

ANIMALS (REGULATION OF SALE) BILL 2008

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Bill introduced on motion by Ms Clover Moore.

Agreement in Principle

Ms CLOVER MOORE (Sydney) [10.02 a.m.]: I move:

That this bill be now agreed to in principle.

Last year I introduced a bill to ban the sale of pets in pet shops with the tabling of my Animals (Regulation of Sale) Bill 2007. I began my speech with the Abraham Lincoln quote: "I am in favour of animal rights as well as human rights. That is the way of a whole human being". Today I refer to Mahatma Gandhi, who said, "the greatness of a nation and its moral progress can be judged by the way its animals are treated". The world's great thinkers have long understood that social progress can be seen in the way a society treats its animals. In response to the introduction of my Animals (Regulation of Sale) Bill last year, my office was swamped with letters, emails and phone calls of support. I have a half-a-metre high pile of thousands of signed petitions that I am progressively submitting in Parliament, calling on the New South Wales Parliament to ban the sale of pets in pet shops.

The bill I now table amends my 2007 bill to address some of the concerns raised by the Government and the Opposition. I hope that Government and Opposition members will now support this amended, simplified bill. I hope that Parliament will choose to address the overwhelming community concern about the pet industry. While animals cannot speak or vote, the people who care for them can, and I know that members of this House have also been inundated with letters, phone calls and visits from their constituents calling for action to stop impulse buying that so often leads to dumping and subsequent death of pets as well as cruel mass-breeding practices.

In September the Government responded with a new Code of Conduct for Pet Shops. While I welcomed new measures to make life a little more comfortable for animals in pet shops, the code does nothing to stop cruel mass-breeding practices and impulse buying, and fails to regulate classified sales. Thousands of dogs and cats will continue to be dumped every year and to be euthanased. The Animals (Regulation of Sale) Bill 2008 would ban the sale of cats and dogs in pet shops and markets. People will still be able to buy cats and dogs from recognised breeders, animal shelters, rescuers, council pounds and vets who rehome pets. Animal shelters will be able to sell abandoned cats and dogs through pet shops, provided that the animal is not left in the shop unattended. Other mammals such as rabbits and guinea pigs will be banned from shop window displays. Only recognised breeders, animal shelters, rescuers and vets re-homing pets would be able to advertise the sale of cats and dogs, and advertisements would have to direct people to a statement about the animal's basic husbandry requirements.

Providing prospective buyers with a written statement of expected costs and responsibilities would be mandatory prior to any sale. The bill provides for regulations to be created that set mandatory standards for recognised breeders. The bill also makes it an offence to fail to collect an animal from a council pound, or to fail either to collect or to surrender a companion animal at an animal shelter, after being notified that it is there. Australia has the highest rate of pet ownership in the world and pets play a vital role in our society: they give pleasure, they teach responsibility, and for many people—especially those who live on their own—pets provide love and security.

Based on local government and RSPCA statistics, in New South Wales alone last year more than 50,000 cats and dogs were killed in council pounds and animal shelters. There is likely to be under-reporting as rescuers say that pounds and shelters lack the resources needed to keep up-to-date records. Furthermore, the figure does not include the many cats and dogs dumped in national parks. Many other dumped pets are rescued by tireless rescuers and shelter workers who try to re-home them. Shelters and rescuers continually report being at capacity and being unable to re-home rescued animals. Rescuers dedicate their own time and money to clean up the mess left by the pet industry.

While last financial year the number of dogs and cats re-homed by the RSPCA in New South Wales increased by 6.85 per cent on the previous year, but the number of cats and dogs euthanased also increased by more than 9 per cent for dogs and almost 30 per cent for cats. This should cause real disquiet among members of this House. The cop-out from pet industry campaigners that these cats and dogs should be euthanased because of behavioural reasons is offensive. Rescue organisations, animal welfare advocates and animal trainers link these so-called behavioural problems to pet shops, impulse purchases and mass-breeding practices for profit. An email I received from a dog trainer who runs a successful pet shop that does not sell live animals stated:

Dogs bred from poorly socialised and unhealthy dogs lead to behavioural problems; Dogs bred in shocking conditions leads to behavioural problems;

Dogs housed in cramped and confined conditions of pet shops leads to behavioural problems;

Dogs poorly socialised before the age of 14 weeks leads to behavioural problems;

Dogs bought by people without being educated about needs, leads to behavioural problems;

Dogs abandoned and re-homed several times leads to behavioural problems.

I refer to comments left on the Lead The Way website, a campaign set up specifically in response to this bill:

A girl I worked with bought a puppy because it was cute. She put no effort into training the dog, it developed terrible habits and when she tried to give it away because she could no longer look after it, its behaviour stopped it from finding a loving home.

These problems can be traced back through the supply chain. In response to a strong community campaign, the pet industry has quoted different figures about where pets come from. However, its figures do not come from independently random-sampled studies. And the fact remains that pet shops encourage impulse buying and, unlike shelters and rescuers, do not desex animals before they are sold, which can lead to millions of unwanted litters in the community. It is worth reminding the House that an un-desexed female cat and her offspring can produce 420,000 cats in only seven years. There is no guarantee that pets sold in pet shops and markets do not come from unregulated backyard breeders and intensive mass-breeding mills. In fact, many registered breeders will not sell to pet shops, which makes it unlikely that pets in pet shops are sourced from reputable breeders.

