



# ***AGRICULTURE AND ENVIRONMENT COMMITTEE***

**Members present:**

Mr GJ Butcher MP (Chair)  
Mr SA Bennett MP  
Mrs J Gilbert MP  
Mr R Katter MP  
Mr JE Madden MP  
Mr EJ Sorensen MP

**Staff present:**

Mr R Hansen (Research Director)  
Mr P Douglas (Principal Research Officer)

## **PUBLIC HEARING—INQUIRY INTO THE ANIMAL MANAGEMENT (PROTECTING PUPPIES) AND OTHER LEGISLATION AMENDMENT BILL 2016**

### **TRANSCRIPT OF PROCEEDINGS**

**WEDNESDAY, 16 MARCH 2016**

**Brisbane**

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### **Committee met at 9.36 am**

**CHAIR:** I declare this meeting of the Agriculture and Environment Committee open. I want to acknowledge the traditional owners of the land on which this meeting is taking place today. My name is Glenn Butcher, the member for Gladstone and the chair of this committee. Other committee members are Steve Bennett, the member for Burnett and deputy chair of the committee; Julieanne Gilbert, the member for Mackay; Jim Madden, the member for Ipswich West; Robbie Katter, who is not here at the moment, the member for Mount Isa; and Ted Sorensen, the member for Hervey Bay. I also want to acknowledge Ann Leahy, the member for Warrego, in the audience today.

Today we are meeting to hold hearings and receive a departmental briefing for our inquiry into the Animal Management (Protecting Puppies) and Other Legislation Amendment Bill 2016. The hearings will finish at approximately 12.30 pm. These hearings are a formal proceeding of the parliament and subject to the parliament's standing rules and orders. The committee will not require evidence to be given under oath, but I remind witnesses that intentionally misleading the committee is a serious offence. At approximately 12.30 I will invite officers from the Department of Agriculture and Fisheries to respond, if they can, to issues that are raised during the hearings. This briefing should conclude in total at 1 pm. Today's meeting is being transcribed by our parliamentary reporters and broadcast live on the parliament of Queensland's website. We welcome all those who are watching today. The committee's report from our inquiry will help the parliament when it considers whether or not the bill should be passed, and I remind everyone that the bill is not law until it has been passed in parliament.

**DOWLING, Dr Laurie, Executive Director, Australian Veterinary Association (Queensland Division)**

**O'DONOHUE, Dr Michael, Veterinarian, Past President, Australian Veterinary Association (Queensland Division)**

**CHAIR:** I welcome our first witnesses from the Australian Veterinary Association. Would you care to make an opening statement?

**Dr O'Donohue:** As a vet in small animal practice, I thank you very much for the opportunity to speak here today. We represent the Australian Veterinary Association, the largest veterinary organisation. We have over 8,500 members across Australia representing a diverse range of veterinary work—clinical work, cattle, sheep and wildlife. Members also work in pharmaceutical and other commercial enterprises and are also represented in government and research and education facilities. We collaborate together in many ways on policy through policy forums, conferences and a policy council to come up with position statements. Together we all share the community's concern about inhumane practices in dog breeding business. We believe that dogs suffer unnecessarily when not properly cared for and their puppies have a much lower chance of having a happy and healthy life. They are likely to have both health and behavioural problems that are costly to fix. As a veterinarian we see pretty regularly the devastation caused by people acquiring ill-bred puppies—the devastation that that causes in what should be a joyous and wonderful time. We see that pain through acquiring ill-bred puppies.

We believe a code of practice is very important in improving the standard for puppies. Unfortunately, we always see that the problem is detecting, enforcing and prosecuting those who do not follow this code. More resources are needed for these activities along with education for those breeders who may need to bring their operations up to the required standard. Good and bad animal welfare practices are possible in all sizes of breeding operations. Just because a business is large does not necessarily mean that welfare is not being managed properly and small backyard breeders can also be guilty of not looking after their animals properly. Limiting the number of animals allowed to be kept by breeders is not necessarily going to improve animal welfare. Instead, we need to address the problem at its source by ensuring breeders comply with the current code of practice. Compliance and enforcement would be much easier with, as you put in your legislation, a statewide breeding licensing system, all microchips having to include the breeding licensing information and increased funding for enforcement and education.

An important part of breeding licensing could be mandatory site inspections every year. Of course this level of regulation needs to be funded, but in our view this is an essential element of protecting the welfare of breeding dogs as well as their puppies. Also essential are resources for training and awareness. The reality of an implementation is that resources will be required and there does not seem to be a sufficient commitment by the government to adequately address this point. All puppies sold in Queensland must be microchipped because to be able to trace each one back to the licensed breeder would be an invaluable tool for monitoring and enforcement information, and this information must flow freely between the state breeder licensing register, local governments, RSPCA, other inspectors and veterinarians.

There are, however, a couple of points that the AVA would like to clarify, especially with regard to the registration of puppies when it comes to veterinarians. In the legislation there is an expectation that vet clinics would have to apply for a breeder ID number. Part 1 of the proposed legislation is not clear on how this would work and in what context. Secondly, veterinarians are required by the legislation to provide the relevant information on the microchip registry. What would happen if the breeder ID information is not available? This may well happen through people acquiring their puppies interstate through a website or from a local market. If a nil entry is acceptable then a lot of the benefits of this legislation would be lost or if a mandatory field was required then there may be a reluctance to microchip the animal, which would also be a backward step. We just need clarification around those issues. Thank you very much for listening.

**CHAIR:** In your submission to the committee you referred to different exemptions and approaches to breeder registration in other states and that this adds complexity and challenges to enforcement. I know you touched on it, but can you go into some further detail as to what you mean by that?

**Dr O'Donohue:** A lot of puppies are acquired from interstate. So they might not have a breeder ID number.

**CHAIR:** In your submission you talked about complexity. What do you see are the challenges and what we can do with this bill?

**Dr O'Donohue:** It is still really hard to enforce it. People can say, 'I just acquired this puppy from New South Wales. Therefore, I don't need a breeder ID number.' That is why it is important to have a national approach. We need to coordinate with other states to make sure that it is a nationwide system, that there is similarity between the states in the approach to the breeder ID system.

**CHAIR:** Are you able to compare what vets in other states are saying is happening in relation to breeder registration with what is likely to happen here if the bill becomes law? Have you talked to different states in relation to this bill?

**Dr O'Donohue:** Yes. I think all of our members are in agreement with a breeder ID system—that it is a national approach. It is certainly valid.

**Dr Dowling:** Certainly, the AVA policy is for a breeder identification, or a licensing system, but every state has a different approach. I am aware that other states do not have breeder identification—possibly New South Wales. In that situation it puts the people, say, in the South-East Queensland corner in a situation where there will be a lot of people who might just go across the border for a day to a market, pick up a puppy, bring it back to Queensland. I know that there is a lot of movement of dogs and that there is a whole industry involved in transporting dogs that you buy from interstate. You go to a website and you pick it out. So, yes, it is going to be difficult. It is going to be challenging.

**Mrs GILBERT:** You are saying that there are different processes in each state. You have just identified that New South Wales does not have a system in place for breeder ID. Do you believe that Queensland should forge ahead with this to encourage other states to follow suit?

**Dr Dowling:** Yes. I would need to confirm that about New South Wales, but, yes, the AVA policy is for there to be a breeder identification system.

**Mrs GILBERT:** Thank you.

**Dr O'Donohue:** As far as I am aware New South Wales is investigating this issue as well. I think they should come up with, hopefully, a similar system.

**Mr BENNETT:** Prior to the introduction of this legislation, enforcement has been a real issue. In your brief introduction you talked about extra resourcing. Has anyone done any costing about what that extra funding would be expected to be to meet your expectations in managing this issue?

**Dr O'Donohue:** How much resources or what kind of resources?

**Mr BENNETT:** You mentioned that a lot of resources are going to be needed by government, which tweaks my ears every time. Do you have any idea about sort of extra resources you are thinking might achieve your desired outcomes?

**Dr O'Donohue:** At the moment, just with microchipping, I do not think that anybody checks—there is no check—to see whether an animal is microchipped or not. Even if someone was on the telephone after looking at an advertisement and says, 'Are these microchipped?' they passed this law in 2008 and still there are a lot of puppies that are sold that do not have microchips. That is a real shame, because that is how puppies get lost. Certainly, it is a good law to have puppies microchipped but a lot of them escape the system and a lot of them are sold without being microchipped.

I thought that if somebody from a government department were to ring these puppy breeders or people who sell puppies to ask them, 'Is your dog microchipped? Do you know it is illegal to sell them without being microchipped?' at least that would be a start. But ideally it would take someone willing to be employed to do that, or to follow up these cases and check where puppies are being sold and if they have microchips. That is something that would need to be done. It would take the employment of at least one person to be doing that.

**Mr BENNETT:** You mentioned a public education program. Have you had any thoughts about what you would see as being effective as well?

**Dr O'Donohue:** We already have petPEP. We have an education program that we implement throughout schools through Queensland. We visit 350—or almost one-third—schools in Queensland to talk to primary schoolchildren about the correct care of pets. I think that it also needs to be through the general public as well—maybe through pet magazines or a public awareness campaign.

**Dr Dowling:** I would just like to mention that, with the petPEP program, the local councils co-fund that and they are also involved. There is normally a number of presenters who go out. It is to primary school children and they talk about the message of responsible ownership, microchipping, registration and everything that is required. It is amazing how those children get that message and go home to their parents and say, 'We should have our dog registered.'

**Mr MADDEN:** I just have a few questions to ask with regard to the mechanics of microchipping and how you do it. Can you run through the procedures that you follow when a dog or a cat is presented and you are asked to microchip?

**Dr O'Donohue:** Certainly. There is particular legislation about how a microchip should be done. It is important that, when a puppy comes in, you check initially to see that it has not been microchipped before with a microchip scanner. People need to fill out the paperwork with their identification details and also another person's identification details on there. Then you would check the microchip that you would use. It is a large gauge needle. It hurts a little bit, but the pain goes away pretty quickly. It is inserted between the shoulder blades of the puppy and then we would check the microchip again to make sure that it is working inside the dog. Then that form must be submitted to the breeder identification service in a couple of days to make sure that it is registered.

**Mr MADDEN:** How is that information updated? If I buy a cat that already has a microchip and I want to update it in case it is lost—

**Dr O'Donohue:** You would have to find out which database the dog is registered with and you would have to download a form, fill out the form, get the previous owner to sign it and then you would sign it yourself and submit it to the database.

**Mr MADDEN:** It is envisaged that, with the new microchips that would be put into puppies with the breeders, that that will sync with this registration scheme that you have just talked about?

**Dr O'Donohue:** Yes. I think it would be fairly simple to sync. You do not need new microchips; all we basically need is new forms to include the breeder identification number.

**Mr MADDEN:** Is there any requirement to register the passing away of a dog?

**Dr O'Donohue:** No, there is not.

**Mr MADDEN:** Not even with greyhounds?

**Dr O'Donohue:** I think there is with greyhounds. People are meant to identify reason of death with greyhounds.

**Mr MADDEN:** Okay. Thanks very much.

**Mr SORENSEN:** I have a council background. You talk about financing. Is the best way to get these IDs for the breeders themselves? Every cattle property has a number, which tells you what state you are in, what council area you are in, and all the rest of it. Does that sort of system work in the dog-breeding area as well as for cattle?

**Dr O'Donohue:** There has not been any previous system at all.

**Mr SORENSEN:** I come from a council background and I also come from a rural background. I have a property that has a property number. I have to identify every cow that goes off that property with an ear tag. You can track that—whether that goes overseas or anywhere. You can come back to where that dog was bred or that cow was bred. I would like to know if that is in your area of identification.

**Dr O'Donohue:** Yes.

**Mr SORENSEN:** If you were in the Fraser Coast council area, that ID should be property number and the Fraser Coast council in Queensland. You would automatically know where that is going to come from. Would that work the same as it does for cattle breeders?

**Dr O'Donohue:** I am sure that it could, yes. I cannot see why it would not. I think it is a really good idea to register the breeders. I think it would be really good also if you knew where that puppy came from. That is my idea as well. A breeder identification number will be a very good thing and I cannot see why someone could really object to it. I was never sure why working dogs had exemptions. Does anyone know why working dogs are exempt from this legislation? If they are willing to register cattle, why is it so hard for them to register their working dogs?

**CHAIR:** That is why we are here—to ask questions. We cannot answer that for you.

**Mr MADDEN:** But in saying that, it is very good that you raised that issue. It is a very important issue.

**Dr O'Donohue:** What happens if a working dog then wants to become a pet and it does not have a breeder identification number?

