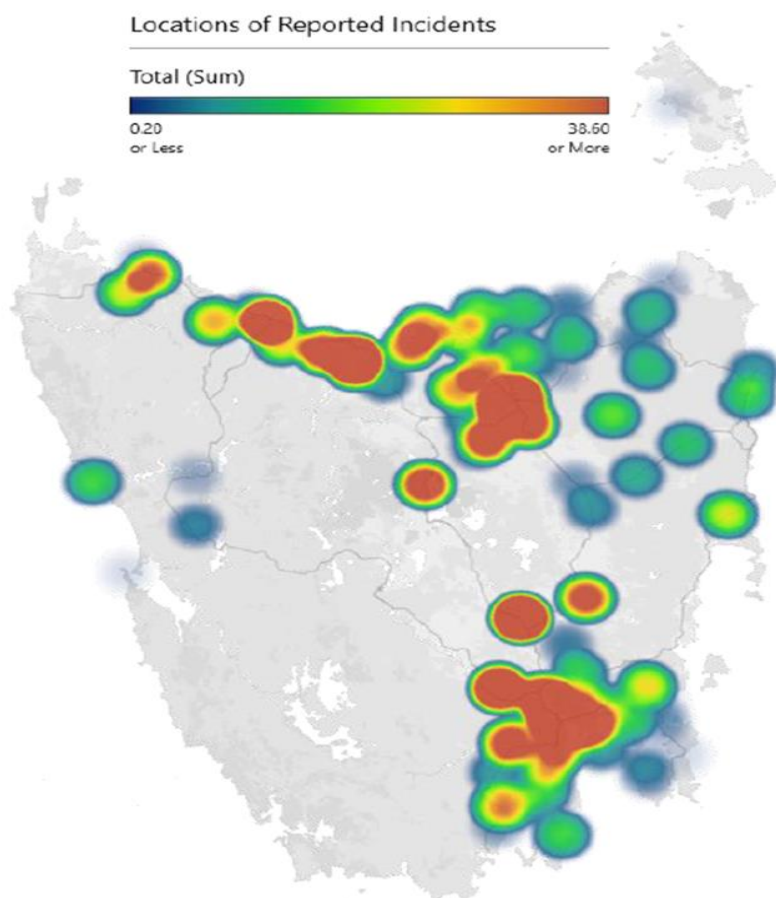


Chart 5: Animal welfare reports by location 2019/2020

5. Budget initiatives

5.1 Cat management

Cats are present throughout Tasmania, as domestic pets, free-living strays, and as feral animals. As pets, cats are wonderful companion animals and have a range of health benefits for their owners. However, cats are also a nuisance in our community and have serious impacts on our agriculture and wildlife.

As a result, in consultation with key stakeholder groups, the Tasmanian government has developed the Tasmanian Cat Management Plan 2017-2022. Amendments have been made to the *Cat Management Act 2009* to reflect recommendations for regulatory change in the Plan.

As of 1 March 2021, cats may be trapped and taken to a cat management facility (or a nominee of a cat management facility). Cat management facilities may also receive surrendered cats from owners who can no longer care for their cat. This has been a very positive step for the management of the issue of stray and feral cats in Tasmania.

However, organisations nominated as cat management facilities have obligations under the Act which result in significant expectations from both the government and the wider community.

As yet, there has been no funding available to assist in delivery of the program or in meeting these obligations. This is placing a significant burden on nominated cat management facilities, including the RSPCA.

Without appropriate resourcing, the RSPCA will be unable to continue to provide services to deliver on the government's commitments with respect to managing stray and federal cats.

However, as the only state-wide organisation involved in the on-ground delivery of the cat management program, the RSPCA is ideally placed to coordinate the collection, receipt and transport of surrendered and trapped cats to a cat management facility.

There is also little coordination or understanding by the public of any system for the management of trapped or unwanted cats. The RSPCA believes there is a need for a broader public awareness campaign, guided by good research, to improve awareness and understanding of the new system for cat management under the Cat Management Act.

The RSPCA is seeking funding of \$220,000 to support its role in the implementation of the Cat Management Act.

