

**Submission
No 26**

INQUIRY INTO PUPPY FARMING IN NEW SOUTH WALES

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Inquiry into Puppy Farming in New South Wales

As a former member of the cat rescue community in NSW and now as a legally trained animal rights advocate, I strongly welcome the proposed amendments to the *Companion Animals Act 1998* (NSW) by the *Companion Animals Amendment (Puppy Farms) Bill 2021* (NSW). Thank you for the opportunity to make this submission which will focus on issues that arise on reading the Bill and other related matters (terms of reference (a) and (k)).

Support for the Bill

The primary purposes of the Bill, in regulating businesses breeding companion animals and other animal businesses and ensuring enforcement powers are available to ensure regulation of the conduct of such businesses, deserve strong support. Such tightened regulation of animal breeding, if well enforced, should also help reduce death rates in pounds, if not directly, at least indirectly as less animals will be available for sale or adoption.

This legislation is much needed

I will never forget witnessing firsthand the appalling situation in the NSW pound system between 2012 and 2016, when numerous cats and kittens were killed every week in the four high-kill Greater Western Sydney pounds.¹ Many dogs were also killed but this appeared to occur in lower numbers than cats. Rescuers were continually traumatised knowing their best efforts could not stop the killing. The raw statistics available on request at one point during that period from the Office of Local Government confirmed that cats were killed in significantly higher numbers than dogs in individual pounds. The reasons for the high pound intakes and high pound death rates at that time were clearly multiple and the solution needed was clearly multifactorial. However, legislation to strongly control those who intensively breed animals for profit, and the creation of an effective enforcement regime, should hopefully assist in reducing the number of companion animals killed in pounds, as well as lowering the number of animals who are euthanased for medical reasons (resulting from unethical breeding practices).

Animal rescue referred to for the first time in NSW law

The legal recognition of animal rescue groups in the Bill is welcomed. They are now to be referred to for the first time in law in NSW if this Bill passes. This is an important milestone. I note the legislation will also include independent carers/small rescuers among those who will be required to apply for source numbers. It is important that everyone who has animals in

¹ The four pounds referred to were Renbury Farm Animal Shelter located at Austral (now closed), Blacktown Animal Holding Facility, Campbelltown Animal Care Facility, and Hawkesbury Companion Animal Shelter.

their care for rehoming is subject to the regulative requirements that these amendments will impose.

The NSW cat rescue groups I am familiar with are highly ethical and provide a very high standard of care to the cats and kittens they rescue to rehome. However, the rescue community itself is aware that problems can arise with some rescuers and are prompt to condemn unethical practices. It would seem these amendments may help ensure people new to rescue, when applying for a source number, are made aware of the codes of practice and may be subject to inspections and welfare checks of the animals in care. The amendments will also hopefully ensure that people with adverse animal welfare histories are not given source numbers.

Need for an Animal Welfare Code of Practice for Companion Animal Rescuers

One important issue still to be addressed is that there is no Animal Welfare Code of Practice for companion animal rescuers. Now the only animal welfare code animal rescuers can refer to is the *Animal Welfare Code of Practice No 5 – dogs and cats in animal boarding establishments*. Can an Animal Welfare Code of Practice for companion animal rescuers be developed in consultation with the companion animal rescue community and peak animal welfare organisations? Alternately, or in addition, could NSW consider a process like that in Victoria where a review of community foster care networks and animal rescue groups has been undertaken by Animal Welfare Victoria?²

Need for a regulatory framework for animal rescuers

The Victorian Government established a Taskforce in 2021 to consult with the community and provide recommendations on a potential regulatory framework for the rescue and foster care sector.³ These amendments to the CAA contain the beginnings of a regulatory framework for animal rescuers, however, more needs to be done regarding this sector in NSW. If rescues are better regulated there will be more potential of financial support as has occurred with animal welfare grants in Victoria. However, I understand the main purpose of this current Bill is to crackdown on puppy and kitten farms.

Consumer protection from unethical intensive breeders

Consumer protection is also an important component of this Bill. I have not had the experience of buying an animal that originated from a puppy or kitten farm. However, I understand that others have incurred high veterinary costs and psychological distress following purchasing an unhealthy animal, or an animal with serious genetic defects, from an unethical intensive breeding business. Sometimes these animals have been supplied by pet shops. I strongly support the prohibition on pet shops supplying animals from puppy farms to

² <https://agriculture.vic.gov.au/livestock-and-animals/animal-welfare-victoria/domestic-animal-businesses/shelters-and-pounds/animal-rescue>

³ <https://agriculture.vic.gov.au/livestock-and-animals/animal-welfare-victoria/domestic-animal-businesses/shelters-and-pounds/taskforce-on-rehoming-pets>

consumers. I strongly support pet shops working with rescue groups and organisations to rehome rescue animals.

The imposition of limits on breeding companion animals including the prohibition on breeding cats and dogs with characteristics that have a negative health impact is a very important reform. It is also very positive to see legislated enforcement strategies such as regular inspections to ensure animals are well-treated.

Does this Bill address unethical crossbreeding of designer hybrid dogs?

The unethical cross breeding of “designer” hybrid dogs in response to a so-called “market demand” for crossbreeding poodles with other dog breeds, regardless of whether breeding such dogs is in the interests of animal welfare, is also an issue of strong concern. An internet search on “poodle mixes” reveals the heavy and ruthless marketing strategies employed by unethical breeders. Will this legislation specifically address this problem?

Can this legislation be extended to other animals bred to be pets?

Strong regulation of companion animal breeding in NSW is clearly very necessary to protect the welfare of cats and dogs. However, will this legislation be extended to additional animals bred to be pets including rabbits, ferrets, guinea pigs, birds, fish, rats, mice, and tortoises? These animals also need protection.

I fully support the inclusion of the proposed Part 6A in the *Companion Animals Amendment (Puppy Farms) Bill 2021* (NSW) in the *Companion Animals Act 1998* (NSW). However, it may be that further animal welfare amendments are necessary regarding other species of animals kept as pets and crossbreeding of dogs.

I sincerely hope all the current animal welfare reforms succeed and the cruelty of puppy and kitten farms and high pound kill rates is finally successfully addressed.

Thank you for considering my views.

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