

Submission
No 199

**INQUIRY INTO PUPPY FARMING IN NEW SOUTH
WALES**

Name: Name suppressed

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Partially
Confidential

Dear Parliament of 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**.

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.

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.

Issues for consideration include-

1. The current framework regulating dog and cat breeders in NSW, including Prevention of Cruelty to Animals Act 1979 (NSW), Prevention of Cruelty to Animals Regulations 2012 (NSW), NSW Animal Welfare Code of Practice: Breeding 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. This 'robust system' as referred by the government is struggling. 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 farm industry we put more burden on these charities to achieve improved animal welfare outcomes in this state.

RSPCA NSW 'has only 32 inspectors to police a state that is over 809,000 square km in size and containing many animals in factory farms and on puppy and cat farms. 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 puppy farm industry to protect companion animals in this state and wipe out the cruelty on these farms.

2. What should laws be to ban puppy farming look like?

Laws to end intensive puppy farms should involve the following:

- All breeders (with 3 or more breeding animals) must **register with their local Council**, with mandatory pre-registration and regular inspections of breeding facilities.
- **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 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. So, bans on selling animals sourced from puppy farms. Turning pet shops into adoption centres instead which has already proved to be 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. 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.
- Mandatory desexing of animals by 2 years of age.

3. The Companion Animals Amendment (Puppy Farms) Bill 2021 states that its objects are to amend the Companion Animals Act 1998 to:

- (a) Regulate the conduct of businesses breeding companion animals and other companion animal businesses, and**
- (b) Provide enforcement powers for the purposes of regulating the conduct of companion animal businesses.**

Comments on 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 proper cared facilities that maintain good animal welfare standards.

I support the above provisions because the current laws and regulations governing puppy and kitten farms 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.

4. Animal protection issues associated with puppy and/or kitten farming

On puppy farms there is a lack of mandatory animal welfare standards for dog breeders and failure to clamp down on unscrupulous breeders 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.

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.

The animal protection issues of concern to me are-

- 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

5. Consumer protection issues associated with the sale of pets from puppy and/or kitten farms online and in pet shops

Because dogs and cats are bred for certain aesthetics at the detriment of their health, the industry is fraught with consumer complaints. Last year, The Animal Law Institute set up an Anti-Puppy Farm Legal Clinic following an increase in the number of people unknowingly buying sick companion animals online during the pandemic.

The sale of dogs from puppy farms online and in pet shops presents many consumer protection issues such as-

- Suffering of animals due to poor care that have led to infections, illnesses and even death
- Large vet bills 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
- The sale of dogs from puppy farms online and in pet shops means that they are bought with no safeguards in place as to their health. Often dogs are also bought online to exploit in organised illegal dog fighting where they are cruelly abused or are killed.
- 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.

In conclusion cruelty thrives on these puppy and cat farms. If the recommendations **of the 2015 Joint Select Committee on Companion Animal Breeding Practices in NSW had been implemented by the NSW Government**, we would not be seeing these escalating 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. That is why we desperately need the Puppy Farm Bill to protect these animals.

The NSW Government 'Puppy Factory Taskforce' announced on 23 October 2020 has also been a failure as the task force is restricted by our laws, and our current laws are grossly inadequate. These laws cannot protect companion animals on these intensive farms. *There is no satisfactory regulation of this industry. Hence the laws and the regulation of this cruel industry MUST improve to reflect community expectations and improved animal welfare outcomes so that these cats and dogs are protected, and mechanisms are in place for compliance of the law.*

Insufficient government funding 'inevitably' has led to inadequate enforcement by RSPCA and AWL and this needs to change.

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. They MUST have sufficient funding and the laws MUST improve to protect these companion animals otherwise the cruelty will continue. 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. They were too late. This young Boxer died a cruel death, thrown in nearby bushes and denied veterinary care that could have saved her life, because this puppy farm had no appropriate animal welfare standards in place.

The impact of the **Domestic Animals Amendment (Puppy Farm and Pet Shops) Act 2017 (Vic) on puppy farming in Victoria** has seen improved protection of animals on these farms in Victoria. Unfortunately, because there is more regulation of the industry in that state, greedy operators have started to move from Victoria to NSW, to set up their intensive farms with weak NSW legislation. A controversial puppy farm proposed for Moama, on the NSW-Victorian border, was approved by Council 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.

The Moama breeding centre would host up to 200 dogs and 120 puppies. The Councils are currently constrained in their ability to reject puppy farm development applications because they only enforce the law, they do not make the laws. If the laws condone animal cruelty, the laws are wrong, and they must change to protect innocent cats and dogs on these intensive breeding farms.

There are now many 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 NSW 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 in NSW, leading to more abandoned animals unable to find homes. Puppy farms are breeding many companion animals only to be euthanised and also limiting the chances of non-pedigree dogs in shelters finding homes.

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

Yours sincerely