

**Submission
No 195**

INQUIRY INTO PUPPY FARMING IN NEW SOUTH WALES

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Dear Parliament Of NSW

Thank you for the opportunity to make a response to the Parliamentary Inquiry on the issue of puppy farms in NSW.

The intensive factory farming of dogs and cats must be made ILLEGAL. The Puppy Farm Bill will not ban breeding altogether. Registered breeders can continue to operate around a legal framework that cares for the dog's well-being. It will **make large-scale puppy farms illegal**. It does this by capping the number of female breeding dogs and the number of litters each dog can have. This will stop large intensive puppy farms (some of which have 300+ dogs) from being able to legally operate which is what is happening today.

I encourage the NSW government to follow Victoria's example and not support the vested interest of stakeholders who want the industry to continue where animal welfare standards are poor and compliance checks are non-existent.

If the NSW state government fails to pass this Bill, they avoid passing legislation that will protect dogs and cats and allow massive factory farming of companion animals that will lead to a crisis in our state of dogs and cats suffering cruel lives on these farms, and masses of unwanted homeless animals. **The state's legislative laws MUST change to protect animals and reflect the changed expectations of the community relating to animal welfare.**

Currently in NSW there is no limit on the number of female dogs any breeder can have, no limit on the number of litters any dog can be forced to endure, and no mandatory vet checks or staffing ratios to ensure animals are given proper care. This is wrong.

This means someone can set up an intensive dog or cat farm and force these animals to pump out litter after litter for their entire lives until they die. The facility could have one person assigned to care for all the animals – and this would be perfectly legal. This is wrong. These breeding dogs and cats are kept in confined spaces along with their litter. Many don't receive exercise and are denied outside enriched environments. They are denied proper care when they need it or are simply overlooked to suffer in silence and die on these farms. Is this what the NSW government currently views as appropriate care? This is not in my view an acceptable standard of welfare for any animal.

Intensive puppy and cat farms must be shut down. We have countless dogs and cats in this state on death row in pounds and in shelters. We also have greyhounds exiting this cruel industry that need to be rehomed- otherwise they are mercilessly killed because of economic vested interests that are prioritised over animal welfare. We must have a ban on intensive farming of companion animals.

Every time there is money to be made off animals they suffer. Many breeders in this industry want the government to prioritise industry stakeholders whilst only giving minimal lip service to animal welfare outcomes to keep their profits high. Those that enter this industry have a moral responsibility to invest properly into the care of their animals.

(a) the provisions of the Companion Animals Amendment (Puppy Farms) Bill 2021,

This Bill is modelled on similar legislation that has been successfully introduced in Victoria.

I wholeheartedly support the Bill. However, there has been misinformation around the Bill from breeders.

This bill does not stop people having companion animals and will not stop the breeding of companion animals in properly cared facilities that maintain good animal welfare standards.

I support the Bill because the laws and regulations governing puppy and kitten farms currently are woefully inadequate. There is no state-wide licensing or registration in place, no minimum staffing requirement to ensure proper care, no limit on the number of litters dogs or cats are forced to have, and no qualification requirement for breeders. Absolutely no regulation or compliance is in place.

Beyond the direct cruelty involved in using animals in these facilities, puppy and kitten farms contribute to the constantly growing issue of companion animal overpopulation and abandonment.

(b) the animal protection issues associated with puppy farming

On puppy farms there is a lack of mandatory animal welfare standards for dog breeders and a failure to clamp down on unscrupulous breeders, which makes it possible for puppy mills and backyard breeders to continue their operations unhindered. Dogs in these facilities are often kept in small pens with no quality of life and a lack of veterinary care. They have no opportunity to exercise, socialise, play, or interact with humans. In many cases puppies from such facilities have already developed long-term behavioural or health problems because of the poor conditions they are bred in before they even find a home. Mother dogs may suffer years in isolation.

