

9th August 2020

Hon. Alannah Joan Geraldine MacTiernan MLC

Minister for Regional Development; Agriculture and Food

Proposed Legislation to stop puppy farming in Western Australia.

Dear Minister MacTiernan

Animal Care Australia (ACA) recommends the government not move forward with proposed legislation to stop puppy farming in Western Australia.

It is our contention this legislation will not achieve its desired outcome, as evidenced by poor outcomes in Victoria, where the demand for puppies from other sources has dramatically increased. This has led to increases in puppy prices, in turn resulting in the expansion of puppy numbers being imported from other states, as well as an increase in unhealthy puppies from presumably illegal sources being bred and treated by veterinarians, RSPCA and shelters.

Your proposed legislation will achieve nothing more than to punish and restrict legitimate responsible breeders without any real means to expose or prevent those irresponsibly breeding dogs and cats.

ACA recommends the following:

Recommendation 1

The WA Government does NOT move forward with the proposed legislation. Focus should be on animal welfare, and not number restrictions, or breeding facilities or animal rights ideologies.

Recommendation 2

The WA Government should invest in the expansion of education initiatives and the promotion of responsible breeding programs.

Recommendation 3

The WA Government provides further resources and support for compliance to be policed under the existing legislation.

We look forward to providing further consultation on this matter.

Kind regards,

Kylie Gilbert

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Dog Representative, Animal Care Australia.

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Cc:

Hon. Dr Steven (Steve) Caldwell Thomas MLC

Shadow Minister for Finance; Agriculture and Food

Hon. Ricky (Rick) John Mazza MLC

Shooters, Fishers and Farmers Party

Stakeholder Submission

Western Australian Department of Local Government, Sport and Cultural Industries Proposed **STOP PUPPY FARMING** legislation

Prepared by Animal Care Australia Inc:
9th August 2020



Submission for the **Department of Local Government,
Sport and Cultural Industries**

On

The proposed **STOP PUPPY FARMING** legislation

What defines a ‘puppy farm’?

The RSPCA WA defines a puppy farm as “... an intensive dog breeding facility operated under poor conditions that does not meet the nutritional, behavioural or psychological needs of the dogs bred and raised there.”

As with most terminology favoured by the animal rights movement, the term Puppy Farm (aka puppy mill or puppy factory) is not directly indicative of the actual issue requiring attention. The use of ‘farm’ or ‘factory’ is intended to conjure images of mass production.

Animal Care Australia (ACA) advocates the real issue is not the numbers being produced, it is the conditions and welfare standards the animals endure that any government should direct further funding on education & compliance.

ACA supports any initiatives that will put an end to Puppy Farms or more correctly an end to ‘Irresponsible Breeding’.

Where is the evidence?

We do not believe that any evidence has been provided in the proposed legislation that demonstrates its effectiveness or how it will prevent Puppy Farming. To quote the RSPCA WA website: “*While we are fortunate that there are not many large scale commercial puppy farms in Western Australia, they do exist here, often hidden from public view by unscrupulous operators*”.

Introducing registration and permit style legislation in no way prevents those operating ‘underground’, ‘out of public view’ or ‘unscrupulous’ breeding practices – if anything it actually creates an environment where these practices are enhanced which has been seen with the introduction of similar legislation in the state of Victoria. Victoria has now seen an influx of dogs being transported over the borders, with many dogs reported as being not in

optimum health. This is the result of a decrease in responsible breeders being unable to continue their breeding programs.

ACA was unable to locate data in regard to the number of puppy farmers that currently operate in WA, noting information is available for dogs bred by ethical responsible breeders with most being members of associations. This indicates that even with current legislation the government does not have a clear picture of what is occurring with other breeders, raising the question of how will the new proposal achieve this, and why is legislative change being proposed with no evidence to support there being a problem?

Legislative changes should always be evidence based and not emotionally formulated.

We feel that this legislation will make it harder for the ethical breeders and force a high number to walk away from their hobby.

Outcomes of this proposed legislation

As with the Victorian legislation, this proposed legislation obstruct the rights of the majority of dog owners to purchase puppies and dogs bred by responsible ethical breeders. The success of the proposed legislation is based on the required compliance which includes microchipping, and registration with local government councils. Breeders who are doing the wrong thing do not undertake the required compliance despite facing penalties as outlined in the Dog Act 1976. Adding extra legislative requirements to responsible breeders has been shown to increase the burden on those breeders, removing the 'love' of their hobby, and in doing so complicating dog breeding, in essence punishing those who have been doing the right thing for the community and their animals.