The funding will be used to assist RSPCA to:

- develop a centralised state-wide Cat Management Facility which will provide improved infrastructure to house and manage cats brought and surrendered to the RSPCA under the Act;
- set up and maintain a system for the co-ordination of the management of trapped and surrendered cats across the state, including transport logistics; and
- undertake surveys and other research to guide a public awareness campaign aimed at improving understanding of the Cat Management Act and the role of Cat Management Facilities.

5.2 RSPCA Inspectorate

The scope of work undertaken by the RSPCA Inspectorate is outlined in section 3 above.

RSPCA Inspectorate staff are highly qualified experts in their area, and no other organisation in Victoria is as well equipped to deal with animal cruelty reports. Therefore, focus should be placed on expanding the resources of the Inspectorate, both through increases in funding and through expanding on links with other enforcement agencies, such as Biosecurity Tasmania and Tasmania Police

In 2013, the Parliamentary Standing Committee of Public Accounts found that the level of funding to the RSPCA to run the Inspectorate service was inadequate given government expectations of the organisation. The Inquiry noted that the RSPCA was bearing the cost of administering government legislation and was not being sufficiently remunerated for the cost of doing so.

In 2018, the government increased Inspectorate funding from \$400,000 to \$550,000 pa. However, there is no provision for annual CPI increases to this funding and so the level of funding has remained unchanged since. Furthermore, the funding provided is not directly related to level of services required and provided.

This amount does not cover the costs of addressing current demands on the service, let alone provide scope for expansion of activities into new areas (eg puppy farms) or proactively enforce existing regulations (eg regular inspections of breeding establishments). Activities outside the current funding envelope are underwritten by the RSPCA from donations and other fundraising activities.

The RSPCA challenges the premise that our organisation has any responsibility to fund enforcement of the Government's legislation. We consider the current arrangement to be an outsourcing contract for DPIPW. The RSPCA provides this service to government at a much lower cost than government would incur in providing a similar level of services internally, and certainly considerably less than the cost of any private company providing a comparable level of service.

Within current funding and resourcing levels, RSPCA has a number of concerns about the level of Animal Welfare Act enforcement possible, including:

- the safety of our inspectors who operate as lone workers;
- inadequate servicing of rural areas;
- restricted capacity to handle large or complicated prosecutions; and
- limited ability to change illegal behaviours through education rather than prosecution.

The RSPCA has actively pursued efficiencies in operations and cost reduction strategies. However, as an agent of the government in enforcement of the Animal Welfare Act, we would also seek assistance from the government with investigating other cost reduction opportunities.

These opportunities include, but are not limited to:

- access to government procurement contracts (vehicles, equipment etc)
- access to government communications systems including the GRN network
- support for legislative reforms that would improve the efficiency of the legal process.

Another concern relates to organisational capacity limitations facing the RSPCA in enforcing the Animal Welfare Act where it becomes embroiled in significant and complex prosecutions.

As a corporate entity, the RSPCA operates within finite financial resources. In this respect, it is different from other bodies who are responsible for commencing summary public prosecutions, such as Tasmania Police or DPIPWE. Although budget limitations restrict all prosecuting authorities, those government departments operate with a degree of security knowing that ultimately any significant costs incurred in relation to a particular matter will be covered by the state government. The RSPCA does not enjoy that same comfort.

A defendant will not be denied costs simply because the RSPCA is a benevolent, not-for-profit organisation engaging in public interest litigation. In fact, costs awarded against the RSPCA in pursuing welfare prosecutions have to be funded from organisational fundraising efforts – and this is an unacceptable risk.

A further complication arises from the fact that, in an increasing litigious society, defendants may choose to launch civil proceedings, seeking in detinue costs against the RSPCA itself and also criminal charges, personally against inspectors and veterinarians who work for the society, for actions undertaken during the course of their employment.

