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SUBMISSION ON THE STOP THE PUPPY FARMING CONSULTATION PAPER

I am writing to express further concerns about proposals contained in the consultation paper because the online survey public submission form is drafted in a manner which appears to present solutions as a fait accompli rather than a proper analysis of whether new legislation is required.

Failure to distinguish between different issues

The key problem is that the consultation paper's title is misleading as the proposals go far beyond the regulation of puppy farms and would impinge on the rights of pet shops and dog owners, introduce mandatory dog de-sexing, establish a centralised registration system, and impose mandatory standards for dog breeding, housing, husbandry, transport and sale. These matters are separate issues which deserve independent analysis rather than being lumped together as a single issue.

Puppy Farms

If the chief concern is commercial puppy farms producing many animals in an environment which is detrimental to the health of those dogs, then that matter should be addressed through separated legislation which targets puppy farms through animal welfare laws or by strengthens licensing requirements for kennels or commercial breeders. Section 27 of the *Dog Act 1976* (the Act) already provides for the licensing of approved kennel establishments and allows for local laws to be made so that that dogs are kept in kennels and yards appropriate to the breed, with standards not less than that prescribed, and with the site maintained in accordance with public health, and sufficiently secured.

It should be possible to shut down puppy farms in Western Australia without imposing new registration and de-sexing laws on dog owners who do not operate kennels of engage in commercial puppy farming.

Given that the Australian Constitution allows for trade between the states to be free, and people in Western Australia can purchase dogs from interstate, it would be problematic to implement the proposals contained in the consultation paper. While there are probably many benefits in closing down puppy farms in Western Australia (WA) and elsewhere, unless other jurisdictions take similar action, then puppy farms will continue to exist.

Puppy farms located in other states and territories could advertise puppies on the internet without having to comply with WA's laws and little could be done to stop this.

The consultation paper does not contain any empirical evidence to support the theory that puppy farms are the main source of unwanted dogs, and there is no obvious linkage to prove that unhealthy dogs equate with unwanted dogs.

Traditionally, most commercial dog breeders bred pure dogs and the various clubs applicable to canine societies developed so called standards for pure bred dogs. This has often resulted in too much interbreeding and various pure breed dogs developing many physical faults which are detrimental to the dog's health and wellbeing. There is no evidence to show that pure bred dogs are healthier than mixed breeds, in fact often the opposite is the case. Therefore, de-sexing dogs on mass is likely to result in a smaller gene pool and have negative affect on dogs' health.

In recent years, it has become more popular for commercial breeders to cross different breeds to create so called 'designer' dogs. For example, Standard Poodles crosses with Labradors. It is possible that some of these breeders may be considered 'puppy farms' by some. If animal welfare is the key issue which needs to be addressed, then once again that is a matter which needs to be dealt with through targeted laws rather than imposing mandatory de-sexing standards on all dog owners.

Dog owners who are not commercial dog breeders

Under the *Dog Act 1976* (the Act), owners are already required to register their dogs and provide details including the address where the dog is kept. The Act provides for identification and the microchipping of dogs. The Act also provides for the transfer of ownership of dogs and limits the number of dogs which can be kept on a premise. Many local government authorities impose a maximum limit of two dogs per house hold and no evidence has been presented to suggest that people living in the metropolitan area who have none-sterilised dogs are responsible for a large number of stray or unwanted dogs.

While it is very sad that many dogs end up in dog refuges, there is no evidence that the Perth metropolitan area has many stray dogs on it streets and suburbs. Dogs can end up in dog refuges for a variety of reasons such as the break-up of marriages and family relationship, changing financial circumstances and moving address. Often owners have to give up possession of dogs because residential tenancy agreements and strata title by-laws often discriminate against dog owners by prohibit renters from keeping dogs on rental or strata title premises. Likewise, retirement villages and homes frequently impose rules which do not permit people to keep dogs on their premises. One way of reducing the number of homeless dogs would be address those laws to make them more tolerant towards dogs and their owners.

Some veterinarians have reported that most of the stray dogs are located in country regions and/or live with Aboriginal communities who do not share the same concept of ownership as Western culture. It will be impossible to impose the type of central registration requirements contemplated by the consultation paper on these people. Nor could those communities afford the financial costs of de-sexing all dogs.

Farmers and the rural communities often breed their own dogs for working reasons and should not be classified as 'commercial breeders' or 'puppy farms'.

Mandatory dog de-sexing for non-breeding dogs

I have owned a number of dogs over the years, most of which were rescue dogs, and all but one were sterilised. While I am not against sterilisation per se, in a society which values personal freedoms, it is abhorrent for the Government to impose mandatory de-sexing requirements on all dogs without the consent of owners. Put simply, the decision on whether or not to sterilise a dog should be one for the owner in consultation with a vet. Likewise, I have no difficulty if dog refuges adopt a policy of sterilising dogs.

The consultation paper suggests that owners can apply for an exemption from sterilisation for health and welfare considerations as assessed by a vet. It is not clear if the exemption must be obtained from the government or whether the government authority can refuse to grant an exemption even if the vet recommends one.