**CHAIR:** We will envisage asking these questions in the course of the inquiry.

**Dr O'Donohue:** In the floods in 2011, a lot of dogs went missing from farms and we had no idea where these dogs belonged. If only they were microchipped it would have made things a lot simpler. Farmers would probably be very capable of identifying their own animals as they are with their cattle.

**Mr SORENSEN:** Like when you are breeding cattle, there are a lot of good dog breeders around and people want their dogs. I do not understand why they do not want to a registration where you can track the line of breeding. When you go to buy stud cattle—and it would be like going to buy a good dog—if you have people who are breeding really good dogs, or sheep, or cattle, or anything, I would like to know the background of where that dog is coming from.

**Dr O'Donohue:** Exactly. Good point.

**Mr SORENSEN:** Because the breeders of that animal would get recognition as well. That is just my thinking.

**Dr O'Donohue:** Yes, I think that is a good point.

**CHAIR:** Thanks for that question, Ted. Thanks for assisting us here today in the inquiry. We are running a bit late, so if we can finish up.

**Dr O'Donohue:** Thank you very much, we really appreciate your time.

**TOWNEND, Mr Mark, CEO, RSPCA Queensland**

**PATERSON, Dr Mandy Paterson, Principal Scientist, RSPCA Queensland**

**YOUNG, Mr Daniel, Chief Inspector, RSPCA Queensland**

**CHAIR:** For the benefit of everyone here today, submissions made to this inquiry will be available on the website this afternoon. Would you care to make a brief opening statement?

**Mr Townend:** First of all, thanks for the opportunity to speak today. I am certainly looking to the parliament introducing this bill and progressing it. I urge all members to support to. We see it is a long time coming. We see it as a way to fix an issue that has really come about since the internet. It has become really bad. There have always been puppy farms, but since the internet they can hide behind the internet and breed in the backblocks of Queensland and have a fancy website or a small rental property somewhere in suburbia. That is where we need legislation to control that because, currently, we cannot identify those puppy farms.

We understand the point about resourcing. We realise that that is an issue at every level of government and every organisation. That is very important. We think that this legislation is a good compromise—to bring in the legislation with limited resources. A small amount of resources will be needed.

You will see in our submission that we also talk about the standards and guidelines. There are differing views in the industry. Once we capture people, we not have trouble taking them to court and prosecuting them using veterinary evidence.

We do not want to be held up arguing about very prescribed conditions; we will be arguing about the size of a cage or whatever, which we think will complicate the issue. We will go along with the legislation as it is. We think that all dogs should be included in the process, as Mr Sorensen recommended, because there are not huge charges here. It is very easy. Everyone can use the internet these days. It is a very simple system and, therefore, the less exemptions you have the easier it is to operate under. As an opening comment, that is how we feel.

**CHAIR:** Thank you very much. Your most recent financial report says that you spent over \$3 million on inspections in the last financial year. Other group submissions have noted that there are only 22 RSPCA inspectors at the moment for the whole of Queensland and that those inspectors rarely visit areas away from the coastal towns and cities. Can you give the committee an idea of the cost to the RSPCA for additional inspectors and enforcement activities to make a concerted effort to shut down the puppy farms?

**Mr Townend:** I can say a little and then we can get more detail from Daniel, the chief inspector. On average, by the time we equip an inspector with all the operating costs, vehicles, et cetera, it is about \$120,000 a year. Certainly the most populated areas are where our inspectors are and we have done about 18,500 complaints in the past 12 months. Unfortunately, it is increasing. We have an arrangement or an MOU with the department where they have inspectors in other regions. We also have an agreement with the police, but their resources are also stretched. The department inspectors have decreased over the years since the act was introduced in 2001. It was 126; I think it is about 58 these days. The burden has come back to the RSPCA. Other states have provided a specialist group through some funding to actually concentrate on puppy farms. That may be an opportunity the government and the parliament can think about. Daniel, do you want to make some further comments?

**Mr Young:** That is correct. As Mark stated, it does cost approximately \$120,000 per inspector and we have 22 inspectors throughout the state. The reason we focus on the eastern coast is because, as Mark said, that is outlined in the MOU with DAF, the Department of Agriculture and Fisheries. They focus on the western areas. As Mark said, we have 22 inspectors servicing over 18,000 complaints per year. Obviously, not all of those are puppy farms. A lot of those jobs do stem from exactly that: puppy farms. We hope that this legislation will certainly assist in that.

From an inspectorate investigative point of view, I believe the identification number that Mr Sorenson and Dr O'Donohue spoke about before is a key piece of this legislation, particularly for inspectors. In the past we have really struggled to identify where sick and injured puppies come from, their origin. As Mr Sorenson said, it is about finding the origin. All those other reasons about good breeding and stuff is an offset. The real concern is people selling animals from car boots and those types of things—animals that are in poor condition and end up in RSPCA care. Then we are left to

investigate where those animals have come from and we have no idea: we have no names, no way of identifying the origin of those animals. I believe that an identification number alone will certainly assist in that.

**CHAIR:** Do you have scanners, so when you go to random markets or random properties and check—

**Mr Townend:** The microchip is purely an ID number. Since 2001, the ISO standard obviously allows identification of all microchips—there are all different megahertz: 125, 132, 134—on a multi-scanner. The issue with microchips is that the information is not updated. If you move house, the last thing you think about is having to change the address on the dog's chip. Unfortunately, that is when dogs and cats do not get back to their original owners. That is a flaw in the system. I realise this is a public hearing, so I cannot really say the word 'cartel', but I might say that the five database operators have a closed market to a degree. It is a quite old fashioned and they resist communicating to each other, which obviously causes issues for the public when you lose your animal.

**CHAIR:** If this bill is introduced, the breeder number will be associated with that chip when it is first registered?

**Mr Townend:** Yes. If I could take a couple of minutes to explain the real problem. Let us say you want a labrador. You look on the internet. You see a nice looking website and there is a labrador that you want to buy for \$2,000, may be. These people do not pay tax in some situations. You ring them up. It is a mobile number, normally. It is one of those cash mobile numbers that you cannot always track. They say, 'I'm out of town now, but I am coming into town'. They give the address of a house at Mount Gravatt that they have rented for \$350 a week. There are five puppies in the backyard and you pick one. Or they might say, 'I'm busy, but I am coming past and I can meet you at the 7\11 service station at Fairfield'. You just do an exchange.

We understand it is a consumer issue and consumers should be a bit smarter in the way that they deal with this. However, that is what happens and it happens thousands of times across Queensland during the month. Obviously we have to deal with the end problem. As long as there is a big penalty for advertising an animal with a false breeder ID number or no ID number, we think this system will help save the suffering of a lot of puppies, because we will be able to track them back to those original properties at the back of Gympie or wherever they may be.

**CHAIR:** Are people actually paid \$2,000 for a dog?

**Mr Townend:** In a car park.

**CHAIR:** Do they get a bit of paper to say what it is?

**Mr Townend:** Sometimes they do; sometimes they do not. Sometimes they get a false piece of paper and then the poor vet has to deal with it because it has genetic issues, and then maybe it is put down because of major issues at some point.

**CHAIR:** And there is no way to track where the dog came from, other than the phone number you rang six months ago?

**Mr Townend:** Which is often disconnected.

**Mr Young:** If I can just clarify: I think we might be getting a little confused with the breeder identification number and the microchip. There is legislation in place already where people must microchip their animals. I do believe there needs to be a bit more pressure placed by local councils in relation to that. To give an example, Fraser Coast is quite proactive with that. Dr O'Donohue spoke about someone being employed or having the task of contacting those people and advising them what their obligations are. I believe Fraser Coast does that to some degree, now. That is what I am aware of. I am not sure if any other councils are. I do not think there is a major issue with councils already implementing that.

The breeder identification number is the main thing. We want to track the origin. We want to know what property these animals are coming from to determine whether or not they are those large-scale puppy farms that we have seen over the years. Again, as we heard earlier, it is not just big puppy farms where animal welfare is compromised. I think it is important not only that the breeder identification number is mandatory, but also if people are advertising, as Mark said, in this day and age with the huge web presence we have—and that is where the bulk of these animals are coming from—they must not be able to sell those animals through those sources unless they provide the ID number.

**Dr Paterson:** Mark mentioned the already-compulsory microchipping and people often do not keep that up to date. But remember, if the breeder ID is on that, that never has to be brought up to date. Even if the actual person's address has changed, the breeder or where the animal came from will never change, so we will always get that information from that number.

**Mr SORENSEN:** That is a good thing that you just said. We do not want to get breeder ID mixed up with registering dogs. There are two different issues here. I have a council background and I know we need to get every dog microchipped. Especially in stormy weather, dogs disappear down the street and council will get telephone calls from someone with a strange dog in their backyard. If the ranger can go around and scan the microchip on the dog, he can take it back to its owner. Otherwise, the ranger has to take the dog to the pound, where it may be left for so many days and then the dog will be put down if no owner comes along and it is not microchipped. That is one of the major problems that councils have if there is not some sort of identification on dogs. I have seen cases where a week later the owner might come to the pound looking for their dog, but simply because it was not identified the dog has been put down. We have to make sure that we do not get mixed up between identifying dog breeders and registering dogs. There are two different issues there.

I know that by not having dogs registered the cost to council is astronomical, because you have to put them in the pound and you have to feed them. However, if the dog is microchipped and has a registration tag, the ranger can just take the dog back to its owner. People ring up the council and give the identification number of a lost dog, and the council can say, 'Well that dog belongs to Mrs Brown around the corner', and they can take the dog back. With identification, the costs reduce dramatically.

The other thing that I found in council was that if the dog registration fees are too high, it is a big deterrent and people will not register their dogs. We need to keep that cost down. When I became the mayor, I dropped registration to \$7 and the number of registered dogs doubled within about six months. We could identify every dog and we reduced the number of dogs going to the pound, which made a huge difference to the cost of running the pound. I would like your views on what deters people from registering their dogs.

**Mr Townend:** We think things will change, because there is a new product on the market, available for free, which is facial recognition for animals. You use your iPhone and it is a product that I think will take over from registration in coming years. It is available now. You use your iPhone and have it registered. Every animal that came through the RSPCA in the past 12 months is registered on the system. If you find one of our animals that is lost and the owner has an iPhone or android phone and has downloaded the app, we can match it within seconds. That will come about more and more.

**Mr MADDEN:** Mr Townend, you mentioned a cartel. As you would have heard from my previous questions, I am interested in the mechanics of the current system. I presumed there was one central database. Is there more than one database? Mr Young, under the act we are talking about now, with the market situation and trying to find out if dogs are being sold illegally, how will you interact with the local council officers?

**Mr Townend:** As far as the databases are concerned, five organisations are accredited in Queensland. A couple operate out of Melbourne. There is the registration government one in New South Wales. They actually chunkily talk to each other, so you can actually put a number into another website and it will tell you which registry to go to, but there is competition. They are private businesses, apart from the government one. They want to charge as much as they can for changing data information. The price of microchips has dropped from a wholesale cost of \$14 to about \$3, so their margins are lost there and now they are making it up by charging for entering data and doing deals to try to get that data. They do not like swapping information with each other, because they lose that record to another database. The system is flawed. We are stuck with it, because I do not think there is any way of going back now unless someone buys the whole lot in one go, but that is not going to happen. I think other technology will help take over from there.

**Mr Young:** On your example with the market situation, we need to be clear that the RSPCA inspectors would not be enforcing this particular legislation. It is just a tool for us to conduct our investigations. In that example, it would be a matter for council to enforce the fact that they have not got the breeder ID. Better still, through education, I would hope that the organiser of the markets would not allow people to sell puppies. We have seen that slowly through education by the RSPCA and councils taking place in a number of real hotspot for those types of sales. Essentially, it will be a council responsibility. If animals are sick or have any welfare concerns, it would be reported to us and we would track them down through that particular number.



**Mr MADDEN:** As I understand it, they get around it by selling them just outside the market and then the operator of the markets does not have any control of that, in the car-boot sale situation that you were talking about.

**Dr Paterson:** Can I quickly add that we really believe that public awareness is vital. People have to know not to even get given a puppy unless they have the breeder ID. If people know that, the other shonky dealers who want to sell puppies through car-boot sales will not have the people willing to purchase them because they know that they have to have the breeder ID.

