

**Submission
No 25**

INQUIRY INTO PUPPY FARMING IN NEW SOUTH WALES

Name: Mr John Carr

Date Received: 6 March 2022

Dear Committee

I am writing to make a submission to the Companion Animals Amendment Puppy Farmers Bill.

My submission is in five parts.

1. My request to speak to the Committee directly on this area of legislation.
2. On my concerns regarding the transparency and integrity of the submissions process.
3. Briefly, on the statutes of the Bill itself
4. A check to ensure that this submission has been read and handled correctly
5. Conclusion

PART ONE

My background in the dog world is extensive. Some of my areas of experience and qualifications include

- Being a registered breeder with DOGSNSW since 1992, and during this time being involved with showing dogs and obedience training. Having produced 18 select litters in an attempt to improve the quality of the breeds I was associated with and to promote the ownership of them
- Becoming a Delta accredited (CGC) dog trainer in 1999 and Completing both a Certificate 4 in Veterinary Nursing and Kennel and Cattery qualifications in 2000
- Knowledge of Local Government. Working for Local Government in Animal Control for 7 years over 3 City Councils (1995-2002)
- Qualified in performing Euthanasia and all aspects as a Ranger. Experience in all aspects of running an animal shelter.
- Knowledge of the development of our Companion Animals Legislation from the Dog Act to our current Companion Animals Act.
- Knowledge of the POCTAA (Prevention of the Cruelty to Animals Act), its flaws and its use by the RSPCA. Knowledge of Strict Liability offences.
- Knowledge of rescue groups and their interaction with the dog world.

In order for me to address this matter as a written submission, it would require many days of my time and lack the effectiveness of being able to answer your questions. I therefore propose that you invite me to speak with you directly concerning the views of registered breeders and how you may more effectively and simply address this matter of Puppy Farmers.

PART TWO

As one of the people who spent considerable hours writing submissions to the Companion Animal Green and White papers, I was somewhat puzzled as to why the results of my submissions to those papers were not addressed by the Companion Animals Working Party. Many of the points I raised established errors in the arguments used to support the legislation, and the outcomes of the those papers who showed no evidence that my submission had even been read.

During a meeting with the Department of Local Government some time after, it was established from a member of the Companion Animals Working Party that of the 20,000+ submissions received, only the submissions of the major stake holders were read. The reason for this was simple: No one was being paid to read them.

As such the many hours spent reading and addressing the proposed legislation were nothing more than a lie. It was a smokescreen to pretend to the Public that their submissions have been

considered leaving the legislation open to what the major stakeholders wanted.

After quickly reading this Bill and speaking with Merrin Thompson, Director of Committee, I asked her a number of questions regarding making a submission to which I gathered the following evidence.

1. Nobody is being paid to read Submissions. No one is going to read and handle submissions properly unless they are being paid to do so.
2. There is no check and balance system in use. How can a person who makes a submission ensure that their submission will be read and handled properly, with valid points and arguments brought forward to the Committee
3. Before reaching out to the Public for comment, there has been no projections done to establish the effects on the different breeds, the price of puppies, the loss of bloodlines, or the impact such legislation will have on the dog world families that wish to own a dog
4. That experienced and reputable dog breeders are not represented properly on the committee.

PART THREE

I wish to briefly address the statutes of the legislation from the perspective of both a registered reputable breeder and as a person who stands in the middle of the dog world and sees what's happening from a unique perspective.

Before even starting to address the statutes I note the complexity of this legislation. Breeders must already comply with the POCTAA and the Animal Trades Regulations, the current Companion Animals Act. Then organisations like the Greyhounds have their own set of rules and Registered Breeders need to comply with DOGSNSW code of ethics.

61B re Breeding Arrangements

Every person who wants a puppy, wants to own it outright. The reason Breeding Arrangements exist is that in order to afford a particular puppy, or secure a particular breed, the Breeder can make these arrangements and the purchaser has little to no say if they want to own a puppy.

These statutes will unreasonably interfere with bitches on lease between breeders, breeding arrangements between breeders, and bypasses the correct process when a problem occurs. Should a person wish to keep a puppy they have on contract, their Local Vet only needs to write a letter which is entirely subjective to that single Vet's opinion.

This statute is a disaster for Breeders such as myself who accept and lease bitches to other breeders for the purpose of sharing bloodlines and improving the breed. This statute will stop this practice to the detriment of my breed.