The consultation paper suggests that there are many health and welfare benefits from de-sexing animals. However, many recent scientific reports have found that de-sexing dogs can be detrimental to the health of male and female dogs, result in and lower life expectancy in many breeds, and can cause behaviour problems. See links

<https://thewest.com.au/countryman/news/breeding-laws-spark-gene-pool-concern-ng-b88839460z>

<https://dogsfirst.ie/health-issues/dog-neutering/>

<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4096726/tps://www.dogsnaturallymagazine.com/long-term-health-risks-benefits-spay-neuter-dogs/>

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<https://healthypets.mercola.com/sites/healthypets/archive/2016/07/27/neutering-spaying-effects.aspx> - Dr Karen Baker found the following:

- For Female Rottweilers, Ovary Removal Significantly Increases the Risk for a Major Fatal Disease.
- Did You Know That in Europe, Intact Dogs Are the Norm?
- In Desexed US Golden Retrievers, the Rates of Joint Disease and Cancer Are Much Higher Than in Intact Goldens
- Vizsla Study Suggests a Significantly Increased Risk for Cancer and Behavioral Disorders in Spayed or Neutered Dogs
- German Shepherds Desexed Before 1 Year of Age Triple Their Risk of Joint Disorders

Mandatory de-sexing will impose significant costs on dog owners and likely result in disincentive for people to register their dogs. Mandatory de-sexing should not be introduced as the gene pool will get smaller and cause more health issues.

No proper cost benefit analysis has been carried out to justify the need to introduce mandatory sterilisation. The cost to government of enforcing such provisions will be high and local government rangers do not have state wide powers policing powers to act outside their area of authority. This means another dog enforcement agency with state-wide powers might have to be created to undertake such tasks.

As far as I am aware, Belgium is the only country in the world which has tried to introduce mandatory de-sexing of dogs. Vets, owners and critics believe the regime has been a failure and to the best of my knowledge no other European country, the United States of America or other western countries which share similar cultures and love dogs have seen fit to introduce mandatory de-sexing laws for all dogs.

Guidance question 7 in the consultation paper poses the question '*Should mandatory de-sexing apply to all dogs, including existing dogs, or just dogs born after a particular date*'.

This question is particularly disturbing because it asks about imposing conditions retrospectively, which is contrary to the principle of good governance.

Unlike many third world countries, Australia is not over-run with stray dogs which need to be sterilised, and the proposal to introduce mandatory de-sexing in Western Australia is not a measured response to reduce the number of homeless dogs.

Central Registration System

The consultation paper suggests setting up a central registration system for all dogs. The proposal is problematic for a number of reasons.

Central registers are very difficult to establish and even more difficult to maintain and will always be incomplete or out of date. The cost would be significant and would be reliant on all dog owners and others notifying the register on each and every occasion a dog is acquired, passed on, sold or dies. Local government authorities have registers but have not been able to keep their own registers up to date. It is unlikely that a central register would be more successful.

Regional Australia and the farming community would probably not comply and nor would Aboriginal communities who do not share Western concepts of ownership. Therefore a central registration system will not benefit many people or animals.

The questionnaire does not consider aspect of privacy such as which people or authorities will have access to the register. For example, the general public is not given access to data bases which record car owners', address and contact numbers Criminals involved in breaking into house frequently chose properties which do not have dogs and might use the register as a means of targeting properties or finding out where victims of domestic violence reside. The questionnaire fails to acknowledge that a national database of microchipped dogs is already in existence and introducing another new state wide register would duplicate much of that information.

Moreover, a central registry duplicates registration requirements which are already provided for under the Dog Act and cannot be justified.

The concept of all owners having a 'unique dog owner number' and each dog having a unique registration number is a big brother solution one would expect from an authoritarian country like Communist China rather Western Australia.

Mandatory standards for dog breeding, housing, husbandry, transport and sale

Again the consultation paper fails to draw a distinction between a dog owner with an unsterilised dog and commercial dog breeders. This has the potential to capture anyone who owns a dog. Quite correctly, Standards for and Guidelines for the Health and Welfare of Dogs is a matter which deals primarily with health and welfare issues. It does not sit with the purview of Department of Local Government and is being developed by the Department of Primary Industries and Regional Development.

It would be problematic if guidelines for the health and welfare of dogs extended to government making decisions about the size or breed of dog which can be kept in houses with limited private gardens such as villas, town houses or apartments.

I would have no objection to separate and/or additional standards being applied to commercial dog breeding establishments but a balanced approach needs to be adopted.

Transitioning Pet Shops to Adoption Centres

This proposal appears to be problematic and is not necessary. If the real target is puppy farms then laws should target that area, not impose conditions and collateral damage on shops which are in the business of selling pets and supplies.

Pet shops usually sell puppies not mature dogs whereas adoption centres often have matured aged dogs that need to be rehomed. The principal business of pet shops is to sell pet supplies to dog owners, and some puppies, for commercial gain.

Animal rescue centres are not profit driven but welfare focussed and generally looks after dogs which are homeless and/or lost. Their primary aim is to re-home dogs. Pet shops and adoption centres provide different services and have different functions.

Many people who prefer to purchase a mature dog or a rescue dog already know that there are many dog refuge centres which rehome dogs. Some of these organisations do not practice euthanasia whereas it is common practice for local government authorities and some animal associations to do so. New owners often pay for dogs purchased from dog rescue centres and this helps off-set some of their costs, including sterilising the dog.

The consultation paper fails to provide any details on how such a proposal would work or prove viable. It is unlikely that a pet shop would be prepared to pay \$400 for a mature dog from an animal shelter as there would be no profit in doing that. Anecdotal evidence indicates that it more difficult to rehome or sell older dogs than puppies and the pet shop would be left with the cost of keeping and feeding the dog for longer periods.

Thank you for the opportunity to comment.

NN Roberts