Based on my own experiences, I bought a pedigree English Cocker Spaniel from a renowned dog breeder. Unfortunately, I bought a dog that had hereditary ailments or ill health due to interbreeding. My dog 'Henry' who I loved dearly died one and a half years old with a cancerous liver completely breaking away on the operating table. There are unscrupulous people in this industry who interbreed champions to make more money which effects not only the dog but also the owner who builds up a loving bond with their pet. My vet at the time said, 'He had never seen such a diseased liver in such a young dog ever!' This breeder continued to operate in this unregulated industry. In summary companion animals bred on these farms experience-

- Denial of adequate food, water, and shelter
- Often lack adequate veterinary care
- Confinement
- Genetic conditions that are a result of inbreeding
- Lack of socialisation and enrichment
- Health conditions (infections/tumours etc.)
- Physical exhaustion
- Psychological damage

(c) the consumer protection issues associated with the sale of dogs from puppy farms online and in pet shops

- Suffering of animals due to poor care that have led to infections, illnesses and even death
- Large vet bills by consumers associated with treating ex-puppy farm dogs
- Inbred genetic conditions that have resulted in poor health outcomes
- Interactions with consumer bodies and difficulties getting any action from government authorities

(d) the adequacy of the current legislative and enforcement framework, including the Animal Welfare Code of Practice - Breeding of Dogs and Cats,

There exists legislative inadequacy and enforcement framework that is simply failing.

Puppy farms are currently legal in NSW. There are no registration requirements, no caps on the number of dogs. No government oversight of this industry. Cruelty is rife in puppy farms. *Minimum animal welfare standards for breeders are in place in NSW. There is no satisfactory regulation of this industry.* RSPCA and AWL must be given more powers to enforce animal cruelty laws and shut down online sales of animals and free animals, and actively inspect puppy farms and backyard breeders. The RSPCA and Animal Welfare League charities are propped up financially by the community. It is an economically viable model for the government to continue to have these charities enforce laws using community donations to reduce their own financial funding for these charities. This 'robust system' as referred by the government is struggling to enforce current legislation. The reality is that these charities are insufficiently funded by this government, need more inspectors and paid staff rather than volunteers. Because there are constraints on their funding, investigations and prosecutions are not done in a timely manner and many investigations are missed and the alleged acts of animal cruelty continue. By not have a compliant regulated puppy and cat farm industry we put more burden on these charities to achieve improved animal welfare outcomes in this state.

Selling online like on Gumtree, puppies that can often been bought with no safeguards in place to exploit these dogs in underground dog fighting where they are cruelly abused is another result from this disgusting industry.

RSPCA and AWL must be given more powers to enforce animal cruelty laws and shut down online sales of animals and actively inspect puppy farms and backyard breeders as many of these dogs especially are picked up by sadistic people to use barbarically in organised illegal dog fights.

RSPCA NSW has only 32 inspectors to police a state that is over 809,000 square km in size and containing many, many animals on puppy farms. RSPCA also investigate cruelty cases on factory farms involving millions of animals. Their resources are stretched. The number of inspectors is clearly inadequate to ensure compliance with, and to enforce, the objects of the Prevention of Cruelty to Animals Act 1979 (POCTAA). There are legitimate community concerns that many animals continue to suffer on puppy farms because of an inadequate inspection regime and a lack of oversight in terms of compliance. We need a regulated dog and cat farm industry to protect companion animals in this state and wipe out the cruelty on these farms because the RSPCA and AWL are overwhelmed when it comes to compliance and enforcement of the Cruelty Act.

Currently these two charities have limited ability to enforce the Law due to being under-resourced. They have difficulty achieving the objectives of animal welfare. An Independent Office of Animal Welfare as a separate statutory enforcement agency, tasked with monitoring and investigating matters impacting animal welfare on puppy and cat farms would lead to true reform as well as a regulated industry. If the government provided more funding to RSPCA NSW and AWL NSW this would enable inspectors to be proactive rather than reactive in relation to animal cruelty.

(e) the extent to which the recommendations of the 2015 Joint Select Committee on Companion Animal Breeding Practices in NSW have been implemented by the NSW Government,

Cruelty thrives on these puppy and cat farms. If the recommendations had been implemented, we would not be seeing these cases of cruelty. There has been minimal impact. Virtually no recommendations introduced and no positive impact on puppy farms to improve the welfare of companion animals.

