

**Submission
No 173**

COMPANION ANIMAL BREEDING PRACTICES IN NEW SOUTH WALES

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Submission to the Companion Animal Breeding Practices in New South Wales Committee

a) The current situation in New South Wales in comparison with other jurisdictions

I am unable to assess legislation in other jurisdictions.

b) Proposals to limit the number of animals allowed to be kept by breeders

The number of animals a breeder should be permitted to keep must be determined through a licensing system. A person should be permitted to keep only the number of animals which can be *adequately cared for*. A business with a number of staff could presumably care for substantially more animals than a single person operating alone.

To determine a limit to the number of animals, what is “adequate care” must be defined. Five main topics combine under the phrase “adequate care”.

Accommodation: Animals must be accommodated to ensure comfortable and healthy conditions. They need shelter from the weather, including protection from excessive heat and cold. They need clean, soft, bedding, as well as cages or compounds which are kept clean. Cages or compounds must be large enough to allow each animal sufficient room to move about.

Nutrition: Breeding animals, in particular, need good nutrition. It is not enough to satisfy their hunger, as the animals have no opportunity to seek supplements to provide nutritional needs not met by their food. They should also be given variety in their diet, even if they will willingly eat the same food every day, as variety adds interest as well as diversifying nutrition. Most animals should be fed twice a day,

Health: Animals in any breeding program must be kept in excellent health at all times and be given veterinary care if they develop any ailment. This is more important than for a privately-owned companion dog because in a breeding establishment the health of adults and puppies is vital to the success of the business, even often sacrificed by unscrupulous breeders. One threat to the health of breeding bitches is being kept almost constantly pregnant — they must be allowed sufficient rest periods between pregnancies to ensure their health is not jeopardised.

Emotional needs: Charles Darwin recognised and, in 1872, wrote about emotions in dogs and cats (and other animals) yet their emotional needs remain largely unknown and overlooked. Time and care must be devoted to providing the emotional needs of animals in a breeding establishment. Dogs, being highly social animals, must be given adequate opportunity for social contact and development. Adult dogs need a lot of social contact, meaning human contact as well as opportunity to play with other dogs. Human affection is very important to the emotional welfare of dogs and probably cats. Denial of affection and good living conditions will cause dogs to be unhappy and stressed. Such animals could pass to their offspring reflection of their poor environmental conditions through a process called epigenetics (which was little known until about twenty years ago). This is a significant concern with pups from badly run puppy farms. Puppies need to be socialised very early in their lives — their social development is largely complete by the age of six months so the way they are treated in their first weeks is highly important.

Dogs and cats also need mental stimulation. This need is greatest in the most intelligent breeds such as border collies, kelpies and cattle dogs. Human interaction is important in this respect, as are games and diversity of experience. The more diversity the better. Adult animals in a breeding program must not be deprived of mental stimulation. Denial of mental stimulation can cause frustration, depression and behavioural problems.

Exercise: Sufficient exercise is imperative for good health, including mental health. Confinement of a dog to a cage or compound cannot provide adequate exercise. Dogs need to be taken for walks and have the opportunity for energetic play with other dogs.

These are not luxurious options which a breeder cannot afford to provide. They are fundamental to “adequate care”.

Most of the above requirements are already included as standards under the Animal Welfare Code of Practice — Breeding dogs and cats, but some need to be added.

c) Calls to implement a breeders’ licensing system

Though not recognised by the NSW “Animal Welfare Code of Practice — Breeding dogs and cats”, experience has shown a licensing system is essential for animal breeders. Without such a system unscrupulous breeders operate with appalling conditions uncontrolled. The licensing system must require and define “adequate care”, and provide a supervising agency to ensure compliance with licence conditions. Licence requirements must include record keeping and specifications of how and to whom the breeder can sell animals. Personnel must have appropriate training and qualifications.

d) The implications of banning the sale of dogs and cats in pet stores

A common cause of neglect of domestic animals is impulse buying, where a pet is acquired because it looks cute, fluffy or desirable but without adequate consideration of the life-long commitment the purchaser is embarking on. A puppy or kitten in a pet shop window might look irresistible, but a pet store is unsatisfactory as a point of sale for such animals because of the high risk of impulse buying. The long-term welfare of the animal must be the primary consideration, which means the buyer understands and accepts they will own the animal for the rest of its life.

Pet stores must not be allowed to display and sell puppies and kittens. They can sell accessories as much as they like, including quality pet food. Staff should be trained to be able to provide good advice on the care of pets, including all the topics listed above under “adequate care”.

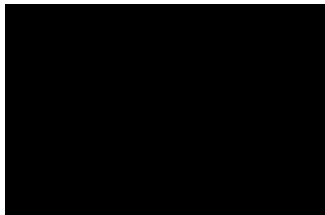
e) Any legislative changes that may be required

The NSW Companion Animals Act 1998 lacks provisions relating to breeding and sale of companion animals. This is an important omission which needs to be rectified.

The “Animal Welfare Code of Practice — Breeding dogs and cats” contains many appropriate and useful standards but many provisions are included as voluntary guidelines. Much of what is termed guidelines should be incorporated in the mandatory standards. For example, the code leaves as voluntary that “Breeding practices should ensure that both breeding animals and the offspring they produce are as physically and behaviourally sound and healthy as possible.” Strangely, some of

what is expressed as voluntary guidelines is mandatory under other legislation so is not merely a suggestion. The Code of Practice lacks any basis for licensing breeders, or for limiting the number of animals a breeder may have.

The Prevention of Cruelty to Animals (General) Regulation 2006, notably clause 20 which deals with trading in animals, sets out limited requirements including compliance with the Code of Practice, which are enforceable, but like the Code lacks any basis for licensing breeders, or for limiting the number of animals a breeder may have. The Regulation as it relates to breeders of companion animals is clearly inadequate and needs to be substantially strengthened.



Dr Peter Coyne

