

**Submission  
No 208**

## **INQUIRY INTO ANIMAL WELFARE POLICY IN NEW SOUTH WALES**

**Name:** Ms Michelle Parker

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## **Inquiry into Animal Welfare Policy in NSW: Submissions on the draft Animal Welfare Bill 2022**

I thank you for the opportunity to present a submission and I wish to express my views from a personal point of view.

My main concern with this policy is that it does not distinguish between the **not for profit** hobby breeders and the commercial breeders.

Commercial breeders are people who derive all or a large part of their income from breeding dogs. They can be large commercial dog breeding complexes or they may be smaller but in all cases the owners/breeders, derive all or at least 50% of their income from the dogs.

These commercial breeders often have made up their own registration systems to legitimise themselves. The registration is run as a commercial entity as well and as long as the breeder hands over the money they are allowed to breed any type of dog.

Less ethical commercial breeders belong to no registration system and breed, undiscovered by the system and sell on Gumtree.

Commercial breeders exist to make a profit so they by definition breed to fill market demand and breed as frequently as they have sales. They feed dogs as cheaply as possible, sell them on as quickly as possible and take not further responsibility for them when they are sold.

These people need to be regulated but there are challenges here and the policy does not address either of them.

1. In the first place the policy does not state how the breeding will be fully regulated. There is nothing to say how the breeders on Gumtree who slide through the crack will be caught. There is no independent body and the use of animal charities to police is already grossly inadequate and the policy does not offer a solution. If you are genuinely serious about this situation you will create an independent body to police the policy, not charities with an already vested interest
2. Some of the terminology is vague and imprecise. The term 'exhibit' needs clarification. Is it applied to animals that are put on display for not other purpose than display? Dog activities such as conformation shows, obedience trials etc refer to entrants as exhibitors but in actual fact they are competing.  
The reference to artificial insemination requires clarification. Quality preservation dog breeders import frozen semen and a veterinary surgeon inseminates the female. In this way genetic diversity is maintained and the preservation of the breed is maintained. To prevent this would restrict gene pools and limit the breeding of some very rare animals. The people who would suffer are the small, not for profit breeders, not the large commercial breeders
3. My final concern is the lack of any input to distinguish between the Dogs NSW, not for profit breeders, who contribute substantially to the community in a number of ways and the commercial breeders who live off the income derived from their dogs.

Dogs NSW (Royal NSW Canine Council) is the premier body for pedigree dogs. It has historically been established for since the last century and carries the right to use the term "Royal" - an honour not given lightly

I am a Dogs NSW member and breeder of Griffon Bruxellois

The Griffon Bruxellois is a small companion dog of up to 5 kg with a 500 year history dating back to the Middle Ages. Originally stable dogs, these dogs were bred in in the late 1800's by Belgian aristocracy including the Queen of the Belgians and have remained relatively unchanged as a breed for the past 180 years.

I am very proud to be part of the history in the preservation of this wonderful breed.

I am also proud to be a member of The Country Griffon Bruxellois Club of NSW Inc. This is a not for profit club that is dedicated to the promotion and preservation of this historic breed and its unique characteristics.

The club is active in educating people about responsible breeding and assisting people to get a healthy, well reared dog from an ethical, caring and knowledgeable breeder who offers ongoing support and mentoring for the lifetime of the dog.

I do not breed for profit. I am a **hobby, preservation purebred, pedigree dog breeder**.

This means that I do not breed very often- only one or two litters a year, if that. It means that when I breed, I breed for the good of the breed, to preserve ancient bloodlines and to ensure that a historic breed continues.

In fact, in 20 years, I have bred a total of 16 litters only. As my breed does not have large litters, I have bred a total of 25 dogs. All this information is freely available on the ANKC (Australian National Kennel Council) because everything I have done has been law abiding, transparent and open. My girls usually only have 1 or 2 litters in a lifetime. I do not breed from them before two years of age or after 6 years of age. I usually only breed when I want a puppy to show. All my older dogs are desexed when they have finished breeding and live with me as pets until a very old age.

I know exactly where every dog I bred is or when they died and why. I keep in regular contact with every single person who has bought one of my dogs and I offer life time support and mentoring. No dog that I breed will ever end up in a pound or rescue. I go to a great deal of effort to ensure that they are returned to me if the owner is unable to keep them, regardless of their age. They have a lifetime return agreement and a lifetime guarantee against genetic issues.

Obviously, I do not breed for money. Instead, I make a loss because of the time and effort I put into ensuring that I am breeding healthy, sound dogs. When I do sell pups, the cost of the pups, covers some of the expenses involved in care and planning of the litter. I have never made a profit.

