

**Submission  
No 287**

# **COMPANION ANIMAL BREEDING PRACTICES IN NEW SOUTH WALES**

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## Submission to the Joint Select Committee on Companion Animal Breeding Practices in NSW

Animal Liberation is an animal rights charity founded in 1976 by Christine Townend, based on the philosophies set out by Professor Peter Singer in his best-selling book, *Animal Liberation*.

### Our goal

We believe all animals have the right to live free from human intervention. As societies throughout time have had to fight for the rights of slaves, women and other minority groups to challenge dominant social views, the animal rights movement is now the greatest social change movement around the world. Animal Liberation intends to fight for all non-human animals until they are able to live lives of their choosing, free from intervention, use and abuse by humans.

### Our work

- We pursue our goal through education campaigns, public events and using the media to get our message across. Our mission statement is: *to work toward the end of suffering of exploited and confined animals, through legislation, consumer advocacy, action and humane education*
- We run a 1800 Cruelty Hotline for people in Victorian and NSW country and rural areas to report neglect and cruelty to animals – over a period of eight years this service has assisted hundreds of thousands of animals
- The development of campaign strategies designed to influence changes in law and consumer behaviour
- Research, investigation and evidence gathering into areas such as the use of non-human animals for food, entertainment, science and fashion
- A comprehensive website and Facebook page containing information on all our campaigns, tips on how individuals can live a cruelty-free life, and ways to get involved in the animal rights movement
- For more information visit <http://animal-lib.org.au> or <http://facebook.com/AnimalLiberationNSW>

## Introduction

Animal Liberation NSW appreciates the opportunity to provide the following comments to the Joint Select Committee on Companion Animal Breeding Practices in NSW.

Animal Liberation has been actively involved in investigating puppy farms and companion animal breeding facilities for many years. We run the 1800 Animal Cruelty Hotline and receive reports on a regular basis of cruelty and lack of welfare standards in companion animal breeding farms. We have repeatedly seen the current Code of Practice fail to protect breeding animals and their offspring<sup>1</sup>.

Animal Liberation has received reports of puppy farms and breeding facilities in NSW where dogs are living in filth, being driven insane by their cramped and crowded conditions, and where female dogs are being kept pregnant their entire lives, only to be disposed of when they are no longer useful. Cats are overbred to the point where vets and shelters are inundated and simply unable to home them all.

## Our Solution

1. A total ban on puppy farms, breeding factories and backyard breeders. There is no need to breed animals when there are so many animals desperate for homes.
2. Mandatory desexing of animals offered for adoption
3. Humane management (trap, desex, release) of community cats (colonies, homeless cats etc.).
4. Pet shops should only be allowed to rehome rescued animals. Sale of other animals should be banned.
5. The RSPCA or other law enforcement agencies should be given a budget for more inspectors and directions to follow up on reports of puppy farm and breeding abuse. All companion animal farming and animal breeding cases should be brought to prosecution.
6. All shelters and pounds should adopt a no kill policy
7. Education campaigns should focus on companion animal breeding farms and the positives of adopting rescued animals.

If there was a total ban on puppy farms and companion animal breeding facilities then law enforcement would be able to remove neglected and abused animals from harm immediately and would not find themselves caught in loopholes of the Code of Practice. Animal Liberation has obtained evidence that shows that some of the worst puppy farms still have animals in their care, despite numerous cruelty charges and breaches to the Code of Practice.

From Animal Liberation's work on the 1800 animal cruelty hotline we have found the RSPCA will often not take action until another group provides undercover footage proving that the breeding facilities have broken welfare standards. The RSPCA currently only has 32 inspectors across NSW<sup>2</sup> so it is important that the police assist tackling puppy farm cruelty and cruelty at other mass breeding facilities. A separate police taskforce or animal welfare liaison unit within the police force could assist to achieve this and ensure that proper care of companion animals takes place in NSW.