Clearly, without the support or guarantee of government backing, financial constraints might potentially have a very real impact on the exercise of prosecutorial discretion. Quite simply, the RSPCA may have to choose not to proceed with a prosecution of a worthy case if the risks of an adverse finding and costs would decimate the organisation's financial position

The RSPCA therefore proposes that the government provide a guarantee for significant costs incurred in relation to matters where costs are awarded against RSPCA or where civil actions are instigated in relation to prosecution cases or seizure of animals under animal welfare legislation.

Governments are charged with providing services required by the community, and there is a clear expectation by the Tasmanian public that more, not less, needs to be done to protect animals in this state.

The RSPCA is seeking an increase in the funding for the RSPCA Inspectorate from \$550,000 to \$720,000 per annum, and for the funding to be indexed annually to keep pace with the CPI.

The funding will be used to assist the RSPCA to:

- appoint another inspector to ensure two inspectors are available in each of the north, north-west and southern regions of the state;
- ensure inspectors can operate two-handed in high-risk situations;
- upgrade safety equipment and systems for inspectors in the field;
- upgrade web-based reporting and case management systems; and
- facilitate expanded co-operation between the RSPCA Inspectorate and other agencies.

5.3 Dog breeder register

Pet shelters across Australia have been emptied after a huge surge in demand for pet companions during the Covid-19 pandemic. At the same time, there has also been a significant decrease in pets available for private sale.

This has forced prospective owners to desperate measures to find a furry friend. As a result, “puppy scams” have become a significant issue across Australia.

More and more people have been defrauded by online scammers preying on the increasing demand for pet companionship during COVID-19. Predatory people are offering dogs (and, in some cases, other animals) for sale that do not exist. People end up falling in love with photos of pets on the internet and eventually paying large amounts of money for animals that do not exist.

These offenders target the emotions of victims in much the same way as romance scams, and so it is often vulnerable people who least can afford the financial losses and emotional stresses that are targeted.

According to the Tasmanian police, 11 Tasmanians lost over \$35,000 to puppy scams just in the first 9 months of 2020. Yet what we have seen publicly so far is only the tip of the iceberg. The RSPCA takes at least one a call a day from members of the public concerned about a possible puppy scam. As dogs become harder and harder to obtain, this problem will worsen.

Other jurisdictions have recognised the seriousness of this issue and are taking steps to deal with it. As regulations elsewhere are tightened up, scammers are now focussing on Tasmania.

Coupled with the issue of scammers is the problem of puppy farming, which is also seen as a major animal welfare issue across Australia.

The main welfare problems associated with puppy farms include the impacts of extreme confinement – in some cases breeding animals may never be allowed out of their cage to exercise, play, socialise, have companionship, or even to go to the toilet.

The health of the breeding animals is also a major concern in that they may be forced into having many litters in a very short time.

Managing these operations is challenging – not least because there is no agreed definition of what puppy farming actually is. While the standards of welfare of dogs on puppy farms may be illegal under animal cruelty standards set out in legislation, puppy farming itself has not been considered illegal as a practice in the past.

There are major impediments to investigating and prosecuting puppy farming including:

- An inability to locate puppy farm facilities. The lack of legislation requiring breeder identification means that locating puppy farms is difficult.
- In order to remain inconspicuous, puppy farmers use many avenues of sale including the internet, newspapers, markets and direct delivery to buyers. To locate these facilities, animal welfare inspectorates such as the RSPCA must often rely on complaints from the public who have seen them first-hand. However, puppies are often delivered directly to prospective buyers so that the locations of breeding facilities remain hidden.
- Legislation although requiring registration and microchipping of dogs and cats, does not specifically regulate their breeding,

Some jurisdictions are leading the way in addressing the problem of puppy farming.

The Queensland Government has introduced new laws that will promote the responsible breeding of dogs including a requirement that all dog breeders be registered on the Queensland Dog Breeder Register.

The Victorian Government has introduced the Domestic Animals Amendment (Puppy Farms and Pet Shops) Act 2017 aimed at reforming the dog breeding and pet shop industries in Victoria and better regulate the sale of cats and dogs.

The Tasmanian public is no less concerned. It is time for the Tasmanian Government to show the same leadership on this issue as its interstate counterparts.