I have spent many years studying dog structure, health, genetics and pedigrees. I have imported top quality dogs to expand my bloodlines and to maintain the high quality. I keep up to date with the latest research for health and implement it for future well-being of my dogs. I plan every mating carefully, discussing and learning from my peers and mentors and striving to always breed healthy, sound, well adjusted, quality dogs that live long, happy and fulfilled lives. I am proud to be known as a breeder of high-quality pedigree dogs that are fit for function.

My dogs are my pets and live as part of my family. I do not have staff, I do not have large kennels and I am concerned that any possible inspection will demand a right to enter my home because it is classed (erroneously) as a business.

When I breed my dogs, as a registered Royal NSW Canine Council (Dogs NSW) breeder, I am obliged to abide by the ANKC ( Dogs Australia) Code of Ethics for Breeders and I am proud to do so. As a member of The Country Griffon Bruxellois Club of NSW, I have also agreed to abide by the club Code of Ethics for Breeders. The codes can be seen below.

<https://oz.dogs.net.au/griffons/uploads/documents/Appendix-4-Code-of-Ethics-update-2020.pdf>

<https://www.dogsnsw.org.au/breeders/code-of-ethics/>

Both The Royal NSW Canine Council (Dogs NSW) and The CGBC of NSW have requirements that go well beyond the minimal requirements of the DPI Code for Breeding Cats and Dogs that is aimed at large scale puppy factories.

In fact, the Royal NSW Canine Council developed their Code of Ethics before the RSPCA and the early RSPCA documents actually acknowledge the Royal NSW Canine Council (Dogs NSW) input.

### **What is The Royal NSW Canine Council (Dogs NSW)**

The Royal NSW Canine Council (Dogs NSW) is an internationally recognised and respected non-profit organisation that promotes and preserves pedigree dogs, promotes responsible dog ownership and works and supports the community in canine related activities

Unlike every other 'registration', it is not easy to become a Royal NSW Canine Council (Dogs NSW) breeder.

- They must meet initial criteria in order to be eligible to complete the Prefix Education course.
- They must then complete a 6 module Prefix education course on breeding dogs, which includes responsible breeding, the code of ethics and genetics and health.
- They must then pass a written examination
- If successful, they then have a home and kennel inspection
- Only then they will be able to apply for prefix and become a registered Royal NSW Canine Council (Dogs NSW) breeder
- Once a breeder, they are then required to go through a registration process with every pup and their litters are monitored and recorded by Royal NSW Canine Council (Dogs NSW) under the ANKC umbrella. These registrations are recognised world wide and these dogs can compete internationally at all major recognised dog events in the UK, USA and Europe
- Australian Royal NSW Canine Council (Dogs NSW) breeders have an international reputation for excellence in pedigree dogs

No other registration or commercial breeding organisation has such stringent requirements before people can become registered breeders. In the case of commercial registration, any person can breed if they pay the money required. And of course

Promoting responsible breeding and dog ownership is only one of many things that the Royal NSW Canine Council (Dogs NSW) do as an organisation.

## Health

- Royal NSW Canine Council (Dogs NSW) actively support and promote research in to canine health by regular financial donations to university researchers in various universities in the state.
- In conjunction with affiliated breed clubs, working within health requirements, the Royal NSW Canine Council (Dogs NSW) have designated compulsory breed specific health tests that must be completed prior to breeding in order to register a litter. E.g. some breeds must be hip scored before breeding is permitted.
- In conjunction with affiliated breed clubs, Royal NSW Canine Council (Dogs NSW) have specific bans on particular breedings that may cause serious health and genetic issues. E.g. They will not permit or register merle to merle matings because of the genetic risks involved
- Royal NSW Canine Council (Dogs NSW) Affiliated breed club members work to promote the health of their breed and raise funds towards technology and research that can do this. E.g. The only BOAS machine in Australia was funded by the members of The French Bulldog Club NSW, in order to test dogs breathing with the aim of breeding healthier dogs.
- Royal NSW Canine Council (Dogs NSW) Code of Ethics also have specific requirements regarding the age of dogs bred, the number of litters a bitch is permitted to have in a lifetime and the time period between litters. The DPI code only specifies the time between breeding and does not provide a minimum and maximum age or a maximum number of litters
- Royal NSW Canine Council (Dogs NSW) code also states *“A Member shall breed only with the intent of maintaining and/or improving the standard of the Breed and the health, welfare and soundness of their dogs “*.
- Royal NSW Canine Council (Dogs NSW) breeders breed for a purpose. The purpose may be historic breed preservation, conformation, obedience, protection, search and rescue, tracking or any other of the myriad activities that purpose bred dogs do. The NSW Police Force is a member of The Royal NSW Canine Council (Dogs NSW) and breeds dogs under the NSWPD prefix. They breed from lines of purpose bred pedigree dogs, bred by Royal NSW Canine Council (Dogs NSW) breeders.
- Dogs NSW registration has both main and limited registration. Limited registration means that the breeder has decided that the pup is not of sufficient quality to breed from and therefor it should be neutered at an appropriate time. This is to protect the high standards of the breeds. Commercial registration systems, have no respect for this and allow anyone to breed from a dog, regardless of the quality  
No other registration system (and anyone can make up their own registration) or commercial organisation breeds for a purpose.  
The only reason they breed is to make money selling pups. When breeders breed for a specific purpose, they put their heart and soul and wallet into rearing happy, healthy, sound, fit for function pups. When people only breed for the commercial market, they cut corners so that they don't impact on profits.