With around 200,000 healthy animals euthanased each year in Australia<sup>3</sup> we believe that adoption of shelter and pound animals should be heavily promoted. Pet shops should only be allowed to

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<sup>1</sup> [REDACTED]

<sup>2</sup> RSPCA Inspectorate 2015 Retrieved from <https://www.rspcansw.org.au/our-work/inspectorate>

<sup>3</sup> Animal Liberation Pet Shops, Puppy Farms & Pounds 2015 Retrieved from [animal-lib.org.au](http://animal-lib.org.au/campaigns/animals-as-companions/pet-shops-puppy-farms-and-pounds)

rehome rescued shelter animals and should be mandated to provide information on animal care to adopters. Steps should also be taken to avoid impulse adoptions of animals. Rehoming shelter pets this way has proven to be an excellent model in stores such as Petbarn that already offer rehoming of shelter pets.<sup>4</sup>

### Australians and Companion Animals

Companion animals have a strong intrinsic value for Australians. 63% of Australian households currently care for a companion animal with 91% of pet owners feeling 'very close to their pet'<sup>5</sup> showing that companion animals are often an integral member of the family. Australian animal lovers are being misled by an industry that makes them think that puppies come from breeders who love and care for their animals. When surveyed in 2012 43% of NSW residents had never heard of a puppy farm and those that had were against puppy farming in the majority<sup>6</sup>.

Companion animal breeding is a public interest issue. Australians have the right to know where their adopted animals are from and what they are supporting with their money. Animal Liberation has been informed that people who run puppy farm operations often go to great lengths to hide the conditions the dogs are kept in, sometimes meeting up with adopters off site.

### Puppy Farms Should Be Banned, Not Just Regulated

When considering whether to regulate puppy farms or to ban them altogether it is worth considering that even the current standards are not being adhered to or enforced. For example one of the standards is: (Page 28.2.1.3) "Appropriate veterinary treatment must be provided for sick or injured dogs." There have been multiple cases of puppy farm investigations which have found that the animals are not being provided with veterinary care. Despite cruelty charges these farms have not been closed and have been allowed to continue operating<sup>7</sup>. Having regulations in place is not solving the problem.

Except for rare cases, most puppy farms in breach of the Code of Practice are allowed to continue. Even in cases where the factory owner has been found not to be meeting multiple welfare standards there have been times that animals have remained in their care.

In a [REDACTED] investigation of a property in [REDACTED] inspectors found puppies sitting on maggots and covered in flea infestations. There were 60 charges of animal cruelty laid and yet the puppy farm owner was only fined \$3000 and allowed to continue operating.<sup>8</sup>

An investigation of a [REDACTED] puppy farm in [REDACTED] found that of 155 dogs examined by veterinarian [REDACTED] "A majority of the 155 dogs examined had health issues." 27 dogs were surrendered and of these, seven dogs were euthanased as they were so terribly ill. However despite the puppy farm owner pleading guilty to multiple animal cruelty charges and being

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<sup>4</sup> PetBarn Adoptions 2015 Retrieved from Petbarn.com.au <http://www.petbarn.com.au/services/adoptions>

<sup>5</sup> ACNC Pet Fact Book 2007 Retrieved from ACNC.org.au [http://www.acac.org.au/pdf/PetFactBook\\_June-6.pdf](http://www.acac.org.au/pdf/PetFactBook_June-6.pdf)

<sup>6</sup> AWL poll on understanding and attitudes on puppy farming Help End Puppy Farms 26/8/14. Retrieved from Dogslife.com.au

<http://www.dogslife.com.au/dog-news/dog-stories/help-end-puppy-farms>

<sup>7</sup>

[REDACTED]

<sup>8</sup>

[REDACTED]

convicted, she was allowed to keep the other dogs at the property and continue breeding from them<sup>9</sup>.

Further undercover investigations by groups such as Dogs without Borders and Oscar's Law at the [REDACTED] property have shown that horrific conditions remain. There are still 25 dogs suffering at the property and because of the current lack of enforcement and poor guidelines in the Code of Practice it seems they will not be removed<sup>10</sup>.

In another puppy farm investigation two RSPCA inspectors visited a breeding facility at [REDACTED] where they found 345 dogs of different breeds being held in housing that did not meet the Code of Practice. There were caravans, cages and shipping containers used as dog pens which is disallowed in the current code of practice (Page 14 6.1 6.1.1.1) "Vehicles, caravans, portable crates and the crawl space under any dwelling must not be used as permanent housing for dogs and cats."<sup>11</sup> Yet due to a loop hole in the law the dogs were not seized and the puppy farm is still operating.