Because of the complexity and variety of arrangements, such matters should be left to Fair Trading and not the Companion Animals Act.

61E-N re Companion Animal Breeding Business and Registration

Many breeders and owners live on property in a zoning where running a Companion Animal Business is not permitted. This is a disaster as these breeders and owners will have to give up their dogs and breeding, or move. I will be affected by this statute should this occur

Councils already have powers under the Local Government Act where numbers of dogs can be limited upon there being a tangible problem. The POCTAA (Prevention of Cruelty to Animals Act) has extensive power under the general provisions of Cruelty to deal with every perceivable type of problem as well as powers of entry.

Registration of premises and inspections are excessive legislation and invasion of privacy for someone who has a few bitches and breeds dogs. It will waste Councils time and will cause further persecution of breeders by Councils as they already do.

61S-V re Source Numbers

Registered Breeders already have a Kennel Prefix and a Registration Number that must be used on all matters dealing with the dogs they sell. If there is a problem then the Breeder can be identified.

In all cases Microchipping allows for a dog to be identified, and a paper trail to the previous owners and Breeder

This is not needed. It is excessive red tape and I question the intention of these statutes that they are designed to harass breeders

61W-Y re Business Information Register

We already have dog registration and our information contained on the registry.

This is not needed. It is excessive red tape and I query the intention of these statutes that they are designed to harass breeders

Offences

61Z re Unregistered Premises

This will prevent me and other breeders from being able to move or holiday with our animals
The penalties here are outrageous and are not consistent with other companion animal penalties.

61ZA-ZB re Compliance

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

61ZC re Numbers

Many Breeders such as myself keep on young stock for hip and elbow assessments at 12 months of age, teeth assessment at 18 months of age, and construction and development assessments prior to breeding at 2 years of age.

Many Breeders such as myself keep bitches who are no longer of breeding age to assist with the development of puppies and younger animals giving them a more fulfilled and colorful enrichment during their development. They also provide insight into problems that may occur in older age and the best background to assess the improvements that have been achieved in breeding.

And many breeders such as myself may keep female dogs as pets not involved in breeding but still intact.

Desexing is not without risks and consequences, many of which are overlooked by Welfare and Veterinary Fraternities who each have their own interests in pursuing such procedures. Desexing also causes temperament changes to the affected animal and may mask or cause problems not of a genetic nature that are then connected with those bloodlines. As such desexing must always be a personal choice of the breeder or person owning the animal as they have to look after the animal through its life.

The number of Bitches being maximum 10, as currently defined by this legislation encapsulates all the female dogs some breeders may own, where only a smaller portion of this number may actually be used in actual breeding.

This limit will lead to a detriment of breeding and will affect breeders such as myself by:

- Being unable to run on several specimens from a litter to choose the best one for breeding
- Being unable to run of different bloodlines to future proof their breeding
- Not being able to run on backups due to unexpected problems or death of a brood bitch
- Being unable to take on Bloodlines unexpectedly such as the death of a fellow breeder

There should never be such a limit imposed. How many animals a person can own breeding or not should always be subject to how many animals they are capable of caring for and this is currently reflected in our current legislation.

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

61ZD-ZE re Vet Checks

This may seem a good idea but the penalties would apply for an accidental mating or should the bitch in case pass away. Every visit to the vet increases the likelihood of bringing home diseases to the puppies that at 8 weeks of age are not sufficiently protected to handle them.

Under the current POCTAA we already have legislation requiring veterinary care when it is needed. There is no need to go futher than these requirements already made upon us.

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

61ZF re Not Breeding in Certain Circumstances

Registered breeders are limited to 6 litters from a breeding bitch. Out of those 6 litters some may only have a few puppies,

Currently one of my bitches had her first litter of 2 puppies, of which one has been run on for the future of the bloodlines. Of this litter only 1 puppy was sold. It may be that the one puppy run on fails hips or elbows or any one of the tests we do to ensure sound breeding stock for our future.

In some cases it takes two litters to properly assess the improvemnts that a dog may have over a bitch. You may then need another two litters to another dog if the improvements sought were not forthcoming.

And then there is a severe shortage of purebreed puppies. Setting a limit of two litters will make it harder to run on puppies for the improvement of the breed and send puppy prices to ridiculous

levels, as the price of puppies is entirely market driven.

Also all of our breeds have hereditary defects. What is important is that breeders breed to minimise or correct hereditary defects, and only not breed with hereditary defects where they are of such significance within that breed that it affects the ownership of the dog and is not viable to pursue correcting or minimising.