## **Royal NSW Canine Council (Dogs NSW) Community Participation and Responsibility**

The Royal NSW Canine Council (Dogs NSW) do not just promote and preserve pedigree dogs and register litters. They take an active and responsible role in the community that involves all dogs including cross breed dogs

- They promote and support a variety of activities for **all** dogs. They have an Associate Register so that owners of cross breed and non-pedigree dogs can participate in all activities except conformation
- They are responsible for community events in the following
  - Conformation
  - Agility
  - Flyball
  - Herding
  - Lure coursing
  - Obedience
  - Rally Obedience
  - Scentwork
  - Earth Dog Tests
  - Dancing with Dogs
  - Heelwork to Music
  - Setter and Pointer Trials
  - Non Slip Retrieving Trials
  - Retrieving Trials
  - Tracking
  - Junior Handlers
  - Draft Dogs
  - Endurance

These events are all open to the public. Many people have enjoyed them at The Sydney Royal where they are showcased to the public and draw large crowds

- Royal NSW Canine Council (Dogs NSW) also promote responsible community dog ownership through the numerous affiliated Dog Obedience clubs. Located all over NSW these clubs offer low-cost training on a regular basis to pet owners everywhere. Classes are provided by dedicated, knowledgeable members of Royal NSW Canine Council (Dogs NSW), on a volunteer basis
- Royal NSW Canine Council (Dogs NSW) are also involved in the training of judges in all of disciplines, so that the history, purpose and function of pedigree pure bred dogs is understood. These courses are run by volunteers and can take 18 months to complete with both written and practical examinations. To become an All Breeds Judge takes up to 10 years of training.
- The judges trained by Royal NSW Canine Council (Dogs NSW) are internationally recognised and respected.
- Royal NSW Canine Council (Dogs NSW) qualified judges also work with councils to assist in breed identification and they have run training courses for council employees to help them better identify and understand dog breeds

- Qualified Royal NSW Canine Council (Dogs NSW) members have also visited schools with their dogs to teach children about responsible dog ownership and safe ways to behave near dogs

### **Royal NSW Canine Council (Dogs NSW) Community Contributions**

- The events conducted under the auspices of Royal NSW Canine Council (Dogs NSW) bring income into many areas of the community. Many small country town agricultural shows rely on the Dog section for their biggest entry and income.
- Small Country towns with large and successful annual Royal NSW Canine Council (Dogs NSW) dog events that run for 2-3 days benefit from an influx of visitors who spend money in local shops, stay in local accommodations and contribute to the local economy.
- Royal NSW Canine Council (Dogs NSW) affiliated Breed clubs and All Breed Clubs run fundraising shows for charities. A large show event held annually in Sydney raises funds for The Cancer Council. Two other annual dog events in Sydney and Newcastle raise money for Dalwood and Woodlands Children's Homes, respectively.