**Mrs GILBERT:** One of the submitters had a suggestion that there should be a ban on selling pets through pet stores, that they should be rehoused only from refuges. Can you see any problems with that? Is that going to mean that everybody is going to bring their unwanted litter of puppies to the animal refuge and cause problems?

**Mr Townend:** I think Australians are pretty lazy. We have a Bunnings store on every corner. We want easy access to animals. We want to make sure that people have good access to good animals. There is no problem with selling animals at pet shops like we do. We have RSPCA animals available at Petbarns. There have been 14,000 cats saved through that system in the last five years. The control of the source of the animal is the issue. What we do not want to see is pet shops selling badly bred animals. Again, we do not want to get mixed up in that whole pet shop argument. We just want to make sure that the animals appearing in those pet shops come from shelters or other good breeders, ethical breeder.

**Mrs GILBERT:** So back to microchipping.

**Dr Paterson:** Also, just remember that when an animal is for sale in a pet shop people see it all the time. If there is any issue with that animal, if people are worried about that animal, they contact us. It is the out in the open. We do not want to hide the selling of puppies. Let's have it where people can actually see what is happening.

**Mr Young:** Dr O'Donohue spoke before about behavioural issues. That is a major concern with puppy farmers and animals not being socialised correctly and purely being bred for financial gain. Whether they come through a pet shop or whatever the case is, this is going to allow us to identify where there are large numbers of animals that may be relatively in great health and well bred but may have those behavioural issues. We should be able to get that information and be able to track them back to the source and find out why. Is it due to their living environment and those sorts of issues that can be addressed under the Animal Care and Protection Act?

**CHAIR:** Thank you very much for assisting us today. I now invite the next witnesses from the Queensland Working Cattle Dog Trial Association and the Australian Sheep Dog Workers' Association.

**HUGHES, Mrs Elizabeth, Treasurer, Queensland Working Cattle Dog Trial Association Inc.**

**BEARD, Mr Ian, Secretary, Australian Sheep Dog Workers' Association**

**CHAIR:** Good morning. My name is Glenn Butcher. I am the chair of the Agriculture and Environment Committee. Would you like to make a brief opening statement?

**Mrs Hughes:** Thank you for this opportunity to speak. I live 35 kilometres from Bundaberg. We breed and fatten cattle and our livelihood is very dependent on the use of livestock working dogs. I am the treasurer and a life member of the Queensland Working Cattle Dog Trial Association. I am the Queensland representative of the Australian Federation for Livestock Working Dogs. The members of these organisations are passionate about the wellbeing of their livestock and their livestock working dogs and strive for excellence in the job they do. I am speaking today in support of the submissions made by these organisations.

We appreciate the value of our livestock working dogs. A conservative estimate puts the current contribution of livestock working dogs to the Australian agricultural economy at \$1 billion per annum. The reference for this is *Estimating the economic value of Australian stock herding dogs*, ER Arnott, University of Sydney, 2014.

The Queensland Working Cattle Dog Trial Association has a code of conduct that is expected of all members who attend trial venues and have adopted the Australian Federation for Livestock Working Dogs code of welfare that all members are aware of and are expected to abide by. This code of welfare outlines the expectations related to the breeding, care and welfare of livestock working dogs. These organisations' membership is predominantly made up of primary producers and employees of primary producers who use livestock working dogs, sometimes referred to as herding dogs, as a very valuable day-to-day part of their livestock enterprise. These herding dogs are the workforce. The handlers are responsible for the quiet control handling of livestock, creating a sound and safe outcome for the welfare of the handler and the livestock.

The breeders and handlers of these livestock working dogs are also responsible for the ongoing supply of replacement livestock working dogs to the agricultural sector and have influenced the livestock handling practices by supplying herding dogs and providing education in the use of same. The breeding blood lines of these livestock working dogs are registered with the Queensland Working Cattle Dog Trial Association. They can be traced back for many, many generations of herding blood lines and must be allowed to continue to ensure the supply of livestock working dogs for the agricultural livestock industry.

This bill provides exemptions for livestock working dogs. We feel it is very important for these exemptions to be retained and included in the bill. These are as per chapter 2, part 2, division 1, section 43E(3)(b) and section 43ZA(1)(a).

Queensland Working Cattle Dog Trial Association members demonstrate the benefits of well-trained livestock working dogs at sheep and cattle trialling venues across Queensland in an assimilated livestock working environment to promote their ability and value to the general public and those who handle livestock across the state. A small number of these members are not primary producers and as such are not covered by the current exemptions, but they do make a contribution to the livestock industry. Examples of these members would be those involved in trialling. They may live in a semi-rural area on a small acreage and breed a few replacement dogs for primary producers. They may be retired farmers who trial as a hobby and breed a few replacements for primary producers. They train livestock working dogs to supply to primary producers. They may be livestock handling contractors or livestock trucking companies et cetera. We would request that these categories be included in the legislation as referenced earlier. Therefore, section 43E(3)(b) would read—

a primary producer or person engaged or employed by a primary producer who has bred the dog from livestock working dogs and/or a person involved with the training of livestock working dogs in herding, droving, protecting, tending or working stock who has bred the dog from livestock working dogs—

- (i) to use as a livestock working dog; or
- (ii) to supply the dog to another person to use as a livestock working dog.

The explanatory notes for part 3 of the bill state—

Legislation should not, without sufficient justification, unduly restrict ordinary activity ...

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By disallowing this exemption, we believe the legislation would restrict ordinary activity in rural Queensland. While we appreciate the value of the livestock working dogs to livestock enterprises, there is certainly not a huge monetary incentive to breed indiscriminately. Additionally, these pups are generally not sold without some training and follow-up support. We feel that this makes an important difference.

Our aim for our livestock working dogs and pups is to lead a long, happy and healthy life where they are valued and able to exercise their inherent instincts to move livestock. This is the reward for the dog. Breeders committed to breeding from proven dogs and producing pups and dogs of a high standard will ensure this. Our livestock working dogs are rural Australia's future workforce. For this reason their welfare is our priority. It is documented in our code of conduct and the Australian federation's code of welfare. Thank you for your time.

**CHAIR:** Ian, do you have anything you want to add?

**Mr Beard:** I will speak, if you do not mind. I will try not to repeat too much of what Elizabeth has said. I am representing the Australian Sheep Dog Workers' Association and the Queensland Working Sheep Dog Association. I am currently the secretary for both of those associations. The Australian Sheep Dog Workers' Association represents 700 members across the country. It is a very old sport going back to the 1860s. It is all tied up with the rural industry et cetera.

We would like to commend you on the inclusion of the exemption of working dogs in the draft as per sections 43E and 43ZA. Recent research has proven that strains of livestock working dogs are currently bred and maintained with consideration for their welfare and genetics which ensures that not only do they have amongst them a considerable variety of working styles to suit different conditions and types of livestock but on average they are more athletic, healthy and live longer than companion dogs. This research comes from ER Arnott, University of Sydney, in 2014.

I would like to point out to the panel today how important our association is to livestock working dogs and the future of these breeds. Our own constitution states to 'promote and assist the work of members in improving and maintaining the breeding and handling of Australian sheep dogs'. All states maintain and record dog and litter registrations and pedigrees. This is vital to maintaining future blood lines of livestock working dogs as farmers generally do not keep these types of records like our associations do.

Through our association, dog training and stockmanship schools are also held for farmers and their dogs. These schools teach participants how to train their dogs and how to care for their dogs. Unlike private pet owners, our members are performing in front of the public, and animal welfare is very important to our associations and members. All associations have codes of conduct which are strictly enforced.

There are simply no puppy farms attached to our association as the value of pups is only around \$200 to \$300 and at least 50 per cent are given away to triallers, hobby farmers or farmers, making any business of breeding absolutely unviable. Some of our members are not primary producers and do not have an ABN or are retired primary producers and as such are not included in the exemption. We are respectfully asking that all members of working dog associations be covered by the exemption as they are very much part of the early steps of working dogs going to rural industries. These members in Queensland give working dog demonstrations at Lone Pine every day and also at the RNA and on the Gold Coast. The explanatory notes for part 3 of bill state—

Legislation should not, without sufficient justification, unduly restrict ordinary activity ...

We are adamant that disallowing this exemption would restrict ordinary activity. I will not repeat the best outcome for livestock working dog puppies, as Elizabeth has already stated that. Thank you for your attention.

**Mr BENNETT:** Can you explain to the committee how you would see the restrictions if the breeder ID and microchipping of these working dogs were to become part of the requirements for rural producers?

**Mr Beard:** The breeder ID is not particularly a problem. However, if a person who is a hobby farmer who breeds a dog is a registered breeder and all of a sudden there are standards for buildings and things that have to be done, we worry that those people simply will not be able to afford to do it. I think registration of dogs, as in microchipping, is reasonably expensive as well.

**Mr MADDEN:** It has been suggested that breeders would benefit from the breeder microchip being inserted in working dogs—for example, in the situation of lost dogs or for identification of the breeder where the dog is sold. Do you see any benefits that might arise from breeder microchips being inserted in working dogs?

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**Mrs Hughes:** It is probably true that it would make it easier if the dog does become lost, but none of our dogs are microchipped. They are all registered with our local council, which was a requirement, but I do have a working dog exemption. I did not have to pay a fee and I did not have to microchip them, but they are all registered with a tag. Because a lot of people are in remote areas and most of the dogs are in containment or they are working, it is very rare that a dog is lost that I know of.

**Mr Beard:** If you can go to the Queensland association, every dog is registered and has a number. We are already performing a form of ownership and registration that is accessible to any government organisation.

**Mr MADDEN:** Thank you.

**CHAIR:** Thank you for assisting us today. We are running a little bit late, so thanks for holding on the line for us. Thank you for joining us today.

**VERRINDER, Ms Joy, Strategic Development Officer, Animal Welfare League of Queensland**

**Ms Verrinder:** I have been working with the Animal Welfare League of Queensland since 2002 on the goal to reduce the numbers of unwanted cats and dogs in pounds and shelters that currently have to be euthanised and also reduce any cruelty to those animals. We have a long history of working on this issue. In 2003 I formed a stakeholder group which includes a lot of the organisations in this room, so we have been working very closely on all of the strategies that we think will be effective to achieve those goals. It is an important part of the journey that I think we are here today. I think this bill is important. It is adding another step to the process of reducing the numbers of unwanted cats and dogs in pounds and shelters and cruelly treated animals. We support the idea of a breeder ID. We support the idea that every animal that is advertised should have a breeder ID that should be given to the new owner. It should be on the microchip. We particularly support public education, and I think all of the stakeholders can work together on that with the state government and the local government to get a common message out there because we all have access to different stakeholders. There is a process that we can go through maybe to talk together on that issue if the bill goes through.

I think it is important to have consistency in breeder ID numbers, so we like the idea of every breeder having a breeder ID number regardless of what their background is, whether they are purebred breeders or even working dog breeders. I think it would be helpful if they had a number that was published and whether or not they pay a fee is a different matter, but the issue is that consumers need to know where their animals are coming from and we need to educate consumers that every animal that comes to them should have a breeder ID number and is traceable. If there is consistency of numbers, that would be very helpful. What we like to add, however though—and I am not sure whether you are aware of the history to all of this—is that we believe that breeder IDs are only part of the solution. We believe that they are a reactive process in the sense that it is going to enable us to track animals and the RSPCA to track animals and apply the Animal Care and Protection Act. In 2009-10 we were given money by the Queensland government to work on a process of a breeder permit system which includes exactly what this bill does but it goes beyond that. What it involves is being linked to a code of practice where there are standards, which the state government have been working on but which have not been brought in yet but are very important, and inspection is conducted of breeding facilities. We believe that is a proactive way to prevent the problem.

I know resourcing has been considered as a problem for that, but there are a number of councils that have already introduced breeding permit systems where they do inspect breeders in their shires and cities. Gold Coast are doing it, Moreton are doing it and a number of different places are doing it. It involves the breeder paying a reasonable fee to cover the cost of that inspection so that then employs the people who do the inspections. It does not have to be restrictive to add this to the system that has now been proposed. We believe this bill should go ahead. The ID system is definitely needed, but we would like to encourage the government to continue to work forward on this as part of the journey to introduce a statewide system where there is a breeder inspection system based on a code of practice.

It was raised before that different states are also considering this and I think they are all well on the journey towards what we are talking about—yes, a breeder ID number in this bill but also breeder inspection systems and processes where that can be afforded by a breeder paying a fee for an inspection. That helps the good breeders because they are then able to prove that they are doing a brilliant job and it weeds out the people who are doing the wrong thing and it is less reactive, because we are actually going in and inspecting them and anyone who does not have a breeder ID of course can be tracked down and shut down. We would love to see those two steps added to the process in the not-too-distant future please. We have seen huge increases over the years—in the last 12 years—with microchips being introduced and funding from state government for the desexing programs that we introduced with the Gold Coast City Council, but I think there is more still that can be done. I think they are the main things that I needed to say. Thank you.