(f) the impact and effectiveness of the NSW Government 'Puppy Factory Taskforce' announced on 23 October 2020

This has been a failure as the task force is restricted by our laws, and our current laws are grossly inadequate. Because these laws are inadequate, they cannot protect companion animals on these intensive farms. Cruelty is rife on puppy and cat farms. *There is no satisfactory regulation of this industry.* Insufficient government funding 'inevitably' has led to inadequate enforcement. There is a clear need for additional resources to enable better monitoring and enforcement for improved animal welfare laws and regulations. Only then can we clean-up this industry.

It is difficult to see how the approved charitable organisations (RSPCA and AWL) can provide a proper level of protection to animals and achieve the objects of the Act, without sufficient funding.

(g) the impact and effectiveness the Domestic Animals Amendment (Puppy Farm and Pet Shops) Act 2017 (Vic) on puppy farming in Victoria, and the consequences for the puppy farming industry in NSW

The impact of this has been that operators have started to move from Victoria to NSW, which is why we desperately need to regulate this industry properly.

I know of a controversial puppy farm proposed for Moama, on the NSW-Victorian border, was approved — despite a petition with more than 38,000 signatures opposing it. The development application for the puppy farm was submitted by a Victorian dog breeder who was deemed an "unsuitable" person to run the dog-breeding business because a former employee of his had been charged with animal cruelty and operating an unregistered business.

Victoria's tough laws on puppy farms are leading to breeders relocating to NSW, where the regulations are more lax, which happened in this case. The Moama breeding centre would host up to 200 dogs and 120 puppies. There are puppy farming 'hot spots' all across regional NSW because unscrupulous breeders are moving across the border to set up these cruel farms because of our relaxed rules. NSW laws and regulations MUST change to protect animals and stop this situation becoming an epidemic across all of NSW. Hence, we must have the Puppy Farm Bill become law otherwise more breeders from Victoria will set up these cruel intensive farms.

(h) the challenges faced by local councils in respect to development applications for puppy farms

Councils are currently constrained in their ability to reject puppy farm development applications. Even with community objections council's hands are tied and there is nothing they can do to stop these proposals from passing because it is lawful to have these intensive breeding factories operating in NSW. Councils only enforce the law, they do not make the laws. Many counsellors have been known to begrudgingly pass development applications for puppy farms only because it is lawful in NSW – NOT BECAUSE IT IS MORALLY RIGHT. **Therefore, if the laws condone animal cruelty and suffering, the current laws are wrong and must change to protect animals.**

Every year in Australia, thousands of healthy dogs and cats are euthanised in pounds and shelters, simply because there aren't enough homes for them. The financial burden carried by Councils is evident hence the euthanising levels are high. Consumer demand for buying companion animals rather than rescuing animals, strengthens a market for unscrupulous operators and the cycle of suffering continues.

There have been numerous raids on puppy farms across the state in recent years. The RSPCA seized 79 dogs from a farm in the Central West region of NSW last year, and all the animals were admitted to veterinary hospitals. So even though local councils pass these development applications it is not because they want to, they must legally, otherwise they would have costly court battles and waste rate-payers money because they would lose, *as having these puppy farms in their present form is legal. The laws are therefore wrong and must change to reflect changed community expectations regarding proper animal welfare standards.*

(i) legislative and other measures that could be implemented to stop or reduce puppy farming in NSW

I support the following restrictions and rules:

- All breeders (with 3 or more breeding animals) must **register with their local Council**, with mandatory pre-registration and annual inspections.
- **Cap of 10 breeding dogs**, to prevent large scale intensive factory farming-style operations. It is a necessity that this cap limit be regulated through inspections to oversee the industry is compliant.
- **Limit of 2 litters per female** – this is stronger than Victoria (which has a maximum of 5 litters), but was recommended by animal welfare experts to ensure that animals have the best quality of life after they cease breeding,
- **Mandatory vet checks** (annually, and before and after breeding). If you breed companion animals the responsibility of a breeder is to ensure the female is not suffering pain or experiencing a complication. This is what I would expect is a proper standard if you run a business. Dodgy breeders currently capitalise their profits off the suffering of breeding females with no or minimal vet checks.
- **Minimum 1 staff member to 5 animal ratios** to ensure proper care of each individual animal.
- **Pet shops can only sell dogs or cats sourced from pounds and shelters** to ensure they can't act as 'smoke screens' for puppy farming. Many pet shops already work from this model and have proved it is still a profitable business model.
- **All animals must be advertised with a 'source number'** which links back to the registration system and provides transparency and oversight for the public and enforcement agencies.
- The physical site must also be compliant to provide for the animal's physical needs. The breeder has a responsibility to provide a comfortable space for these animals showing that care and regular cleaning routines are maintained. Time for outdoor play and enrichment for their physical and emotional well-being also needs to be considered. This is achievable with limits on the number of breeding animals.