### **Royal NSW Canine Council (Dogs NSW) Rescue**

- Many Royal NSW Canine Council (Dogs NSW) have specific conditions in their sales agreements to ensure that any dog they breed is returned to them so it does not need to be rescued. This means that very, very few dogs bred by Royal NSW Canine Council (Dogs NSW) members end up in the local pound or the RSPCA, thus easing the burden on rescue.
- The Royal NSW Canine Council (Dogs NSW) website lists the affiliated breed clubs that are involved in rescue so that the public can access them
- Most affiliated Royal NSW Canine Council (Dogs NSW) breed clubs run their own rescue as well and will rescue and rehome dogs of their breed or a cross breed. Because of the specialist breed knowledge of these members, they are often able to save and rehabilitate these dogs. E.g The Country Griffon Bruxellois Club of NSW had a very small Griffon Bruxellois surrendered to them by distraught owners. She was in poor condition, under 1kg in weight and she had been shipped from New Zealand as part of a consignment of dogs brought into Australia. She was handed to the inexperienced owners at the airport with no information and she had a very large open fontanelle. Within a week she began to have seizures and after seeing several vets the owners were advised to euthanise. However, they were too distraught to do that so they surrendered her to The Country Griffon Bruxellois Club of NSW. She was fostered with a very experienced carer who slowly built her weight and health up to a normal standard. She was treated by the club honorary vet on a weekly basis for over 8 months and she made a full recovery. She is now 4 years of age and is a much-loved pet. Without the ongoing care from a person with breed specific knowledge she would not have survived. Her story can be repeated with every other Royal NSW Canine Council (Dogs NSW) affiliated breed club rescue.

These are not the actions of commercial puppy factories who only breed to live off the earning of their dogs. They are definitely not the actions of illegal, underground rogue breeders.

They are the actions of responsible, honest, law abiding people who love dogs, take an active role in the community and act with transparency and integrity.

A recent statement from the Royal NSW Canine Council (Dogs NSW) said:

*“DOGS NSW breeders, on the whole, breed limited numbers of puppies: our “share of the market” is less than 17% of the total needed within the State annually. Around 75% of our breeders breed less than 2 litters per year. If incorporating 3 litters or less, this figure goes up to 85%. This does not constitute over production, commercial enterprises and most certainly, not puppy farming. We are hobbyists, preserving breeds in all their rich history and diversity.”(Dogs NSW member magazine Weekly Woof January 29th 2021)*

Therefore, over 80% of dogs bred and sold in NSW come from breeders who are **NOT** Royal NSW Canine Council (Dogs NSW) breeders.

- when the dogs are in perfect health and obviously well cared for. Why is the complaint document 24N being used as an audit document on welfare?
- I am concerned about the apparent lack of training RSPCA inspectors have had. What training have these inspectors had in an audit process? And audit is not a cruelty inspection. It is a check against specific criteria. To be an effective auditor, specific training is required and it is generally a Diploma course. Diploma of Quality Auditing BSB51615 is a typical qualification. Have all the RSPCA inspectors completed this diploma or is their lack of expertise in audits one of the reasons for so much confusion?
- I am concerned about the lack of consultation in this process. Despite the Royal NSW Canine Council (Dogs NSW) being an internationally recognised and respected organisation, the RSPCA is reluctant to cooperate or consult. Royal NSW Canine Council (Dogs NSW) have made several approaches to discuss the fence height but have not had a response. A representative from both the RSPCA and the DPI, were invited to attend a webinar to better inform Royal NSW Canine Council (Dogs NSW) of their requirements so that they can work more effectively with them. Both representatives declined the invitation. Why is the RSPCA not working cooperatively with Dogs NSW so that they can focus on the real issue of the underground, illegal puppy factories as identified by the Minister, Mr Adam Marshall?

As an animal lover, who works in a cat rescue as well as owning dogs, I am very supportive of any action that will genuinely stop animal cruelty and neglect. Nothing would please me more than to see illegal puppy factories closed.

However, I fail to see how inability to distinguish between law-abiding Royal NSW Canine Council (Dogs NSW) breeders is going to stop the illegal breeders or protect animal welfare.

Many illegal breeders can be easily found by a glance through Gumtree or the local Buy/Swap /Sell sites. On these sites you will find a frightening abundance of underage, unvaccinated puppies and kittens that are not microchipped and therefore slip through the cracks

Dogs NSW breeders are not underground and they are not illegal; they are small scale hobbyists and definitely not rogue. In fact, they are some of the most open, transparent and highly regulated breeders in the state.



They contribute to the community in a appositive and proactive manner that differs widely from the commercial breeding organisations who contribute very little, apart from meeting the market needs of the public

### **In Summary**

Pedigree, pure bred dogs are bred for a specific purpose, and have predictable personalities and a guaranteed appearance. They have a rich history going back, in some cases, for several thousand years.

The public, when they chose a specific pedigree breed know what they will get- they know the temperament, the coat type, the size and the appearance, and they are able to select a breed that suits their lifestyle without the unpredictability of a cross breed dog that could be a mix of many different breeds.

There are currently exemptions for stock dogs and greyhounds. These exemptions should also apply to Dogs NSW breeders, who are already highly regulated, highly transparent and have contributed to the community in a positive way for a long time.

The policy MUST differentiate between the commercial breeders, and the Dogs NSW breeders