RSPCA is seeking the development of a Tasmanian Dog Breeder Register for the buying and selling of all dogs and puppies, similar to the system developed in Queensland. Such a system would aid in the prevention of the establishment and operation of puppy farms, help stop puppy scammers, and discourage “backyard breeders” with low animal welfare standards who consider profit over welfare.

The Register would provide a tool for the monitoring and enforcement of the Animal Welfare (Dogs) Regulations 2016, a resource to monitor online platforms for instances of puppy scamming, illegal transfer of animals etc. It would also provide a trusted source of information for people looking to buy a dog.

RSPCA is ideally placed, in collaboration with the Tasmanian government, to develop and manage this register.

The RSPCA is seeking funding of \$450,000 (\$150,000 over 3 years) to support the establishment and management of a Tasmanian dog breeder register.

The funding will be used to assist the RSPCA to:

- develop and establish the Tasmanian Dog Breeder Register;
- establish an on-line ‘inspectorate’ team to monitor and police advertisements, and ensure all standards and requirements are met with respect to on-line selling of dogs and other pets; and
- work co-operatively with other Tasmanian agencies and other state jurisdictions to prevent puppy farming operations and cross-border scams.

5.4 The RSPCA Aware Program

Education is the key to lasting change. The RSPCA AWARE program aims to help young people develop responsible and caring behaviour towards animals, preventing cruelty and neglect in the long term.

RSPCA AWARE (*Animal Welfare: Awareness, Responsibility, Education*) provides paper-based and digital resources for educators, students and parents to help young people develop knowledge, skills and understandings around improving the welfare of all animals – companion animals, farmed animals, and wildlife.

The RSPCA AWARE Kids Education Portal is a unique online education resource. The portal has been designed to support children’s learning about animal welfare and responsibility towards animals, whilst developing children’s respect, understanding and compassion for all living creatures

The RSPCA AWARE Teachers’ Portal is designed for primary school teachers. The portal provides innovative teaching and learning resources on animal welfare that are aligned with the Australian curriculum and fit easily into classroom programs.

Ongoing funding is needed to ensure that the program:

- is economically sustainable;
- has a long term impact on the welfare of animals in Tasmania;
- has broad reach from cities into regional and remote parts of the state; and
- contains fresh resources promoting animal welfare to every child and educator in Tasmania.

The RSPCA is seeking funding of \$320,000 (\$120,000 in year 1 and then \$100,000 pa over 2 years) to support delivery of the RSPCA AWARE Program.

The funding will be used to assist the RSPCA to:

- facilitate production of collateral and accessible website resources for students, educators and parents;
- co-ordinate delivery of materials and resources free-of-charge to all primary schools across Tasmania; and
- promote the AWARE program to educators, and support integration of the program into existing curricula.

5.5 Animal Welfare Symposium

RSPCA is planning a multi-organisation Animal Welfare Symposium focussed on improving the stewardship of animals in Tasmania.

The symposium will be run in 2022 as a hybrid event with both in-person and online delegate options.

The symposium will galvanize and bring together stakeholders from a wide range of organisations with varying expertise to share their experiences and knowledge, and to learn from each other. The symposium will showcase thought-provoking leaders from various traditional and non-traditional fields that relate to animal welfare.

This will be a significant community-building event for anyone who works with, cares for, or advocates for animals. The program will canvass a broad suite of contemporary animal welfare considerations, with presentations by international, Australian, and Tasmanian speakers.

The outcomes of the symposium will inform development of evidence based discussion papers that can inform consensus policy making. This will position Tasmania as a thought leader in animal welfare policy.

The key objectives of the symposium include:

- Raising awareness of the ethical, economic and social importance of animal welfare;
- Highlighting strategies employed by industry and governments to improve the welfare of animals and also their owners;
- Facilitating discussion between organisations about issues best dealt with by a multi-agency approach eg animal hoarding; and
- Developing broad-based policy approaches to animal welfare issues to inform government decision-making.

The RSPCA will be seeking partnership funding from other organisations to deliver this symposium.

The RSPCA is seeking funding of \$75,000 for the organisation and delivery of an Animal Welfare Symposium in 2022.