As a registered breeder I cannot breed dogs which are very closely related. However I do accept there are times where to preserve a valuable bloodline it can be necessary to have such a litter. All dogs are related by blood. Many breeds are traceable to the individual dogs that were used to create the breed and all dogs originated from the Wolf. Subsection C is badly written and needs to allow for what related by blood means and allow for exceptions as mentioned above.

Again I stress that these statutes spell the destruction of many of our breeds, the hindrance to breed for improvement, and the ridiculous prices that will be driven by a market desperate to buy one of the few puppies that are then offered for sale.

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

61ZG re Staff

Setting a minimum staff of 1 person for every 5 animals is a ridiculous and not fiscally viable. So for 25 animals you need 5 staff members at all times, and for 4 rotating shifts that is 20 staff.

Staff should be as needed. Again the POCTAA provides for the care of animals and this is sufficient.

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

61ZH re Records

Department of Fair Trading should be handling this, not the Companion Animals Act

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

61ZI re Plan

This is already covered by the POCTAA and animal trades. It should not be in the Companion Animals Act

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

61ZJ re Safety

This is already covered by the POCTAA and animal trades. It should not be in the Companion Animals Act

Again, the penalties here are outrageous and are not consistent with other companion animal

penalties.

61ZK re Cease Breeding

What purpose is made by setting a limit of 6yo on a dog? If a dog can improve on a bitch and it is viable why interfere with the process? I am sure the 6yo dog doesnt mind !!!

Sometime bloodlines fall a breeders way from a variety of sources, and sometimes these bloodlines are a Godsend. The best dog should be used over a bitch regardless of age unless it is a matter of cruelty.

Forcing people to desex their older male dogs is wrong. Desexing causes considerable pain for the dog and vastly increases its risk of severe cancers of a magnitude of several times.

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

61ZL-O re Pet Shops

Why are we limiting the trade here to Welfare Dogs only? A dog is a dog regardless of where it comes from !!!

And why the huge age discrepancy between dogs and cats?

All this had been thrashed around for years again and again and again. It was thrashed out again in the making of the Companion Animals Act previously. Why are we revisiting this matter again?

Pet Shops are covererd by the relevent code of practice under the POCTAA. This does not belong in the Companion Animals Act

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

61ZP re Source Numbers

Microchipping ensures a paper trail back to the breeder, and registered breeders already have a prefix. Again this is excessive red tape

Again, the penalties here are outrageous and are not consistent with other companion animal penalties.

Division 3

The powers here are too ambigious and too generous. Any entry into premises must be by Court Order regardless of what may occur, just like any other matter. The Court can make sure this Order is not abused as it will be given its current wording and interpretation.

PART FOUR

It is necessary that whoever reads this submission contact the person who wrote it on . The persons name is John. The Check Word is 'Opera House'. This is used as a check to ensure the submission was read and will be processed correctly. If this check is not carried out this submission

will be labelled as not read and the matter pursued.

CONCLUSION

Many Breeders who have dogs breed to help improve the breed overall and provide good healthy puppies for people to own. Being a reputable breeder is hard because less than 40% of the stock you run on can be used for breeding, and there are many more moments of sadness than of happiness in the world of breeding dogs.

Over the years a number of factors have pushed up the prices of puppies where some individuals that would not normally be involved in breeding dogs have decided to pursue breeding them as a means of easy financial gain. COVID has not helped matters causing increased demand for puppies. The effect has caused desperate people to acquire puppies under agreements they do not want or for prices which are exhorberent.

As a reputable breeder I am well aware of what a Puppy Farm is, but I am also aware of the reality of the world we live in and

To me this legislation will cause the destruction of the Pure Bred dog Fraternity. People that breed because they care for a breed will no longer do so. Microbreeders will not have the scope to breed correctly, The loss of bloodlines and the loss of breeds will occur and the price of a puppy will Skyrocket. I will no longer desire to breed anymore should this legislation occur despite the constant begging of people every day wanting a puppy from me.

I dont believe that this legislation is what the general public, or any of the players in this matter really want. I believe people want puppies that are bred by people who care that are affordable with a background knowledge of the parents. I believe this legislation opens up the door for increased companion animal businessess with super huge prices and limited stock where owning a pet is for the financially privilidged.

I therefore ask to speak to the Committee about reality. About what people really want and how to make it happen and about the reality of the dog world today.

John Carr