Clearly it is hard to enforce regulations. Such enforcement is time consuming and costly. The RSPCA are understaffed and under resourced and cannot commit to regular inspections at companion breeding facilities. Considering that such forms of companion animal breeding are unnecessary in Australia due to our high overpopulation of companion animals, it would also be inappropriate to use tax payers money to regulate this industry in an effort to increase welfare. Rather, the banning of such practices of intensive companion animal breeding would ease enforcement difficulties and reduce the cost and wastage of animal overpopulation.

Animal Liberation's 1800 Cruelty Hotline has received several reports of cruelty at companion animal breeding facilities. Our 1800 Cruelty Hotline was developed as the RSPCA does not take anonymous calls. Our Hotline fills the gap where informants are not willing to give their name because they have concerns for safety or other.

#### **Examples of 1800 investigations<sup>12</sup>:**

[REDACTED] – Constant breeding of dogs until they cannot breed anymore. Dogs living in disgusting conditions. Animal Liberation called the police. Police attended and could hear dogs crying and distressed at night, but no action was taken by authorities apart from advising the owner on how to better care for the dogs.

[REDACTED]. Caller found Mum and six week old puppy on street says she went door knocking and found a breeder situation in appalling condition. "Dogs kept in open air pens with no floor, just muck, temperatures get down to zero all the time."

[REDACTED]: [REDACTED]. There is a history of neglect and cruelty at this puppy mill. Caller has frequently called the RSPCA as have other people in the area. In the past month the police have been twice and "not been happy" with emaciated dogs with no water. Dogs are on concrete floors with faeces and no bedding. The RSPCA inspector has told caller that as long as the dogs have food and water there is nothing he can do. The police handed the matter over to the RSPCA.

When we follow up the cases with law enforcement we are usually told by the police that we need

<sup>9</sup> [REDACTED]

<sup>11</sup> [REDACTED]

<sup>12</sup> Data retrieved from Animal Liberation 1800 cruelty hotline database

to contact the RSPCA and by the RSPCA that they are understaffed and under the Code of Practice they are limited as to what they can do. In various cases we have heard of police or RSPCA inspectors speaking to companion animal breeders to warn them to improve conditions, but at the time of follow up often only limited action or no action at all has been taken.

These examples show that tougher regulations will simply not be enough to protect these animals. Instead there must be a total ban on mass companion animal breeding. It has also become clear that putting a limit on the number of dogs a puppy farm or backyard breeder can have is not enough. The dogs that remain in their care are likely to be overbred and neglected. Calls to our 1800 Hotline show that breeders that only have a few dogs often keep them in equal squalor to those that have many more and that even when breeders only have a small number animals, they are not meeting standards.<sup>13</sup>

### **Current Monitoring of Puppy Farms and Breeding Facilities is Lacking**

Although there is a current Animal Welfare Code of Practice for Breeding cats and dogs it is rarely enforced<sup>14</sup> and there are no regular unannounced checks on breeding facilities. There is also no Code of Practice in place for breeding companion animals other than dogs and cats<sup>15</sup> which puts birds, rabbits and other common companion animals at risk of poor treatment.

There are currently hundreds of companion animal breeding farms in operation and more being approved by councils. When we follow up on companion animal breeding cases that are reported to our 1800 Cruelty Hotline we find that the police commonly refer all cases to the RSPCA. As stated, the RSPCA only have 32 inspectors in NSW<sup>16</sup> and many other cruelty cases to investigate.

Powers to investigate reports of animal cruelty should be given to authorities other than the RSPCA as they are unable and sometimes unwilling to investigate all reports. The government needs to put a budget aside to create an independent investigation team to cover companion breeding farms, breeders, pound facilities and the RSPCA.

Major exposes of puppy farms would not have occurred without animal activists taking undercover footage. If the responsibility of monitoring puppy farms falls to undercover activists clearly something is wrong with the system.

### **Breeding for International Trade – The New Live Export**

Many puppy farmers and breeders are adding to their profits by exporting puppies to be sold overseas. This practice should be banned immediately.