**CHAIR:** Wonderful. You pointed out that the AWLQ helped bring about a breeder permit system on the Gold Coast.

**Ms Verrinder:** Yes.

**CHAIR:** You also said that your registration system has helped bring about the lowest euthanasia rate for cats and dogs in Australia. How does the bill impact on your breeder registration scheme and will it still be viable with the new bill?

**Ms Verrinder:** Yes. The two can complement each other in that my understanding is that when a breeder ID system is introduced statewide the breeder ID numbers that come from councils now that are linked to an inspection, as we would love to see all of them are, will be the breeder ID number that is used. I think we do have a bit of work to do in making sure that those breeder ID numbers are easily recognisable by the consumer and not just a hotchpotch of every council having different types of breeder numbers with different numbers in it so that there is room then for people to make up numbers and so on. I think it is very important we try to get consistency statewide when the breeder ID comes in and hopefully then it is just a stepping stone to not just some councils having the inspection but eventually all councils. We would love to see state government require that—that is, that all councils introduce a full system of inspection with a fee as well as the breeder ID number that has to be advertised with the animal. I think they complement each other and can work together.

**Mr BENNETT:** Welcome, Joy. With all the proposed extra regulation, you made comments about pushing this even further underground and getting worse welfare outcomes for puppies.

**Ms Verrinder:** How would that happen, sorry?

**Mr BENNETT:** We have heard here this morning particularly from my colleague on the left that decreasing costs and implications is about a better outcome for welfare if we can reduce the puppy farms, but is there not a risk that we are going to force this further underground?

**Ms Verrinder:** I do not think so because once the consumers start to know that you need to have a breeder ID number and that it is linked with a genuine inspection process then you encourage consumers to come forward and let people know when there are breeders who are doing the wrong thing. Also I do not think the fees have to be huge. I agree with what you said before in terms of reducing the fees. It does not have to be expensive; it just has to cover costs. We have worked closely with Dogs Queensland and so on and they believe in a breeder permit system that can work provided we all work together to get a cost that is not too prohibitive for good breeders but eliminates those people who want to do the wrong thing with their animals, because they will not want to pay a fee.

**Mr BENNETT:** No, they will not.

**Ms Verrinder:** They will not want to be involved.

**Mr BENNETT:** That is the problem, isn't it?

**Ms Verrinder:** But good breeders who are doing the right thing already invest a lot of time and effort in their animals, provided the fee is reasonable and not over the top. We involved all of the stakeholders when we developed our system, and I am not saying ours is perfect. I think it is a matter of amalgamating all the different systems to come up with the best possible fee that does not prohibit good breeders from paying that fee and being proud of the inspection and the certificate that they get.

**Mr BENNETT:** Again, this legislation is not dealing with good breeders and aren't we already preaching to the converted? Those people going on that journey are already there with some enhancement. I suppose my concern is we have not been able to deal with the ever-increasing puppy farms, and the RSPCA alerted to the technology increases. Again, with increasing regulation and cost, is there a risk that we are going to drive this activity into other circumstances? They may just change their practices. Instead of doing it at 7-Eleven, they will do their transactions somewhere else.

**Ms Verrinder:** I just think it is a matter of continuing to raise awareness. I do not think it is necessarily going to do that. It is about every local government and state government and consumers working together to actually raise awareness of these animals that have been sold incorrectly and in the wrong place.

**Mr BENNETT:** Thank you, Joy.

**Mr MADDEN:** Thanks for coming in today. You may have heard the question I asked the previous submitters with regard to the exemption of working dogs.

**Ms Verrinder:** Yes.

**Mr MADDEN:** I would just welcome your comments. Given the advantages of having a breeder ID with regard to lost dogs proving who the owner is and then the onerous task of identifying what is a working dog, I am just interested in your comments as to the possible exemption of working dogs from this legislation.

**Ms Verrinder:** From listening to the working dog argument from when I went to the meeting last year, I think they were concerned about the prohibitive costs and the effort that was required to go through the process. I still think there is a need for consistency across the system and it needs to

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be made not too onerous for them, but if they have working dog associations that can help with that process then that is great. We are asking purebred breeders to be involved as well and they need to have a number as well, so I think that it should not be too difficult for them to also have a consistent number.

**Mr MADDEN:** Thanks very much.

**CHAIR:** Thank you very much for that.

**HARRISON, Mr Rob, General Manager, Dogs Queensland**

**SHEPPARD, Mr Mark, Government Liaison Officer, Dogs Queensland**

**CHAIR:** Would you care to make a brief opening statement?

**Mr Sheppard:** I have an opening statement that has been prepared and approved by our board of directors, so I will try to keep that introduction to the five minutes. Thanks very much for inviting Dogs Queensland to speak at this hearing and for continuing to engage with us as part of the government's consultation process to enable a system which protects all Queensland dogs from cruelty. Dogs Queensland is 100 per cent supportive of the government in its commitment to dog welfare and as a general principle we support the need for enhanced legislation. Our organisation has a long history of working with national, state and council bodies to trial and implement practices which protect dogs. We also want to thank you for recognising Dogs Queensland as an approved entity within the proposed new legislation. We believe this acknowledges the measures we already have in place to ensure the pedigree dog breeding hobby in Queensland is a reputable one. Dogs Queensland has existed for almost 70 years and represents the highest standards of health testing, breeding, breeding conditions, inspection, education, dog training, competition and accreditation to its members. Not prepared to rest on our 70-year record, we have a progressive plan in place to further develop the quality of dog breeding in Queensland. We have recently introduced a waiting period for our breeder prefix of 12 months and that will allow us to ensure that our potential breeders can be trained through an extended education program. Just to explain, a breeder's prefix is the unique word that appears at the beginning of every pedigreed dog's name. Every member breeder of Dogs Queensland is issued not only with a breeder number but they also register that unique word. That is just to put into perspective what a breeder prefix is.

In the year 2015, we extended to all of our membership a 10-module program that included industry recognised speakers in dog nutrition, first aid, husbandry and, very importantly, genetics. This will be repeated in 2017 and replicated by other state controlling bodies shortly. Dogs Queensland is a fully affiliated and, in fact, a foundation member of the Australian National Kennel Council—ANKC. So when we talk about rolling those training programs out to other state bodies, they are our sister-state controls and we have one and one only in every state and territory in the country.

We are also planning to relaunch and revamp our current breeder accreditation scheme in line with a similar scheme currently in use in New Zealand, which would require our breeders to go above the mandatory health tests and undertake higher level health testing and become part of a gold star breeder program. We also hope to work with local and state governments to engage a team of our own compliance officers to visit and assess our breeders should we be notified of a problem. At all times, we want to share our experience of planning with the state government to avoid unnecessary duplication.

We are also at the forefront in establishing the local government breeder permit scheme, which was initially rolled out—and funded, I might add by the then Bligh state government—on the Gold Coast. Dogs Queensland has since successfully assisted many local councils in adopting the scheme. I will give just a couple of examples: Logan City, Moreton Bay, Rockhampton, Burnett. We are currently speaking to the Brisbane City Council as well, because their scheme has been in place for a long time and we could probably help them improve that and make it a little more flexible.

The reason we took that on ourselves was that the Gold Coast breeder permit scheme was introduced as a pilot study. To the best of my knowledge, I have not seen any reconciliation of that study. I do not think that there has ever been an evaluation done on the effectiveness—where it fell down, where it could be improved. So Dogs Queensland, being who we are, went out and did our own and took the learnings from the Gold Coast. I think if I had to declare two local government authorities where the breeder permit scheme works very well, that would be Logan and Moreton Bay. They are fantastic examples of exactly how the scheme was designed to work and it does work very effectively. We are delighted with those local councils.

That job, which falls pretty much in my area of government liaison, would be ongoing, because we have not yet been able to secure a breeder permit scheme in every LGA throughout the state. We would not propose that I would be covering off all 72, because we do not have members residing in some local government areas, but certainly there are some big councils where we think we can certainly show them the mutual benefit of a breeder permit scheme. That is part of our ongoing commitment.

At all times when we formally submit our proposed breeder permit scheme to local councils we insist that a code of practice forms an important part of the overall framework of the scheme. To that end, Logan City Council recently adopted our own Dogs Queensland breeder code of practice and



launched that code to all residents of the city of Logan as a joint initiative between our two organisations. We think that this really demonstrates very clearly the close working relationship that can be created when Dogs Queensland and a supportive local council agree to work together for mutual benefit.

In relation to the proposed legislation, we would like to brief the committee on some areas of concern for Dogs Queensland, which we believe are logistical issues, which we can resolve together. Our first concern is with the proposed need to provide information as detailed within new section 43W subsections (1) and (2). We interpret this as providing names, addresses and phone numbers of our registered breeders with such information expected to be made available on an easily accessible government website. We believe that the automatic handing over of our list of registered breeders' contact details and the likelihood that it would be published on a government website will expose our members unnecessarily. It also places them at risk of deregistering as breeders to avoid such exposure and potentially having the reverse effect of what both the Queensland government and Dogs Queensland are working together to achieve.

One very important consideration is the value not only in monetary terms but the deemed value of pedigreed registered dogs. Many of our members have committed virtually a lifetime—and in my own case 36 years to breeding and exhibiting top-class labrador retrievers. There is a value in those dogs and particularly those dogs falling into the wrong hands. We take the security of our premises very seriously. Labradors being labradors—and my good friend Rob Harrison has three pet labradors and will back me up on this—might start off with a bit of bluff and bravado, but they are easily bribed. So to steal our really top-class breeding bitches from our premises would not be difficult. When we have a litter of puppies available, we invite potential new families, new owners to come out at an agreed time. It is only at that point that our address is released to those visitors. It is by arrangement and it is after we do a lot of in-depth scrutiny of new owners. This issue of having premises address details on an easily accessible website is a very real concern for us.

We propose, to protect our breeders and assist the government to develop a list of registered breeders for the general public to access, that the Dogs Queensland office be recorded as the published address for each of our breeders. We will provide details of our members' local government authority where we can, breeder prefix and Dogs Queensland membership number for the database. This information is detailed in any dog sale and will enable the general public to locate the breeder on the website database. This small change will not only protect our members but also enable Dogs Queensland to retain its level of autonomy in managing pedigreed dog registration—something that it has successfully shown that it is capable of for the past 70 years.

We also seek clarity on what level of breeder needs to be included on the website. Dogs Queensland previously suggested that owners with fewer than 20 dogs be exempted. Many of the Dogs Queensland breeders do not represent what the government is looking to legislate against. Many of our registered breeders are breeding dogs to show and compete and only the excess of a litter has then been on sold. The important point is that a dog in the show ring must be entire. It is not a Queensland requirement or an ANKC requirement; it is a global requirement that, for a dog to compete in the show ring and earn challenge points where it is accumulated towards their title, they must be entire. A little bit more data on that would probably demonstrate why that is an important point—of having entire dogs to exhibit.

**CHAIR:** If you could just hurry it a long please, Mark. We might have some questions to ask.

**Mr Sheppard:** Some of our registered breeders have not bred for up to 20 years but maintain their breeder's prefix for learning and sharing purposes. Many others have bred only one or two litters in the past year. In 2015, only three-quarters of our members who are able to breed dogs did so, with more than half the breeders breeding only one litter each. Dogs from Dogs Queensland breeders represent only 10 per cent to 15 per cent of all of the puppy sales in Queensland.

The important point about having entire dogs is that, just because our members own entire dogs does not automatically mean that they are breeders. They have entire dogs for a reason and that reason is to exhibit them, to accumulate points towards an Australian championship, a grand championship or now a supreme champion in the show ring. It does not automatically flow then that those people will become breeders and breed from those dogs. There is a conflict when the legislation requires anybody who owns an entire dog to participate in a scheme where they have entire dogs not for breeding purposes at all.

**CHAIR:** Very good. That was very comprehensive. It answered the questions that I had. Are there any other questions of the committee? Thank you very much.

