



Who Gets the Dog? New Laws Finally Settle the Pet Custody Battle

If you've ever wondered what would happen to your beloved fur baby if your relationship broke down, the answer just got a whole lot clearer — and a whole lot fairer.

Since June last year, Australian family law took a big step forward, recognising pets as “companion animals” during separation and property settlement proceedings. Before this, your cherished cavoodle was treated the same as the couch — just another item to be divvied up.

Courts now look beyond whose name is on the microchip and consider how the animal was cared for, the pet's attachment to family members (including children), and whether family violence was involved, especially if

your pet was subjected to abuse too.

One thing to note: courts can only assign ownership to one party — there's no joint custody arrangement, which is designed to prevent ongoing disputes.

The changes also carry real weight for domestic violence situations. Research suggests up to 15% of animal cruelty cases involve domestic violence, and abusers often target pets as a way to control their victims. These new laws may give more people the confidence to leave dangerous situations knowing their pet is protected.

So next time someone jokes about “pet custody,” it's actually no laughing matter — the law is finally taking it seriously.



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consultation, call Managing
Director, Fiona Reid.

Fiona Reid is the Managing Director of Reid Family Lawyers, a boutique specialist family law firm with offices in Brookvale and Surry Hills. She is supported by a team of expert family lawyers. The firm has a wealth of experience in all facets of family law including complex property matters, parenting matters, child support and spousal maintenance issues, relocation, de facto and same sex issues, surrogacy and adoption.



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