An exposé by Oscar's Law found that puppies suffered terribly both during transport and after reaching their location<sup>17</sup>.

It appears puppy farming is a problem around the world and NSW is in an excellent position to lead the way in animal welfare.

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<sup>13</sup> Data retrieved from Animal Liberation NSW 1800 Cruelty database

<sup>14</sup> Data retrieved from Animal Liberation NSW 1800 Cruelty database

<sup>15</sup> General Animal Welfare DPI 2015 Retrieved from <http://www.dpi.nsw.gov.au/agriculture/livestock/animal-welfare/general/aw-code-4/>

<sup>16</sup> Inspectorate RSPCANSW.org.au 9/6/15 Retrieved from <https://www.rspcansw.org.au/our-work/inspectorate>

<sup>17</sup> Oscar's Law, Export Puppies 2015 Retrieved from: <http://www.oscarslaw.org/Export-Puppies>

## Pet Shops Encourage Impulse Buying Resulting in Abandoned Pets

The pet industry claims that they do not encourage impulse buying of animals. They state that the pet adoption process takes up to an hour and that the customer is encouraged to think about their purchase. However previous employee of Animal Liberation [REDACTED] says, "I worked undercover in a pet shop for three months. I was never witness to [a rehoming process]." Through the 1800 Hotline [REDACTED] says she was, "contacted by a number of whistle blowers that were never privy to [an adoption process]". On an [REDACTED] program looking into the overbreeding of dogs and cats, [REDACTED] stated "Pet shops put cute, baby, fluffy animals in glass boxes at the front of the store for a reason and that is so people buy them. Pet shops are in shopping centres which are built around the model of impulse buying."<sup>18</sup>

When the new owners realise that puppy toilet training is harder than they thought or the child loses interest once the novelty wears off the parents are left with a commitment they cannot cope with. This is when dogs end up in the pound or shelter. Or even worse they are given away free to a good home where they can end up in the hands of unscrupulous dog fighters or as bait for hunters.<sup>19</sup>

Many pet shop owners will place signs stating their puppies are not from puppy farms when in fact the opposite is true. Using the model of a pet supply store instead of a pet store these businesses are still able to survive and thrive. Petbarn is a good example. These stores are very successful despite not selling cats or dogs. Petbarn is working with rescue groups to rehome rescued animals. Petbarn have helped rehome 10425 animals to new homes as of 10 June 2015<sup>20</sup>. We believe that pet shops should not be allowed to sell animals, unless they are assisting with rehoming rescued animals.

Pet shops that do not want a ban on puppy farming have a vested interest. They want to sell animals and make a profit. Where this is the primary interest welfare often falls short.

## Companion Animal Overpopulation Crisis – Desexing and Humane Cat Management

The unrestricted breeding of companion animals leads to a massive oversupply. This is particularly obvious in the case of cats. In the warmer months when cats give birth, shelters, vets and pounds are overrun with unwanted litters. The overcrowding of shelters can lead to cat flu and ringworm, which although easily treated can result in the animals being euthanased.

A solution to the oversupply of kittens is to enforce mandatory desexing prior to adoption. This is a widely accepted model within rescue groups.

Many people hold a mistaken belief that animals should be allowed to have one litter of offspring before being desexed, but research estimates that one undesexed female cat and her offspring can produce 420,000 cats in seven years<sup>21</sup>.

Companion animals who are desexed are better behaved, less likely to stray (and therefore less likely to cause road accidents), and easier to toilet train<sup>22</sup>.

<sup>18</sup> [REDACTED]

<sup>19</sup> Baiting Fear Puts Stop to Online Ads Offering Dogs Free to a Good Home. Herald Sun 17/3/2015 <http://www.heraldsun.com.au/leader/east/baiting-fear-puts-stop-to-online-ads-offering-dogs-free-to-good-home/story-fngnvlxu-1226854644785>

<sup>20</sup> Adoptions, Petbarn, 2015 Retrieved from <http://www.petbarn.com.au/services/adoptions/>

<sup>21</sup> <http://www.wlpa.org/faq.htm> why should I desex my companion animal?

While mandatory desexing is important for animals going to new homes, humane cat management should also be implemented for other cats. This means that community cats (that live without an owner) can be trapped, desexed and released. This is far more effective and humane than aiming to capture and euthanase cats<sup>23</sup>.

