

Submission
No 131

INQUIRY INTO ANIMAL WELFARE POLICY IN NEW SOUTH WALES

Organisation: Cobbers for Life

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Cobbers for life Australian Cobberdogs

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Re. The inquiry into animal welfare policy in New South Wales.

Cobbers for life is a small-scale family breeder located on the Central Coast of NSW. Our dogs are more so family pets than they are breeding dogs. Our dogs and puppies are raised and nurtured in a loving and active family environment, and grow to be happy, healthy, well socialised dogs. We are members of the Master Dog Breeders and Associates (MDBA).

Along with the MDBA, we have some concerns regarding this act.

22. Artificial insemination of a dog is not necessarily cruel, certainly not in the same respect as other practices listed in this section. Veterinary practitioners are well qualified to determine whether such a practice is appropriate, therefore the practice should not be categorically prohibited by this act.

72. 72 (1) should refer to 71 (b) (ii), (iii), or (iv) only, not the entire section 71 (b). As it is currently written, an authorised officer can have an animal removed and destroyed on the basis of any offence within the act, whereas such action should only be permitted if the serious breaches listed in (ii), (iii), and (iv) have occurred. Also the owner of the animal should be given the chance to remedy the situation or rectify any issues identified by the officer before the animal is destroyed.

As the MDBA has also noted, there is not enough within the bill to ensure third party accountability or transparency of those charged with policing these laws.

This bill assumes the agencies and officers policing these laws and associated regulations and codes will not ever, or at least rarely ever, make a mistake, and if they do, the error will be caught as part of the judicial/court process, which can take years and lots of money and stress, to resolve.

There must be a process for any person to challenge the procedural process before a court date **especially when we are talking about a living being, that a person has an emotional bond with.**

When a dog is taken from an owner's premises **there must be an allowance for that person to get a second unbiased professional opinion prior to the finality of euthanasia or surgery without requiring a court order.**

This bill leaves those being accused of breaching the legislation or the code, having no right to get a second opinion and resolve any procedural mistakes prior to a court hearing. There is no adequate

protection or right to natural justice if the authorised officer is overzealous, has a personal agenda or is simply making an honest error in judgement. If they are doing everything correctly it still leaves them open to accusations of corruption and bias which could be avoided.

The Charitable Organisations attending vet's decisions, regarding the treatment of dogs, can be made without regard to any prior consultations the dog's owner has had with their attending vet; the history of tests or treating vet management plans. Whilst we understand that a second opinion is not practical or expedient to relieve an animal which is suffering, there are many instances which the MDBA has been made aware of regarding situations that bring the policy of not allowing a second opinion or owner input into treatment options, without a court order, into question.

As a society, we ask those who own dogs to love them and treat them as part of the family and take responsibility for them, but then we can take that family member away from them, and remove their rights, BEFORE THEY ARE FOUND GUILTY OF ANY CHARGE. They have no say in the health decisions made about their dog and are denied the right to an independent second opinion. On a regular basis there are dog owners who report they are told they must either surrender their animals or be charged under this legislation and whilst waiting to find out if a court finds them guilty or not, they pay huge costs including daily boarding fees and the costs associated with defending themselves. Most simply give in and surrender their animals rather than defend themselves in a climate that judges dog owners, especially those who breed dogs, as guilty without due process. If they do surrender their dogs rather than go through the judicial process and they are guilty of mistreating their dogs, then this system allows them to surrender that dog and they can go out the next day and buy another. How is this in the best interests of dogs?

153. The requirement to list Breeder information and/or microchip information adds unnecessary administrative burden to breeders who are doing the right thing, while not really preventing scammers listing incorrect information on sales advertisements. The MDBA has estimated that 35% of the enquiries they receive to verify breeder's details are found to be scammers. Unless there is active and aggressive policing of this, it will not work.

Thank you

Tristan and Susie Hatcher

Cobbers for life.