In conclusion by having ***all breeders of dogs and cats being registered in the industry*** this will protect those breeders that have been doing the right thing all this time and weed out those breeders that should be ashamed of themselves and deregistered! Annual licensing to ensure compliance is maintained for the business is also needed.

Having a **legal regulatory framework** will deter and prevent the unscrupulous breeders from operating. A regulatory framework in place will still allow those breeders with implemented proper welfare standards to continue to operate. Without the legal framework in place this industry exploits, neglects, and abuses innocent animals. This has been going on for years. Unfortunately, many breeders in this industry cannot be trusted to provide even the most minimum standard of care.

In 2020, eyewitness accounts surfaced from a puppy farm in Inverell, where a 10-month-old boxer named Strawberry had allegedly rotted from the inside out after becoming sick during a pregnancy. The RSPCA raided this facility and another in Wagga Wagga. Each of these raids puts huge stress on the resources of veterinarians, foster carers, the legal system, and the RSPCA. If a legal framework had initially been established with registration,

compliance, and ongoing checks this situation would never had occurred, this dog would not have suffered cruelly, and resources would not have been stretched.

Having a regulatory framework based on the Puppy Farm Bill will also free up the emergency situations that RSPCA or AWL must investigate meaning that they can take on a more preventive role rather than a reactive role in dealing with cases.

Neglect of breeding dogs and cats on these farms has become all too apparent in the past resulting in animals being bred continuously litter after litter without mandatory health check guidelines and checks in place during the breeding period to protect their well-being. Many female animals die after only a few years old, because they have been over-bred mainly due to the financial priorities of the owners of these intensive farms. This proposal will implement proper animal welfare standard benchmarks, to protect companion animals.

Regulating the industry through local councils, RSPCA, AWL is a fair and reasonable path to ensure proper welfare standards are **maintained**. For far too long this unregulated industry has operated in secret with immense animal suffering and cruelty. The industry of course will oppose these regulations as being too restrictive, unfair, and economically not viable with financial impacts for them. Their motives for opposing the Puppy Farm Bill will be based purely on money!

The physical, emotional, and psychological impacts this unregulated industry has had on companion animals for years causing suffering, abuse, and neglect must end.

In my own experiences as a volunteer at Animal Welfare League Kemps Creek and Ingleside (before it closed) and Monika's Dog Rescue also at Ingleside, I have seen first-hand the neglect and abuse of unwanted dogs. Trying to rehome these mature dogs that are deserving of a second chance in life is hard when they are competing with all the puppies churned out on these puppy farms.

As a donor of RSPCA for years I have also supported their efforts financially because they are underfunded by the state government and overstretched in investigating complaints of abuse, neglect, and cruelty. If this bill is not passed, we will see puppy farms permitted by law to have up to 300 dogs on site. It will be impossible for the RSPCA and Animal Welfare League to respond and investigate cruelty cases. RSPCA and Animal Welfare League are the two approved charities responsible for the compliance and enforcement of the Act. They are already over-worked and under-resourced and unable to investigate fully all cruelty cases. So, animal cruelty will continue on these intensive farms if the Puppy Farm Bill is not passed.

All animals are sentient beings and as such this includes animals raised for commercial purposes like intensive factory farming of companion animals. They have no voice to oppose injustice or cruelty. Due to economic interests, most of these animals are not even afforded basic legal protection from extreme acts of cruelty. There are systemic practices that are cruel and should be banned.

The community want their voice to be heard. We want legal systems in place to protect companion animals on these farms.

These farms churn out hundreds of animals every year into a state already bursting at the seams with homeless animals. This must be made illegal. Having a system in place that shuts down those farms that promote cruelty, will protect those breeders who are honest and care for their animals appropriately.

The Puppy Farm Bill is important legislation that must be passed in NSW to protect companion animals from cruelty and protect consumers.

Yours sincerely
Janice Haviland