**SINGLETON, Ms Jaimie, Coordinator, Puppy Farms Campaign, Animal Liberation Queensland**

**CHAIR:** Good morning. Would you care to make a brief opening statement?

**Ms Singleton:** Good morning committee members and other key stakeholders. Thank you for giving us the opportunity to speak today. Earlier this year, Premier Palaszczuk said that this legislation will end the miserable existence for dogs kept in squalor, forced to have litter after litter. She defined puppy farms as a dog breeder who places profit above the welfare of their animals by housing or keeping dogs in conditions that fail to meet the dogs' behavioural, social, psychological and physical needs. As such, by this definition, we of Animal Liberation Queensland welcome the idea of an ID system to promote the tracing of animals as well as a public education scheme that many have already mentioned today. However, we believe that the proposed amendments, as they stand, need further elaboration to properly safeguard dogs in Queensland.

As such, the following essential further amendments and additions need to be made in our opinion. Proactive compliance procedures: we have heard a lot with regard to preinspections that need to be enforced. New section 43F shows the application procedure potentially being of minimal effort at the moment with an online form and a fee to be paid. We believe that that is not sufficient. I agree with Animal Welfare League's Queensland stance on the preinspection process of the breeder permits and also agree that this needs to be consistent across all councils, across all areas of dog breeding, including those of approved entities.

We also support new section 43D to deny registration for those deemed ineligible, but we ask for this section to be adjusted to a lifetime denial of eligibility of anyone notified of a prohibition order. We also agree that this registration should remain conditional via annual random inspections.

Inappropriate to exclude groups: we have heard a lot today from other parties about the exemption of working dogs. We agree that that should be taken from the legislation. In their speech they mentioned that there is no monetary gain for them to be breeding dogs. However, this amendment, in our opinion, is about animal welfare as well as monetary gain. We believe that they should not be exempt. We also agree with the comment made by the Australian Veterinary Association—what if these dogs become a pet? How are they going to be traced? We agree that that should be omitted. They also mentioned that the disallowance of an exemption would restrict their ordinary activity. I am not sure how they supported that statement. They also brought up very many times the cost of that of members who do it as a hobby. However, potentially that needs to be looked at as a separate issue—the funds needed for each party to be included in this act and a breeder ID is needed for them.

Increased enforcement measures: we request information regarding any financial aid that may be associated with approved entities, be it the councils, or the RSPCA. We note that the Victorian government has allocated \$5 million just towards puppy farm investigation and inspection. We would like to see what the government's stance on that will be and if this will be rolled out here in Queensland. There are currently only 22 RSPCA inspectors across-the-board in Queensland, and we look to see how extra funding can be allocated either to them or councils to allow these compliance measures to be upheld and investigated initially.

The issue of microchipping and databases was brought up today. Consistency across five different databases is a concern. Having five databases, four of which are privately owned, is an issue. If we look at the breeder ID number also needing to be consistent, then even more so across all parties we need this to be accountable for registering or retracing where these dogs are from.

Funding needs to be directed to shelters and rescues for the housing and care of seized animals. The public education system—which we fully endorse and I will talk more about in a moment—will potentially mean the seizure of more animals and more animals will need to be rehomed. More animals will need to be cared for. At least 250,000 animals are euthanased each year in Australia. That number of animals plus this education scheme may mean that more animals will go to these shelters. Therefore, funds need to be allocated accordingly to help with that. As an example, in 2009-10, 246 animals were seized by the RSPCA in Queensland and a further 170 were born on site at the RSPCA. They then needed rehoming. That is a vast number of animals needing care.

As I said, we do support the public education scheme. We ask for the inclusion of the public knowing the importance of viewing puppies in their environment, viewing the parents and knowing where they come from. To go back to the idea of a preinspection approval and random allocations of annual approvals, we support the Animal Welfare League in its stance that it needs to be proactive, not reactive. It cannot just be reliant on public complaints.

Approved entities, eligibility and compliance schemes: those who are exempt from a breeder ID registration system, in sections 43V and 43W, need to abide by compliance standards. This must be consistent across-the-board. They must be subjected to the aforementioned initial and annual random checks, and any code of practice that pre-exists needs to be consistent with what will be potentially brought up in the mandatory standards.

A stronger definition of ineligibility and permanent cancellations: we submit that section 43D needs to be amended to include the lifetime ineligibility of any persons and, importantly, their associated properties. There is a very real chance that people who are given a prohibition order are no longer allowed to breed dogs but their sister, husband or someone of that nature can on that same property. This needs to be addressed. Greater penalties regarding animal cruelty need to be implemented. Section 183(2) of the Animal Care and Protection Act needs to be amended to lifetime prohibition orders if a person is found guilty of animal cruelty. As a further note, as with other examples previously, any diagnosis of mental incapacity to stand trial for cruelty convictions leading to a prosecution cessation means immediate cessation of that business and all animals seize and surrendered.

My last point brings me back to pet shops. This has not been mentioned and has been omitted so far from the act as it stands and needs addressing. Regardless of the property, litter size or number of animals kept on a property, breeding animals constantly makes them vulnerable to an array of medical issues including blindness, arthritis, skin conditions, matted fur, rotten teeth, mammary tumours and illnesses that could be caused by malnutrition. These physiological ailments very commonly found in puppy farm dogs are generally exacerbated by psychological trauma suffered by these puppies due to severe sensory deprivation. It often leads to anxiety, neuroticism, aggression to humans and behavioural disturbances. These behaviours time and time again have been displayed and documented by the welfare organisation dedicated to puppy farms, and that is Oscar's Law.

In 2013 a large study of 413 dogs in the USA compared animals found in pet shops to those of non-commercial breeders. That study found consistently and significantly that the dogs sold in pet shops showed an increased range of undesirable behavioural traits including aggression, separation anxiety, house soiling and other psychologically undesirable traits. The study showed that these behaviours of puppy farm animals is linked to pet shops. Pet shops and online sales are a major distribution for puppy farm businesses. It is very rare that reputable breeders sell animals to pet shops. Including pet shops in the bill is extremely important.

An animal's critical socialisation period is between three weeks and 12 to 16 weeks. Animals from puppy farms after the age of eight weeks—when they are sold, give or take what happens on a puppy farm and how they are transported—for a lot of that critical time are kept in an area of squalor, kept in confinement or kept in situations where behavioural and physical traits can be acquired. There is also the possibility of inbreeding occurring there. The introduction of the adoption model for sale in pet shops would be economically viable for the state as well as animal welfare organisations by reducing financial strain on the chronically overcrowded pounds and shelters that other people have spoken about today. Desexing is also done routinely through rescue organisations and this can be attributed to animal control. Rescue organisations commonly have guarantees to allow surrender or rehoming of previously cared for animals within their care.

The increase in the number of animals found in shelters is sometimes due to those behavioural traits we mentioned earlier. People dissatisfied with the puppies they have bought are unable to control or manage them and they end up in shelters. Our euthanasia rates are increasing.

Animal Liberation Queensland conducted a phone survey this year of 167 pet shops across Queensland. Only 35 of those pet shops sold animals from breeders which they called 'locally sourced breeders'. This shows that the majority of pet shops in place already choose to sell rescue animals or to be pet supply shops only, thus the implementation of a ban only allowing rescue animals within pet shops would not be detrimental to the vast majority of operating pet shops as they stand.

Finally, we note that the department intends to adopt mandatory standards pertaining to dog breeding and puppy farms. Essential inclusions that we have agreed on within Animal Liberation are restriction of the size of the breeding operations. We agree that the numbers of an organisation does not mean welfare, but if it is only one breeder and there are 100 to 200 dogs there is no way that welfare can be maintained. We recommend a cap of 10 breeding females at any one time per breeder and the litter size is to be subjected to four litters within her lifetime. There needs to be breeding rule bans on the practice of inbreeding, mandatory vet checks prior to each litter and retirement of breeding females and at least annually for breeding males and before the sale of puppies. We need mandatory desexing across all pets obtained and for puppies at the age of eight weeks, as per the RSPCA and AWL early-age desexing guidelines and on breeding retirement. Retirement obligations:

as per section 17(1) of the Animal Care and Protection Act, there is recognition that dogs are entitled to a duty of care. This should be included within that as a retirement program and there should be strict guidelines around euthanasia.

Finally, in regard to breed specific enrichment programs, section 17(3) of the Animal Care and Protection Act allows for dogs to be able to display normal behaviours. This should be across-the-board for different breeds as well. I would like to thank you for allowing us to speak today. We hope the government will adopt a sufficiently effective and consistent legislative approach to achieve the public's desires to end this practice.

**CHAIR:** I have a couple of questions. You have talked pretty comprehensively about pet shops. This would, as you have pointed out, turn pet shops into adoption centres for animal rescue organisations or similar. How do you envisage that this requirement would be policed?

**Ms Singleton:** It is my understanding that if these animals are brought to a rescue organisation they will have a breeder ID as well. Those animals brought to pet shops would need to show that breeder ID linking to the rescue facilitation that has brought them there.

**CHAIR:** So even though they are not a breeder they—

**Ms Singleton:** They have a number and they are able to be registered within that same scheme.

**CHAIR:** Would rescue shelters be able to provide sufficient dogs to satisfy the demand through the pet shops? Have you done any homework on that?

**Ms Singleton:** I would say so. I do not think anyone would disagree with that, with the number of animals that are euthanased each year. I want to make the point that this does not need to be just puppies. I know it is called protecting puppies, but dogs who live on puppy farms are the ones who have to stay there. They get subjected to this for longer. It does not need to be just puppies in pet shops but can include older animals.

**Mr MADDEN:** Thank you for coming in today. I was very interested in your submission, particularly your suggestion in regard to a code of practice. My question relates to the possible exemption of working dogs. As I see it, two advantages with regard to microchipping working dogs would be the issue of lost dogs in floods, as was mentioned by the RSPCA, but also proving who the breeder was, which is a valuable thing if you are going to on-sell a dog. Do you see any other advantages for working dog breeders if their dogs were microchipped?

**Ms Singleton:** With regard to the whole process of IDing, if they ever come under any scrutiny, they will be able to prove they have gone through the process we have spoken about earlier of having a preinspection or just being accountable for their animals. If any complaint was made, they will be able to be completely supported in the act if it is also included with this. Dogs are dogs, aren't they? I do not know why we even have to have this conversation about them being exempt, to be honest. Yes, they did mention that they are valuable to their livestock handling and valuable to this and valuable to that. Their own lives are valuable so they should be accounted for in that way as well.

**CHAIR:** Thank you very much for assisting us today. We will take a short break.

**Proceedings suspended from 11.13 am to 11.25 am**

**WALSH, Mr Andrew, Queensland Farming Operations Manager, Inghams Enterprises, on behalf of the Queensland Chicken Meat Council and the Queensland Chicken Growers Association**

**GRAY, Dr Peter, Veterinarian, Inghams Enterprises, Northern Region, on behalf of the Queensland Chicken Meat Council and the Queensland Chicken Growers Association**

**CHAIR:** Would either one of you gentlemen like to make a brief opening statement?

**Mr Walsh:** Good morning and thank you for the opportunity to speak with you. As I just said, I am Andrew Walsh, the Queensland Farming Operations Manager for Inghams Enterprises. I am also a registered veterinarian. With me is Dr Peter Gray, northern region group veterinarian for Inghams Enterprises. Together we have 40 years of veterinary experience in the poultry industry. We are here today as representatives of the Queensland Chicken Meat Council and the Queensland Chicken Growers Association who collectively represent the entire contract chicken meat industry in Queensland.

As per our written submission, in 2011 the chicken meat industry was worth approximately \$1.16 billion to the Queensland economy and directly employed over 3,000 people. Given that the industry experiences a growth rate of four per cent per annum, our industry contributes significantly to the state of Queensland each year.

Today we want to raise the industry's concerns with an amendment to the Biosecurity Act 2014. This amendment removes the requirement for entities with more than 100 captive birds to be registered as a biosecurity entity provided that neither the meat nor eggs are used for human consumption and the birds are not free to fly. One of our concerns is that this amendment was not notified directly with the industry given the potentially disastrous impacts for chicken meat production in Queensland should there be an avian biosecurity incursion. From an industry perspective, it is imperative that there is a clear understanding of where all avian species are kept. While we understand a register of all bird keepers being logged is not feasible, a threshold level of 100 birds before registration presents too high a risk, particularly in the event of a rapid response being conducted in the event of a notifiable disease outbreak.

Secondly, while the industry is strong in terms of growth, it can be extremely vulnerable to disease outbreaks as evidenced with the recent 2015 outbreak of the H5N2 strain of avian influenza in the USA in commercial poultry and the disease outbreak in Young, New South Wales in 2013 even with the higher level of biosecurity procedures being enforced on that site. In the industry's opinion, removing the requirement for registration of persons who keep more than 100 birds that are not used for human consumption or produce eggs for human consumption, regardless of whether they are released for free flight or not, presents too high a potential biosecurity risk to our industry.