The funding will be used to assist the RSPCA to:

- Organise and deliver an Animal Welfare Symposium in 2022;
- Prepare and publish the proceedings of the symposium;
- Develop position papers on animal welfare policy issues based on the outcomes of the symposium for consideration by government.

5.6 Safe Beds Program

A woman's decision to leave a violent and abusive relationship is a complex process. She first needs to consider the risks to her and her children. Paradoxically, taking that step towards safety is also the time of greatest danger of homicide, sexual assault and increased violence.

Pets and service animals are also a part of the lives of many families. This means they are an important part of the decision-making process when women consider leaving a violent situation.

Seventy per cent of women fleeing domestic violence also report pet abuse, and it's another reason many victims delay leaving. They fear the animal who has provided love and support when they need it most will be neglected, or they won't be fed or cared for. Worse, they are worried their animals will be killed. And these fears are real.

Violent towards pets is a really strong indicator that people will also be violent towards the humans in their life. Animal abuse often is linked to the severity of domestic violence, and individuals who commit pet abuse are more likely to inflict physical and mental violence on other family members.

Many jurisdictions are recognising these facts and changing legislation to include animals in family violence laws. More than two-thirds of US states have already enacted legislation that includes provisions for pets in domestic violence protection orders.

Last year, NSW laws were amended to include harm, or threats of harm, to an animal in the definition of intimidation. This means perpetrators can also be charged with domestic violence offences when animals are used to coerce the victim. The changes mean that protection of animals will also be made standard in domestic violence orders.

The Victorian Parliament is currently considering a motion which proposes that animals should be recognised as victims of family violence, which would result in similar provisions to those now in place in NSW.

Sadly, despite all this evidence, Tasmania is falling behind. It is time for our government to follow step and adopt changes in legislation that recognise animal abuse as a form of family violence.

As well as these basic amendments, changes will also need to be made in other areas.

Pets need to be recognised as family members in the eyes of the law, because at the moment they are only considered as property. Often, women feel like they have to stay in violent relationships because their pet is registered to the male in the family. In these circumstances, ownership of the pet should automatically move to the person trying to flee that situation.

Abusers often use pets to manipulate and control their victims, but very few women's refuges allow animals. Changes will be needed to short stay and emergency accommodation regulations to allow people to escape fraught situations with their pets. This is a particular issue in rural communities where it is difficult for victims of domestic violence to move away from an abusive situation, and to become 'invisible' to their abuser. There also needs to be more support for safe haven refuges for women, their children and their pets.

The Safe Beds for Pets program in New South Wales was established to provide temporary housing for pets of people who are seeking refuge from domestic violence and to address the link between animal and human abuse and child protection. It is common practice for the perpetrator of domestic violence to lure family members back home by threatening to harm the pet. With the Safe Beds for Pets Program families can now leave domestic violence situations and not fear for the safety of their pets. The program gives domestic violence victims peace of mind and allows them to secure their own safety and make arrangements for the future.

The approach to this issue to date in Tasmania has been very ad-hoc, with a very few programs largely funded and managed by charitable organisations and no co-ordination. There are several small programs available for people with dogs, but nothing publicly noted for cats or other companion animals.

These measures would be an important step towards improving support and so the safety of victim-survivors when animals are also caught up in family violence. When women know their pet will be safe, it allows them to take care of themselves and their children. And the safety of vulnerable Tasmanians should be of paramount importance to all of us.

The RSPCA is seeking funding of \$150,000 (\$50,000 pa over 3 years) to support the establishment and management of a Safe Beds Program.

The funding will be used to assist the RSPCA to:

- develop and establish a co-ordinated network of safe bed providers;
- fund safe bed places for the pets of Tasmanians at risk of family violence; and
- promote awareness of the Safe Beds program amongst the public and also support services.



Contact for submissions:

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Launceston Adoption & Retail Centre: 3/207 Invermay Road, 7248

Hobart Adoption & Retail Centre: 55-57 Albert Road, Moonah, 7009

Animal Cruelty Hotline: 1300 139 947

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