Humane cat management has proven to be successful in Bunbury WA where they ran a cat desexing “program called ‘Sex and the City’ targeting low income earners, and areas with a high population of cats. After just two years of the program, they had ‘run out of kittens’ at the local pound!”<sup>24</sup>

Overseas they have also seen massive success with this method of cat control “The City of Albuquerque has just celebrated their one-year anniversary of not killing a single cat. Every cat that was unable to live as a house pet, was desexed and returned to the location where they were collected – allowing community members who were caring for the cats to continue to do so.”

Animal Liberation NSW have received many reports via our 1800 Cruelty Hotline of cat colonies that were unmanaged. With humane cat management we have been able to stop the constant cycle of kittens within some cat colonies.<sup>25</sup> Councils around the world changing from a trap-and-kill to a desex-and-return program have saved hundreds of thousands of dollars in costs and saved hundreds of thousands of lives.<sup>26</sup>

All adopted animals rehomed from shelters or pet shops should be desexed prior to adoption. This includes cats, dogs and rabbits. Other animals should never be rehomed with the opposite sex. This will take the decision of whether to desex away from the “owner” and the cost can be added to the adoption price.

## No Kill Shelters

Shelters should adopt no kill policies. In combination with our other recommendations there would not be a need to kill healthy animals. While currently it is impossible with the overpopulation of companion animals, this oversupply is caused by the sale of animals at pet shops, and mass breeding facilities. The project ‘Getting to Zero’ has been adopted by groups such as the Animal Welfare League in NSW with an aim to reduce, and eventually eliminate, euthanasia. This can only be achieved by legislative changes that cease backyard breeding, mass companion animal breeding, and impulse buying. Several council areas have already implemented a no kill pound with promising results<sup>27</sup>.

## Breeding of Other Companion Animals

Animal Liberation calls for the end of breeding farms and backyard breeders of all companion animals. Shelters are overrun with animals such as cats, dogs, rabbits, birds and guinea pigs and pet shops should not be allowed to sell them unless working with a rescue group to place rescued animals.

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<sup>22</sup> WLPA FAQ 2015 <http://www.wlpa.org/faq.htm> Why should I desex my companion animal?

<sup>23</sup> Humane Cat Management PetRescue 2015 Retrieved from:  
<https://www.petrescue.com.au/library/articles/humane-cat-management>

<sup>24</sup> Humane Cat Management PetRescue 2015 Retrieved from:  
<https://www.petrescue.com.au/library/articles/humane-cat-management>

<sup>25</sup> Data retrieved from Animal Liberation 1800 database

<sup>26</sup> Cat Colonies, Animal Liberation website 2015 Retrieved from [animal-lib.org.au](http://animal-lib.org.au/campaigns/animals-as-companions/cat-colonies) 10/6/15 <http://animal-lib.org.au/campaigns/animals-as-companions/cat-colonies>

<sup>27</sup> Gosford Dog Paws, About Us 2015 Retrieved from PAWS 10/6/15 about us  
<http://www.gosforddogpaws.com/about-us/>

## In Conclusion

Victoria and Queensland are taking steps to ban puppy farms and the ACT have banned them altogether<sup>28</sup>. NSW now has an opportunity to take a lead for animals and bring about real change.

Companion animal factory farming has been allowed to continue for too long resulting in massive kill rates of healthy pets and breeding animals living in squalid conditions. Now is the time to take action.

The current Code of Practice is failing dogs, cats and their offspring. The implementation of our suggestions could effectively stop breeding abuse and overpopulation of companion animals in NSW.

Submitted by Catherine Smith, 1800 Hotline Agent, Animal Liberation.

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<sup>28</sup> New Legislation Bans Puppy Farms Canberra Times 24/3/2015 Retrieved from: <http://www.canberratimes.com.au/act-news/new-legislation-bans-puppy-farms-and-intensive-breeding-in-canberra-20150324-1m6ol6.html>

New Laws Will Smash Puppy Farms ABC 20/4/2015 Retrieved from : <http://www.abc.net.au/news/2015-04-20/new-law-changes-will-smash-puppy-farm-business-model/6405572>

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