Given the prevalence of avian diseases in other countries and Australia's current disease status of which we can be proud, increasing the risk to our industry to reduce red tape is unacceptable and we would ask the committee to reconsider this amendment. Thank you.

**CHAIR:** You talked about the outbreaks in America and in Young in New South Wales. Can you explain to the committee how those outbreaks occurred, what they were and how they spread?

**Mr Walsh:** I might need Pete for some help here. Our new technical services director is Dr Beth Krushinskie who has experience from the US industry. She was actually based in the US industry. She is probably better qualified to answer than either of us and if needs be we can get some information from her. From a conversation we had with her yesterday, in her words, it almost rained down on the industry. There was a whole lot of unconnected farms that were not connected by production chain or anything like that, that just broke all of a sudden over a massive area. It was almost like it rained down into the industry and affected the commercial flocks. Once it was in then obviously there is the potential for spread through the production chain. It had a massive impact with a lot of slaughter on the birds and a massive financial impact on the industry over there which they are only just really recovering from now as I understand.

**CHAIR:** Is that the control when something happens?

**Mr Walsh:** It depends on the strain of avian influenza. We have it all documented in the AusVet plan for Australia in the event of an isolation. It depends on the H and the N strain as to what the response is. If it is a high path avian influenza or if it is an H5 or H7 it is a slaughter and eradication. That would be managed by the state, but it is a national plan that is already prewritten. If it was low path AI and not an H5 or H7 then it can be managed locally still with input from the state. Particularly if it is a managed outbreak with slaughter and eradication, a knowledge of where birds are is critical because it is a compulsory eradication program.

**CHAIR:** How did you come up with a figure of 100? If there were 20 bird aviaries around one of your factories or where you keep your chicken that had 80—how do you get to 100?

**Mr Walsh:** I guess at some point there has to be a figure that is defined. The number of 100 was the amendment that was made to the act, not a number that we necessarily came up with. Whether it was 80 birds or 110 birds or, indeed, potentially 20, 25, at some point there has to be a number. A number of 100 is potentially a risk. There are a couple of different notifiable diseases like infectious laryngotracheitis that can carry low path AI. Ducks are often the reservoirs of that. It is not so much a number, but I guess at some point there has to be a number. The number 99 is not necessarily a lower risk than 100, but at some point there has to be a number and we are saying 100 is too high a number.

**Dr Gray:** Reading through the legislation, 100 captive birds I think was the original number. You take out the ones that are producing meat for human consumption and the birds that are allowed to free fly like pigeons and you are left with these other 100. It is not really clearly defined what that could be. The risk to the industry could be very low or it could be very high depending on whether it is show birds or show poultry. The 100 could be anywhere from 100 upwards. Andrew is right. If it is 99 or 101, does that mean it is going to be a greater risk? No, of course not, but I suppose they have to set a limit somewhere.

**Mr BENNETT:** From someone who is not from a veterinarian background, having identified these hobby farms or whatever they are of 100-plus birds, and we have an outbreak in the area, are we suggesting that if you have an eradication model as part of your code of practice or operations, what are we going to do with that family's 100 budgies?

**Mr Walsh:** It is documented in the AusVet plan, which is not an industry document but a federal government document through Animal Health Australia. Under that policy they would potentially test the birds for the presence of virus, but it normally—you can perhaps talk from your experience—would be an eradication by slaughter. Whether the birds are registered or not that still would be the policy. The fact is they would still identify all the birds within the zone and the outcome would be the same for those birds. I think it tended to be more tests and then make a decision. As I said, the outcome will be the same, but what it does allow with the registration as I see it would be a more rapid response. The government, instead of going around knocking on doors, would know where the main risks were within a very short space of time. Resources in an exotic disease outbreak are really pushed to the hilt. They have to bring people in. They bring people in from interstate. It is a very resource hungry exercise. If you have got people out doorknocking the area it slows the response down. If they know the key risk within that area they can attack very quickly and it may well protect the birds that are registered.

**Mrs GILBERT:** Peter, 100 is a number out there. Is that your view as well? Your understanding of that spread of the disease in New South Wales, it was in an area but nobody could work out how it went from one property to another.

**Dr Gray:** Aerosol spread, how far it can spread, is often open to conjecture. There can be spread to adjacent properties and I think there has been evidence to show that spread to neighbouring properties is the thing that you cannot protect against. I am not sure how they arrived at the 100. I was not involved in that process at all so I cannot comment, but I think it tends to be a standard practice. In New South Wales as well they talk about the number of 100 as being a flock size. Again I am sorry, I cannot tell you exactly how they arrived at that. But it is a numbers game. The more birds you have within that group, in the case of I, the more virus that is being generated by those birds and a greater risk of spread to other areas.

**Mr Walsh:** If you are looking for a recommended number rather than 100, we can go back to the Chicken Meat Council and Chicken Growers Association and ask for a number if that is what you would like as well.

**Mrs GILBERT:** It would be interesting to see what they would say.

**Mr MADDEN:** I was formerly a councillor with the Somerset Regional Council. The poultry industry is an extremely important industry the Somerset region. I am also very proud to have the Ingham processing plant in Wulkuraka.

**Mr Walsh:** That is the Baiada plant actually. We are here representing the industry so that is all good.

**Mr MADDEN:** I wanted to clarify: you gentlemen are here today advocating that we do not make the change proposed in the bill and just keep the status quo; is that your submission?

**Dr Gray:** The understanding that I had was that the submission was that it was more the definition of what is a designated bird. As I understand it, please correct me if I am wrong, but the original definition was 100 captive birds and then it was changed to be the designated birds, the birds that would be a biosecurity entity, would either be 100 birds that produce eggs or meat for human consumption, and I am not sure if that means commercial or not, and birds that were free flying like pigeons, so the ones that are released and come back which are obviously high risk because they are mixing with other flocks of pigeons and then coming back to their roost. I understood the designated biosecurity entity, the ones that would have to be registered, would include only those two subsets of that. What the Chicken Meat Council is suggesting is that they just leave it at the 100 captive birds.

**Mr MADDEN:** Just leave the legislation as it is?

**Dr Gray:** As it is, yes.

**Mr MADDEN:** That is what I thought was your submission. In Queensland what are the maybe one or two major diseases that we fear? Is it Newcastle disease, is it another disease? Also, you did mention about how diseases are spread. Could you just, with each of those diseases, give an outline of how they are spread?

**Dr Gray:** I am based in New South Wales. Andrew has been based in Queensland for a number of years so I will give that question to him.

**Mr Walsh:** It would be similar regardless and obviously it is the notifiable diseases, notifiable to the OIE, that are the ones that would have the biggest impacts and that would affect potential trade implications. Obviously avian influenza is probably one of the major ones. Newcastle disease virus, although we do have a compulsory management strategy that has been in place since the outbreak in 1998 in New South Wales, and that is actually in exit strategy phase here in Queensland. There is an endemic strain that is around and will always be around here, but we obviously have had the vaccination program in place for a long time. It will always still be a risk, but I think probably now perhaps a lower risk as such but there is always the potential if we have a susceptible flock and a virus mutated.

Avian influenza and NDV, and the other one which is notifiable within the state and does have significant impact on the industry is infectious laryngotracheitis which is a virus almost like the common cold. It is a herpes virus but it causes a cold in the chicken. It is incredibly contagious and has a big impact on the industry with regards vaccination and changed procedures to improve biosecurity and prevent the spread. Once it is in it is very difficult to get rid of it. It has been in Victoria now for about eight or nine years and they are still vaccinating trying to get rid of it.

**Mr MADDEN:** Vaccination is the cure.

**Mr Walsh:** There is a vaccine available to help you control it, but if you use the vaccine as your primary method to try to get rid of it you will not succeed. You have to have the biosecurity procedures to get rid of it and then the vaccination will help you get rid of it if you have the right biosecurity in place. They are probably the three biggest ones, I would suggest.

**Mr BENNETT:** Would things like beehives be caught up in this?

**Mr Walsh:** I had not thought of that question, but off the top of my head I cannot think of any diseases that would be transmissible between bees and chickens that would cause an issue.

**Mr BENNETT:** Is there evidence that other birds do carry these borne diseases that we talked about that hit your poultry industry?

**Mr Walsh:** Yes. Infectious laryngotracheitis is primarily chickens only. I think there is evidence that some other species can carry it but primarily it is chickens only. Avian influenza obviously is the big risk because migratory water birds and domestic water birds like ducks and that sort of thing actually carry the virus as natural reservoirs. If you have a backyard flock, be it 20 birds, 100 birds, 150 birds and you get wild ducks fly in that might potentially be carrying the virus that then transmits it to the coop that is in the back yard under a mango tree with no cages, allowing birds to access it. There is a potential risk there from that sort of thing.

**CHAIR:** Thank you very much, gentlemen, for joining us.

**HANNAN, Mr Luke, Manager, Advocacy Planning, Development and Environment,  
Local Government Association of Queensland**

**FERGUSON, Mr Robert, Senior Advisor, Environment and Public Health, Local  
Government Association of Queensland**

**Mr Hannan:** The LGAQ welcomes the opportunity to provide feedback to the Agriculture and Environment Committee on the Animal Management (Protecting Puppies) and Other Legislation Amendment Bill 2016. In summary, the LGAQ submission before you focuses on several key issues raised through feedback from councils, including the broad support for a statewide breeder registration system coordinated and managed by the state, the need for a statewide education and awareness strategy and campaign and the notable absence of a compliance strategy supporting the bill outlining the key roles and responsibilities which is considered a significant concern to councils across Queensland.

On this last point, if I can elaborate a little bit further, the explanatory notes highlight the importance of developing a compliance strategy. The LGAQ agrees with this statement and maintains that it should have been developed in parallel with this bill. Without a compliance strategy it is difficult for the LGAQ and councils to assess the overall impact on local government activities or understand the implications of the proposed legislation.

To date the LGAQ has gathered baseline survey information from councils for the department and is quite happy to do so and do so in partnership. However, the LGAQ has not been involved in any detailed discussions to date regarding the development of a compliance strategy. This is a concern to the LGAQ and councils if the bill—and it is an ‘if’—represents a devolution of responsibilities or a cost shift to councils. In fact, the partners in government agreement outlining the relationship between the state government and local government states that the devolution or delegation of new responsibilities roles and functions to local government should only occur after there has been prior consultation and the financial implications and other impacts on local government have been taken into account and the identification and, most importantly, the availability of ongoing revenue sources, have been considered thoroughly.

The LGAQ is puzzled in reading the explanatory notes for the bill where it acknowledges the need to minimise regulatory burden and local government costs. However, the Office of Best Practice Regulation concluded that the bill did not require a regulatory impact statement as it is unlikely to result in significant adverse impacts. At the very least, the LGAQ requests the committee to seek clarity on how a decision to not require a RIS was arrived at in the absence of any compliance strategy outlining those roles and responsibilities. That ends my opening statement.

**CHAIR:** I understand that in South-East Queensland the councils have developed consistent programs for breeder registration and inspection. However, away from the south-east corner and the coast, councils seem to be less consistent in their approach to animal management. Can you please tell the committee what kind of animal welfare services councils in the west and far-north of the state provide and what kind of problems they potentially have encountered?

**Mr Hannan:** Before I hand to my colleague, I would say that it is relative to the resources and capacity of those councils and also the needs of their local communities. It does vary; that is without doubt. SEQ councils obviously, with the resource and capacity that they have, are at a different stage to other councils, but it is reflective of their capacity and relative resources. Robert might want to add to that a little further.

**Mr Ferguson:** The capacity of councils across Queensland does vary significantly. A lot of compliance officers in local government areas are required for a range of local compliance activities and might not be just restricted to animal management issues and concerns. Resourcing capacity does vary considerably. Acknowledging that the RSPCA does find it difficult to be involved in welfare issues across the state due to their current resourcing and the challenges that face them as well, there would then potentially be a burden on a local council to become involved in these types of activities. Councils do conduct a range of compliance activities under the Animal Management (Cats and Dogs) Act 2009. However, in saying that, their capacity to respond to a broader range of welfare issues would be a challenge for local councils.

**CHAIR:** By that, I would assume that if I was a puppy farmer it would be more beneficial to set up my puppy farm in regional Queensland than on the eastern seaboard?