The state of WA currently has adequate laws in place to deal with irresponsible breeders (puppy farmers). If this practice is of a high concern that warrants new legislation - and we do not believe that it is - how will these extra requirements be policed if the current ones are not?

ACA is concerned with the inclusion of mandatory de-sexing as part of the proposed legislation. This has been trialed in other parts of the world with no evidence of it being successful. The Australian Veterinary Association does not support this model stating in their *'De-sexing of Companion Animals'* policy document: *"Compulsory de-sexing of privately-owned animals has not been shown to substantially reduce the unwanted dog and cat population."*

Moving forward

ACA supports the move away from puppies (and kittens) being sold from pet shops or store fronts, due to the welfare and developmental requirements of the species in regard to enrichment, fear periods and general husbandry these are no longer suitable environments for puppies/kittens. Impulse buying from pet shops is also a notable concern.

Victoria has had great success with shelters holding adoption days from stores as there is still a need for prospective owners to apply to adopt these animals, reducing impulse buying and there are extra welfare requirements to ensure the needs of these animals are met.

ACA supports ongoing initiatives that result in animal welfare improvement, including reductions in shelter numbers but not the expense of responsible breeders. Do the dogs in shelters come from responsible or registered breeders? It is our contention the vast majority are bred by people you're government is trying to stop – irresponsible breeders. It is our understanding a lot of shelters and rescues are transporting dogs from other states in order to meet demand.

Protecting the future of dog (and cat) genetics

The proposed legislation does not take into consideration genetic variation, in particular for those with vulnerable breeds and their breeders who need to be supported. Currently there are 50 breeds listed as vulnerable or "nearly extinct" in Australia. With the exception of 6, all of these breeds have breeders in WA and are usually a second string breed meaning they are not the main breed a breeder is breeding but they are guardians of the vulnerable breed. These breeders in most cases have gone to great costs to import dogs

or semen in order to keep these breeds going to stop them from becoming extinct, similar to how zoos operate with endangered species. By introducing the proposed legislation in its current form will likely cause a reduction in the breeding of some of these breeds due to number restrictions being imposed, breeders will be forced to choose what to continue breeding. This is already a sad and disappointing outcome in Victoria with the most vulnerable breed the Sussex Spaniel having 0 puppies born in the last 2 years, the effective government sanctioning of the extinction of a species of dog.

Our recommendations

ACA encourages the government to invest in education and promotion of responsible breeding programs and why responsible breeding is vital in ensuring the longevity of breeds, the continued availability of healthy, happy, well-adjusted puppies that have come from dogs that are also happy healthy and well adjusted. Focus should be on animal welfare, and not number restrictions, or breeding facilities or animal rights ideologies.

ACA recommends the government works with and promotes the associations and organisations that are membership based who already keep track of their members and the puppies bred.

More resources should be aimed at better policing and compliance of the current legislation to see if the same welfare outcomes can be achieved.

Future transparency and recording of data on Puppy Farm and the puppies being produced by these breeders needs to be publicised to gain a better understanding of how entrenched the problem in is WA, thereby justifying the need to consider a legislative change that is evidence based.

We look forward to further opportunities to provide assistance and consultation throughout this process.

Animal Care Australia.

About Animal Care Australia

Animal Care Australia (ACA) is a national incorporated association lobbying for and advocating for higher welfare outcomes for animals by educating hobbyists and keepers and lobbying governments.

ACA was founded in early 2018 to establish an organisation run solely by volunteers to lobby for real animal welfare. With extreme animal rights and animal liberationist ideologies influencing government legislation, regulation and policy at our expense and to the detriment of our animals and pets, it has become necessary to provide government with a balancing voice.

By uniting the broad spectrum of animal groups, collectively we offer an experienced, sensible approach to animal welfare. We estimate our foundation ACA clubs currently represent well over 150,000 members and that is just in NSW alone!

By educating our members and the general public about the importance of treating animals with kindness and respect for their needs, and promoting the humane treatment of animals to improve animal welfare outcomes, Animal Care Australia is in the unique position of lobbying and advocating for all animals within our care.

Animal Care Australia provides priority to the following:

- lobbying government for stronger welfare outcomes
- lobbying government to increase education of the public in animal welfare and best care techniques
- educate the public on handling their animals with kindness & respect and the importance of their needs
- educate the public in the differences between animal welfare and animal rights.