

**Submission
No 88**

INQUIRY INTO ANIMAL CRUELTY LAWS IN NEW SOUTH WALES

Organisation: Pet Industry Association of Australia

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The Pet Industry Association of Australia (PIAA) is a national member-based, not for profit organisation, representing members across the companion animal industry. These include pet shops, boarding kennels, grooming salons, aquariums, suppliers, manufacturers and breeders. The objective of the PIAA is through education, promotion of excellence, enterprise and integrity, to advance the Pet Industry in Australia and the welfare of pet and their owners.

The PIAA has worked with the RSPCA through the Responsible Pet Ownership Group and the Animal Welfare Advisory Council and support the RSPCA in their efforts to prevent cruelty to animals and promote the welfare of animals.

We wish to work with the government and relevant bodies to ensure the highest standards of animal welfare.

We appreciate the opportunity to provide comment for the enquiry into animal cruelty laws in New South Wales. We have addressed those that we believe are relevant to our membership.

The PIAA have provided feedback to the Terms of Reference where we felt we can contribute our observations;

- ***the ability of the charitable organisations currently approved under section 34B of the Act (“the approved charitable organisations”) to achieve the objects of the Act, including:***
 1. ***the level of funding provided by government***
 2. ***the adequacy of the standard of care and kill rates for stray, surrendered or seized animals under the control or supervision of the approved charitable organisations,***

As an organisation the PIAA supports and is working with its membership to lower surrender rates and raise the rehoming rate of animals in shelters and it acknowledges that adequate funding of animal shelters to care for stray or abandoned animals is an ongoing challenge.

The PIAA would encourage government to look into raising the current code of practice for pet stores who sell animals to meet the PIAA membership standards and guidelines as these provide mechanisms that for our membership to reduce animals being sold to inappropriate homes and also assists members to facilitate the rehoming of shelter animals via pet stores. We are happy to provide these if the committee would like to see them.

The PIAA also feel that the government and the Pet Industry should contribute to raising enough funding so that welfare agencies have the resources to educate and prevent animal cruelty from the outset and to also easily prosecute those who break the law. To that point, we feel increased penalties for animal cruelty, including goal time and substantial financial penalties will assist in the reducing of cruelty cases. To that end, the revenue generated could be used to resource the welfare agencies.

- ***whether it is effective and appropriate for non-government charitable organisations to be granted investigative and enforcement powers for criminal prosecutions under the Act with regard to their:***
 1. ***ability to exercise those investigative and enforcement powers in relation***
 2. ***commercial premises and intensive farm operations involving high numbers of animals***

The PIAA has worked hard to put into place standards and guidelines for its members to prevent puppies and kittens being purchased from 'puppy factories' or 'kitten factories'. These standards and guidelines include a bitch being bred for a maximum of 5 litters, breeding dogs will be rehomed, traceability of the breeder by ensuring that the animal is microchipped in the breeders name and rehoming programs for pets should a person who purchased the animal from their store be no longer able to care for it .

Although only 5-7% of puppies are purchased from pet stores, the PIAA would like to see an increased level of resourcing for either the current non-government charitable organisations or some other newly set up body that has the ability to investigate and enforce powers in relation to dog and cat breeders and pet retailers.

The current New South Wales code of Practice states that a pet shop selling animals must keep a record of where animals are purchased therefore with the right level of resourcing, Government could easily ensure that all animals being sold in pet shops are being bred to a high welfare standard.

We believe that retail shops are an integral element in successful regulation of breeders and sellers. The PIAA also fully supports that any pet shop selling livestock should be licensed under a 'self-funding' scheme. This has been successfully implemented with the sales and licensing of reptiles in NSW, a process that the industry and other stakeholders worked together to produce a welfare-based outcome.

PIAA believes that the industry needs regulation at all levels not just at a retail level, all dog breeders should be licensed and we have developed a model dog breeder licensing system which is 'self-funding', the funds from which can then be diverted towards implementation and enforcement of the regulations however these funds must be channeled directly into enforcement whether carried out in its current not for profit model, or by a newly established model.

Often the best inspectors are members of the public. Pet shops have a high visibility and are under constant public scrutiny, whereas online, local market, street pole and shopping centre notice board sales are near impossible to monitor let alone regulate.

Pet shops and breeding establishments in NSW are currently regulated and required to comply with legislation and codes of practice. This compliance can only be strengthened further by the implementation of a breeder and pet shop licensing system and the resources for enforcement bodies to be proactive in visiting stores and breeders on a regular basis.

- ***whether the Government should establish a specialist unit to investigate animal cruelty complaints and enforce animal protection laws, either as part of the NSW Police or a separate statutory enforcement agency.***

The PIAA supports the current model of enforcement carried out currently by non-government charitable organisations. However, there is a serious funding shortfall that means that enforcement is always at a reactive level. With greater resources these bodies could carry out work at a proactive level with breeders and pet shops and ensure better welfare outcomes for companion animals with flow on effects including lower rates of animals in shelters and better care and welfare of breeding animals.

For more information please contact the PIAA office