**Mr Ferguson:** I think the challenge for local councils is not solely their regional location, but also the cross-jurisdictional challenges. For example, a puppy farm that might be operating in a local council just outside South-East Queensland or adjacent could sell a puppy in a regional environment, for example, the Gold Coast. The challenge that councils would face is being able to track those animals.

**Mr BENNETT:** Is it your understanding that the breeder registration and the collection of those fees and the database will be with local governments, as with your normal registration process now?

**Mr Hannan:** Our understanding in reading the bill is that it would be handled by the state. In terms of the registration system, I think the bill indicates that it will be handled by the state. In terms of the collection of fees, that is yet to be determined. I think in the explanatory notes it refers to a RIZ being done at that stage, a regulatory impact statement, regarding the setting of the level of fee. Who collects it and how it is collected, I believe, is yet to be determined.

**Mr Ferguson:** That is correct. From our understanding of the bill, no registration fees will be charged for the first two-year period. Basically, the intent would be to identify where the dog breeders do exist and to ensure that we can capture most of those potential dog breeders. At that two-year stage, we believe there is a potential to introduce registration fees, but when registration fees are introduced there could be a whole range of other issues coming from that process.

**Mr SORENSEN:** Some dogs are exempt from the legislation, such as working dogs in western Queensland. Do you see any need for the registration of working dogs in rural areas if the breeder has already microchipped the dogs, especially when you have people who muster cattle from one shire to another, et cetera? Nowadays, there are a lot of people on the roads who take their dogs with them on holidays. It is better to have them microchipped. What benefit would there be in registering working dogs and tourist dogs, I suppose you could call them?

**Mr Hannan:** I believe in their submissions quite a few of the councils raised the issue of how to handle accidental births, the noncommercial entities. How is that going to be addressed through the bill? It is silent at the moment. I think that would apply equally to working dogs. If you are not breeding for commercial purposes and it is accidental birth, are there unintended consequences in terms of disposal of litters? That is not something that I believe is the intention of the bill. However, it does not deal with those accidental first-litter births or the like.

**Mr Ferguson:** Through our consultation with local councils, we did not get any polarised views in relation to working dogs. There was no significant opposition to their inclusion or exclusion from the bill.

**Mr MADDEN:** I want to clarify something, because it is still unclear to me how the operation of this bill, the work of this bill, will be divided between the RSPCA and local government compliance officers. Is it a geographical thing? Is it the nature of the offence?

**Mr Hannan:** That is the big question that we still have, hence our position that a compliance strategy should have been developed in parallel with the bill, outlining key roles and responsibilities. We are still in the dark as to how that will operate. Really, our support is conditional on the basis that the responsibilities and administration firstly should sit with the state, unless there is another position taken through due consultation with councils.

**CHAIR:** What would be your ideal scenario, if you wanted to make recommendations to us to take to the minister? What would be the best scenario for the local councils?

**Mr Hannan:** That is a good question. The compliance strategy is extremely important. It is acknowledged in the explanatory notes. I think that needs to be reiterated, obviously, to the department and the minister. The fundamental basis in terms of the state government control and administration of the statewide system is supported. However, the compliance, which is the back end and which will ultimately prove whether the objectives of the bill are achieved, should be brought forward before and decided in agreement with local governments, the RSPCA and other stakeholders prior to the commencement. There needs to be a unilateral agreement on that compliance strategy. I think that needs to be done before the commencement of the bill.

**CHAIR:** There being no other questions, I thank you for your attendance today.

**DART, Ms Barbara, Manager, Strategic Policy and Systems Branch, Ipswich City Council, via teleconference**

**CHAIR:** Good morning, Ms Dart. Would you like to make a brief opening statement, Barbara?

**Ms Dart:** I will be brief. I know a lot has been said today already. In short, council is very supportive of what the bill is hoping to achieve with the amendment to the Animal Management (Cats and Dogs) Act. As our submission would have said, our support is based on the following points: the state government is basically going to be responsible for the administration, resourcing and cost of the database and the rollout of that across Queensland. We are very supportive of a public awareness campaign across the state and that is going to be pivotal to the public taking on board the requirements around registered breeders. If an organisation is to be given an approval as an approved entity and does not require to have their members go through the proposed dog breeder registration process, it is critical that those organisations or those approved entities are bound by what is under section 43W of the bill, that those organisations share their membership information with the state government, the RSPCA and local governments, to help ensure that the objectives of what is proposed in the bill and the proposed compliance strategy will be achieved.

As the LGAQ probably just documented as well, for us there is a lot of unknown because the compliance strategy has not been developed. It is unknown what the expectation is of local government in enforcing the requirements of the bill. I probably see that there is a role for those registered breeder requirements where the RSPCA and the state government are authorised under those provisions to ensure that there is not a duplication of work. When they are coming across welfare issues in their line of business, there is not a need to simply call council in to enforce a particular piece of the registered breeder legislation. They are actually authorised to undertake that as part of their compliance activities, as well. In conclusion, we are supportive in principle, but we really need to know what that compliance strategy will look like to understand what the regulatory burden will be on the Ipswich City Council and the remainder of local government.

**CHAIR:** Thank you, Barbara. I recall that the Ipswich City Council operates a dog pound in West Ipswich, where people can anonymously surrender animals without having to come into contact with any staff. Is that system still operating?

**Ms Dart:** Yes. We have what we call drop-off boxes, but they are only open after hours when our pound is not operational. If someone comes across a lost animal, it allows them to put that animal in a safe enclosure until an officer can retrieve the animal in the morning. If someone were to surrender during the opening hours of our facility, they would come into contact with an officer.

**CHAIR:** Would that be available to people who did not want a pet, rather than just one that was found?

**Ms Dart:** Do you mean if someone was coming into the pound to surrender an animal and speak to someone, could they just surrender an animal because they did not want it anymore?

**CHAIR:** Yes, after hours.

**Ms Dart:** There would be a check of information, because we do not know how that animal has been put into the drop-off box. We could assume that that animal is lost at that stage and would try to make contact with the owner. If the owner was registered or the animal was microchipped, we would be going through those avenues to locate the current owner of the animal and then determine what was happening with the animal, whether it was lost or whether they were, in fact, wanting to surrender the animal.

**CHAIR:** Can you give the committee an idea of how many dogs are surrendered at your pound each year in the Ipswich area?

**Ms Dart:** I do not have that number off the top of my head, but I can certainly take that on notice and get that information through to you.

**CHAIR:** It would be great if you could take that on notice, please. Are you expecting that numbers will increase if the bill is passed, before registration fees are applied in July 2018?

**Ms Dart:** I would imagine, potentially, there would be some increase, but it is a bit unknown. How long is a piece of string? I do not know that I could answer that with any confidence, I am sorry.

**CHAIR:** That is fair enough. No problem.

**Mr BENNETT:** I do not know whether you were on the line earlier today to hear the dog association talking about their members' details. I noticed in your brief submission that you thought that it was a good idea to share members' details. Do you acknowledge their concerns about security and safety with the sharing of information?

**Ms Dart:** Unfortunately, I missed their presentation this morning.

**Mr BENNETT:** I am interested in your thoughts about the sharing of all of this information among stakeholder entities—that is, the RSPCA and the department. They raised real concerns about sharing that information on a website, for example, when it comes to the security of their top breeding animals. I am wondering why you felt it was so important to share members' details?

**Ms Dart:** If it is a commercial breeding operation—and that is ultimately what the bill is trying to address as well as the welfare of the animals—understanding where those operations are is critical in particular for DAF and the RSPCA in terms of welfare and understanding how they are meeting the standards of the licence conditions. We also get complaints from the community around a number of issues to do with excess animals and what not. If we have a central, single point of thought that tells us where these operations are it will help with welfare and compliance. We are not saying that these people are doing anything wrong. It is a sharing of information amongst agencies that ultimately are authorised to uphold the law in terms of welfare and compliance. If no-one is doing anything wrong, I cannot see why there would be an issue with that.

**Mr MADDEN:** I am curious whether the Ipswich City Council has a position with regard to the possible exemption of working dogs from this legislation. I would like you to outline how the Ipswich City Council's free microchipping program works?

**Ms Dart:** I will start with the latter first. In terms of the free microchipping program, for people who are registering their dog or cat for the first time with the council we have a low introductory fee—I think this year it is \$19—and at events where we have free microchipping they get a free microchip. They register with the council and we get all those details on our system. If their dog were to get out we have every chance possible to reunite them with their owner quickly. This helps with our reclaim rates at the pound.

In terms of working dogs, we have a couple of divisions in council where we do have a lot of working or farm dogs. There does potentially appear to be a bit of a loophole if you have someone who is exempt currently under what is proposed and then they give away or sell a working dog to another primary producer and then that primary producer passes it onto someone who is not a primary producer. If it is essential that we track it back to the original breeder there is a loss of history there, potentially. If that third party wants to give away or sell that animal at a later date then how do they provide a breeder number when there has never been one given for that animal. It is just about how that is tied up.

**Mr MADDEN:** Just going back to microchipping, does the Ipswich City Council maintain its own database or do you use one of these contractors?

**Ms Dart:** We use a contractor. We use HomeSafeID. I did hear a little of what Mark from the RSPCA was talking about earlier. It has always been quite clunky in terms of a number of different operators having databases. Similar to what is hopefully going to be achieved with the registered breeder database, if we could have one single point of truth with this data it would make it much easier to track not only between local government areas but also between states. It does become difficult. Ultimately, at the end of the day, we are just wanting that animal to get back to its owner.

**Mr MADDEN:** How many organisations with these microchipping facilities are out there?

**Ms Dart:** I think there are about five or six from my understanding.

**Mrs GILBERT:** The representatives from the LGAQ raised an issue about accidental births and the fact that this bill is silent on that. As a representative from your council, do you have an opinion on how best this bill could support councils with accidental birth litters within your area?

**Ms Dart:** It is a hard one. Should you allow a mum and dad with kids to have an animal that can have one litter? If there is an accidental birth how do you put restrictions around that? I do not know how you do that, to be honest. We have contemplated that. I can certainly understand the intent, but how do you know that it is an accidental birth. Some of these puppy farm operations, from my limited knowledge, I will be honest, do appear to be quite sophisticated in terms of how they can appear to be someone in a residential area just selling an animal. How you cater for people who say it is an accidental birth, I do not know.

**Mr SORENSEN:** Do you have any breeders on record in your council area?

**Ms Dart:** The current licence that we have at the moment is a commercial kennel licence which covers anyone who might be boarding or commercially breeding. In terms of data, I can take that on notice and get a definitive number back to you on that. It is not something that we have gone down the path of as other councils have. We do not have a registered breeders' scheme. We become involved in terms of excess number complaints and nuisance complaints and things of that nature. If it is a welfare issue that generally goes through to the RSPCA.

Public Hearing—Inquiry into the Animal Management (Protecting Puppies) and Other Legislation  
Amendment Bill 2016

**CHAIR:** There are two questions on notice—one about the number of registered breeders or businesses in your local council area—

**Ms Dart:** And the number of surrendered animals per year.

**CHAIR:** Can you get that information to us by Tuesday next week?

**Ms Dart:** Absolutely.

**CHAIR:** Wonderful; thank you very much.

**Ms Dart:** Thank you for the opportunity.

**CHAIR:** Thank you for joining us.

**BAKER, Mr Andrew, State Coordinator, Pet Industry Association of Australia**

**FRASER, Mr Mark, Chief Executive Officer, Pet Industry Association of Australia**

**CHAIR:** I welcome Mr Mark Fraser and Mr Andrew Baker from the Pet Industry Association of Australia. Would you like to make a brief opening statement?

**Mr Fraser: Yes.** PIAA is a national member based not-for-profit organisation. We represent members across the companion animal industry, including pet shops, boarding kennels, grooming parlours, aquariums, suppliers, manufacturers and breeders. It is the whole gamut of the industry, essentially. We do not condone puppy farms in any way, shape or form. We stand by the RSPCA's definition that a puppy farm is an intensive dog-breeding facility that is operated under inadequate conditions that fail to meet the dog's behavioural, social and physiological needs.

We wish to work with the government and relevant bodies to stamp out puppy farms and implement a long-term solution that will ensure transparency, compliance and the highest standards of animal welfare. We are as concerned as many in the community about the number of cats and dogs that currently populate our shelters. Whether the public is considering a puppy, a kitten or a rescue animal, it is important to provide a transparent environment where the public can choose what pet will suit them best. If this does not occur then the wrong pet for families may be chosen and the animals will be given back to shelters. Ideally, we must work towards producing an animal welfare based outcome that allows choice.