Puppy farms and pet mills are massive breeding facilities where animals are kept in overcrowded, unsanitary conditions and females are forced to continue to breed until they are incapable of breeding any longer and then they are put down. These breeding practices do not involve proper screening to detect and prevent genetic and behavioural problems making it more likely that companion animals will incur unexpected problems and costs for their owners. The aim of these puppy farms and kitten mills is to mass-produce cute kittens and puppies to get more impulse sales in pet shops.

A recent Australian documentary called "The Puppy Mill" documents the connection between pet shops, which treat animals as commodities, and puppy farms. I understand that each member of

this House received a copy from one of their constituents and I urge them to watch this documentary to learn more about the pet industry. Classified and Internet sales also support backyard breeding and puppy farms selling cheap pets to anyone with a credit card. Puppy farms and pet mills are cruel and I strongly believe the wider public would not willingly support their operations.

I wish to draw the attention of the House to President-elect Barack Obama's decision to adopt a dog from a shelter, which is reported to be motivated by his encounter as a Senator with a rescue dog that had been forced to breed for years in a puppy mill. The puppy mill operators had cut the dog's vocal cords to prevent her cries from being heard. After the dog was rescued, one of her legs was amputated because of osteoporosis, which is a common condition in breeding dogs. President-elect Obama's decision hopefully will encourage others to adopt pets from shelters.

The Animals (Regulation of Sale) Bill 2008 would ban the sale of cats and dogs through pet shops and markets and would allow only recognised breeders, animal shelters and rescuers, council pounds and vets re-homing abandoned animals to advertise the sale of dogs and cats. The capacity of underground puppy farms and kitten mills to operate would be reduced dramatically. Their source would dry up. As a pet owner, I am really disturbed by the number of companion animals being dumped and then destroyed. I am disturbed by the way animals are being bred purely for profit. Pet shops are uncommon in Europe, where cat and dog euthanasia rates are drastically lower than Australia's.

This bill is about animal welfare, about living in a humane society, and about stopping animal cruelty. Companion animals are live, sentient beings that require long-term commitments of time, money and care. They are not consumable items to be bought and discarded when we tire of them. The pet industry claims that the prices of cats and dogs in pet shops prevent impulse buys. Cute puppies and kittens evoke emotional responses that compel people to part with their money. The Entrepreneur Business Centre guide for pet shops states:

The scenario is simple: Someone will walk by, fall in love with an animal and buy it. These sorts of impulse sales can add dramatically to your profits if your shop is accessible and your sales and service ability is convincing, it will not be long before you convert walk-in traffic into buying customers.

Animal shelters and animal rescue groups overwhelmingly say that the pet industry is a major contributor to the problem of pet overpopulation. They are frustrated by the lack of Government commitment to address this shocking situation, while they continue to re-home the endless supply of abandoned animals. Many rescuers believe that the Government's new code of practice is just an attempt to circumvent the campaign for reform. Rescuers and shelters refer to their work as "adopting", rather than selling, companion animals, as this better describes the responsibilities involved. Rescuers employ intensive vetting processes to find suitable homes for abandoned animals; some even tell me that they visit homes before they let anyone take a pet home. This is in stark contrast with selling animals through classified advertisements, markets and most pet shops, where anyone with the money can take home a pet. And if you do not have the money you can always buy an animal on credit, a practice exposed by Maxine Firth in the *Sun-Herald* on 27 April.

The Animals (Regulation of Sale) Bill 2008 will allow pet shops to continue to sell other mammals and birds and fish, and also to sell pet food and accessories. Many pet shops in Australia do well without selling live animals. This is the normal practice in most European countries. The Paws For Action campaign, set up in response to my bill, is calling for an upper House inquiry into pet overpopulation and associated cruel mass breeding. If the industry has nothing to hide it will also support this call. It will be very telling of the Government's priorities in this debate if it refuses to support a public inquiry. A number of community campaigns are calling for a ban on the sale of pets in pet shops, including Say No To Animals In Pet Shops. Some campaigns were established with the specific purpose of getting this bill passed in Parliament. These campaigns are Paws For Action, Death Row Pets and the already mentioned Lead The Way. The community support I have received has been overwhelming. I will read some

comments from letters I have received from residents of this State. Romy says:

I applaud the stand you have taken against the sale of puppies and kittens in pet shops. It makes me sad to see windows full of tiny vulnerable animals who are hostages to fortune.

A veterinarian says:

As a veterinarian who has worked in pet shops, and later for a veterinary hospital that had a contract to treat puppies and kittens from a busy chain of pet stores, I have long felt strongly about this subject. With literally tens of thousands of unwanted dogs and cats being put to sleep in shelters every year, there is absolutely no excuse for pet shops to continue to ply their trade unchecked.

Glenda says:

It is a huge problem and we have the most beautiful American Staffy called Sophie who we rescued from the pound. She was a Christmas puppy and dumped only to start a wonderful home life with us when she was eight months of age and on the euthanasia list. Sophie is now nearly seven years of age and the most beautiful pet ... it breaks my heart to see animals used in such an inhumane way. Sadly where big money is involved, these animals pay the price.

As a humane society we must act to prevent the shocking overpopulation of companion animals. If we recognise the problem we can act to prevent the cruel dumping and killing of so many innocent, sentient beings who have no voice except through us. More dogs and cats will die unnecessarily and this Parliament be diminished in the process if members fail to support this bill. I commend the bill to the House