The three main things that are needed across Australia for this to occur are: licensing of all breeding; enforcing of the rules on all parties involved; and microchipping of all puppies. This will lead to a transparent industry, where enforcement can occur and where animal welfare is paramount. We are of the firm opinion that all dog breeders should be licensed under a scheme that also pays for the enforcement of these licences. So essentially it is a self-licensing system. This will ensure that visits to dog-breeding properties by enforcement officials can be carried out whenever required, both through announced and unannounced visits. Without a licence system proper control over this industry simply cannot occur.

We at PIAA have developed a model—a dog-breeding licensing system. This has the ability to be self-funding. The funding is a critical component, as the companion animal issue across Australia in the last decade can be related at least in part to the lack of enforcement of codes and standards. Enforcement is fundamental to any scheme working. The funds from the licensing system we have developed will be used for implementation and enforcement of the regulations. Licensing and enforcement of standards go hand in hand. Our model ensures that licensing funds the enforcement, allowing both transparency and regulation within a system which can support itself. This system would be enforced independently but funded by industry.

We are calling for the system to be implemented in Queensland with a view to national regulation in the future. We also believe that retail shops are an integral element in the successful regulation of breeders and sellers. Any pet shop selling livestock should be licensed under a similar self-funding scheme. The licensing of all breeders need to be included to ensure proper sourcing of companion animals only from licensed breeders. This has already been implemented successfully with the sale and licensing of reptiles in New South Wales, which has produced a welfare based outcome for these animals.

Microchipping is the next essential element of a transparent system in Queensland and throughout the country. Every puppy or dog advertised or sold in Queensland should be microchipped. Every advertisement should contain the microchip number or a breeder licence number. This would ensure full transparency and make it harder for illegal breeders to use easy avenues for sales, such as online or trading post type methods.

The current review of the microchip database and registration process must facilitate the trace back of all pets to the original breeder and keep a record of any change in ownership. This will also allow the better tracking of which companion animals end up in shelters and can help with decisions as to how to continually keep these numbers low.

There has been some dialogue about banning the sale of puppies and cats in pet shops. This will go directly against the aim for a fully transparent industry. This ban will cause animal welfare to suffer, as the trade will move online to less transparent avenues. The demand for puppies is high. This will not change.

Given this, what this industry needs is a transparent method of bringing puppies and families together. Pet shops have high visibility and they are under constant public scrutiny. If sales are moved away from the transparent methods, it will move online to markets and public noticeboards. Breeders will move underground and there will be no way to trace sales or enforce standards. This is happening already with the growth of online sales.

We acknowledge that there is an inherent problem in the current system. There is a lack of data in the industry, leading to false claims and allegations based on emotions rather than fact. This confuses the community and could well lead to hastily developed solutions that in the long term make the welfare outcome for pets worse and not better.

Animal welfare is a complex problem that requires multiple strategies to solve. We believe, though, that with the right models, microchipping, licensing and enforcement of these we can create a transparent industry where animal welfare truly comes first. We look forward to working with the government and other relevant welfare bodies to bring about the best welfare outcomes for pets in Queensland. We welcome this inquiry. We want to be part of the solution moving forward and support regulation and implementation of licensing for both breeders and retailers.

**CHAIR:** Thank you for the statement. You mentioned pet shops. Today, other people have talked about pet shops selling pets, particularly puppies, from non-professional breeders. Are you aware of any situations in pet shops where they are selling dogs just from off the street?

**Mr Fraser:** I am sure it is happening. I have been in the role now for seven months and in that period we have looked at our standards and guidelines for both our breeders and our retailers. We lifted them to the next benchmark. As such, we have lost probably one or two members who could not comply. We asked all of our retailers who are selling puppies or kittens to give us their breeder source and they also had to supply a PIAA vet audit for each of those breeders. Those who could do that and that is great. They came up to the benchmark. Those who could not have either resigned or have gone before the board and had their membership terminated.

We want to be an association that is transparent, that is open, that has a quality membership base. We are aware that there are shops out there. They are not our members at present, because we are quite confident that the members who we have currently in place are doing the right thing. They are abiding by our standards and guidelines and they are supplying us with the vet audits of all of their breeder sources. But unfortunately, there are those out there who source from what we call one-off breeders or multiple one-off breeders off the street.

People walk in off the street with a litter of puppies that they were not expecting. We have introduced there a one-off litter form that has to be filled out as well. It also requires a vet audit to say that this is an accidental litter. A vet has to visit the premises to sign off on the fact that they are not a commercial breeder.

**CHAIR:** On page 4 of your submission you say that pet shops ought to be licenced in a manner similar to the systems that govern the sale of reptiles in New South Wales. Can you provide the committee with some more information about that New South Wales reptile licensing system? How does it compare to the reptile licensing system that we currently have in place in Queensland and why is it better?

**Mr Fraser:** I cannot answer all of those questions. What I can say is that I know that it was a licence that was fought for 17 years, which is a long period of time. It came into play long before I was sitting in this chair. Ironically, New South Wales is now looking at scrapping that licensing system and we are heavily involved in a process to stop that.

**CHAIR:** Why would they be doing that?

**Mr Fraser:** I have no idea. I really have no idea. I know that it brings in an income of about \$1.4 million a year in licensing fees. What it has done is that it has stopped people going into the bush and bringing blue tongue lizards into the shops and selling them for a profit, which was happening in the past. It all goes through a legitimate system now that is accountable and traceable. I do not know how it compares to Queensland and other states.

**Mr Baker:** I believe that the New South Wales one is very similar to the Queensland one—the one we have here.

**CHAIR:** So there is a system in place in Queensland at the moment for reptiles?

**Mr Baker:** Absolutely, yes. We have had it since 2004 in Queensland for reptiles. Licences in other southern states, such as Victoria, have been around a lot longer, but in Queensland it has now been 16 years. It has been quite a successful licensing system that we deal with. It is an annual, or a three-year licence that you pay for and it is administered, I believe, by national parks and wildlife. I cannot remember what they are called these days. They have had a couple of name changes.

**CHAIR:** So a pet shop cannot sell any reptile in Queensland unless it is from a ticketed provider?

**Mr Baker:** Unless they have a reptile licence; that is correct.

**CHAIR:** Is there a way to trace that? If I were a compliance officer and I come in and asked, 'Where did you get this frilled necked lizard from?'—

**Mr Baker:** Certainly. There are movement advices. Whenever a particular reptile moves from one premises to another, a movement advice is filled out, which involves the licensing of both the buyer and the seller.

**CHAIR:** Is that electronic or paper?

**Mr Baker:** It becomes a tangible piece of paper, but it can be filled out online and printed out. It is online to fill out, the movement advice.

**Mr BENNETT:** With the breeder registration that you alluded to in your presentation, it is always nice to hear that things can be self-funded. Would you be able to elaborate a bit more for the committee about how that works, if you can, if it is not commercial-in-confidence?

**Mr Fraser:** I can. I cannot in any great detail, because it was something that was implemented, or devised before I came on board. Essentially, it will be based on the size of the breeding facility. It is user pays—10 dogs, 20 dogs, 100 dogs—and then there would be a fee allocated to the number of breeding dogs to account for that particular breeder. Those funds then go into a pot—for lack of a better word—to fund the enforcement of the codes going on. It is basically a user pays. The more dogs you have, the more you pay. I am quite happy to send you a copy of what was devised in relation to that if need be.

**CHAIR:** Could you do that for us? If you can take that on notice for us and get back to us by next Tuesday as well, please?

**Mr Fraser:** Sure.

**Mrs GILBERT:** The process that you have with your pet shops with the one-off breeders—the accidental births—do you believe that we should have that incorporated in this bill? Is that a process that is just for your association and do you think that it needs to be more formalised?

**Mr Fraser:** At present it is just for our association, but I would like to see it across-the-board, across the country. It fills in the cracks. I know there are those out there who are coming in as one-off breeders, accidental litters, who are doing it two or three times a year. They might have only three or four dogs. That is the problem. They are the unknowns. That is where a lot of the animal welfare standards are being abused. Quite often it is those who have 10, 20 or 30 dogs who are aboveboard and who are abiding by the codes of practice who are the ones who are being targeted.

I would love to see that across-the-board. It wipes out that incentive then to breed two or three dogs a year and not pay any tax on that and sell them at the local shop. That is what is happening and that is what has happened in the past. The trouble is a lot of these things that are happening have been happening in the past and they are considered normal. I think the time is right to change it. We would like to see that across-the-board.

**Mrs GILBERT:** Thank you.

**Mr MADDEN:** Under the proposed legislation, the state government will maintain the register of microchips for breeders. Given that you are a national body, are you aware of any state governments or local governments that maintain a registry for owner microchips?

**Mr Fraser:** You said 'owner microchips'?

**Mr MADDEN:** Yes, where you register your dog and it has the owner's name on the microchip.

**Mr Baker:** Ultimately, when the dog progresses to the owner the registration changes the name to involve the current owner of the dog. There should be, in essence, a trail from breeder all the way through to the current owner. Whenever a breeder sells a dog, a change of ownership form needs to be sent in to HomeSafeID to change the name.

**Mr MADDEN:** I guess I did not make myself clear enough. Do you think that there is any advantage in the government maintaining that register or at least offering that as a service?

**Mr Baker:** Similar to what Mark has been saying, I think that it is imperative that we have some sort of tracking system from the breeder all the way through to the owner that we can track back and make sure that at every stage the right thing is being followed.

**Mr MADDEN:** That would mean two microchips: the breeder's microchip and the owner's microchip?

**Mr Baker:** I do not believe so. I think that it can be followed—

**Mr Fraser:** The same one process.

**Mr Baker:** The same microchip.

**Mr Fraser:** We believe in that traceability. Our standards and guidelines state that any puppy that leaves a breeder for sale has to be microchipped. If it then goes to a retail outlet and is sold, the microchip details have to be changed at that point and so on. The problem is that, once the final buyer of the puppy sells it to the neighbour or the person across the road, they do not change the microchip. It is only traceable as far back as it has been complied with. We would love to see a national database for microchipping.

I know that there is a conversation going on at the moment between the various microchipping companies. Hopefully, that will result in a national, probably one-off microchip base. I think it is imperative to see this happen.

**Mr MADDEN:** Just to make it clear, when we say change the data, we do not change the data on the microchip; we change the data on the computer that maintains the registry.

**Mr Fraser:** Correct.

**Mr MADDEN:** It is simply that number that gives us the link. The important thing is that the registry remains solid and up to date.

**Mr Fraser:** I think that is imperative. If it does not, it is an unknown again.

**Mr MADDEN:** And are you advocating for a national database—

**Mr Fraser:** Absolutely.

**Mr MADDEN:** With regard to what I call the owners, but it could be the microchip for the animal.

**Mr Fraser:** Yes, exactly.

**Mr MADDEN:** That covers the breeder and the owner and the transfer through to death.

**Mr Fraser:** And that microchip follows from breeder to death essentially.

**Mr MADDEN:** It seems to me that the flaw in this whole thing is that there is no registration of the death of the animal at the end.

**Mr Fraser:** There are animals on the databases that are 30, 40, 50 years old, because they have not been reported as deceased and that is a problem. I know in New South Wales they are working on a restructure of their database down there that will allow the owner to go in and change the details when they move interstate, et cetera. That is the problem. When you move interstate, it is a different system. If you are on the border of, say, Queensland and New South Wales, or New South Wales and Victoria, that is what is happening. There is no traceability. If you ask me today: how many puppies are there in Australia? I cannot tell you. I could not. I could take a guesstimate, but it is an unknown right across the country, unfortunately.

**Mr SORENSEN:** Just on the death of a dog, most people will notify the council that the dog is deceased. Could they track them that way? I know that you would not track all of them that way, but you could track a number of dogs that way if they have passed away.

**Mr Fraser:** I agree. I think when you say 'most people', a lot of people do not. That is why the councils are coming up saying, 'We have dogs in our database that are 40 or 50 years old' for that reason—that people do not. People are stressed at the time. Their pet passes and then they forget about it. Then again, it falls back to education. It is education from the time they buy that puppy to the time that it passes on. It is part of all of this working.

**Mr SORENSEN:** Normally, if they do not have a dog, they do not pay their registration, anyway.

**Mr Fraser:** That is exactly right.

**Mr SORENSEN:** That is one way that you could track some of the dogs anyway.

**Mr Fraser:** I agree.

**CHAIR:** Thank you very much for attending. Thanks for coming in. It was very worthwhile.

**Committee adjourned at 12.27 pm**