

3rd March, 2016

Dear Sir/Madam

Please accept my Submission in support of the Animal Management (Protecting Puppies) and Other Legislation Amendment Bill 2016 (The Bill).

Statement of commendation extended to M.P. Leanne Donaldson for the introduction of this Bill. I write to support this Bill in full agreement with the principle of protecting puppies (and kittens) from unscrupulous breeders and also with the understanding that this Bill is long overdue. I commend the Hon. Leanne Donaldson MP, Minister for Agriculture and Fisheries, for bringing the Bill to State Parliament. This Bill extends the reach of protection to animals from the terrible suffering and cruelty of kitten and puppy farms. Sincere appreciation is extended to M.P. Leanne Donaldson for her compassion and her work in community consultation that has resulted in this Bill. Once enacted, this legislation serves to ensure that only breeders who provide necessary standards of care and attention are permitted to raise animals for sale.

Submission.

Introduction: an overview of neglect and abuse in puppy mills.

Australians well know that gross neglect, unnatural confinement and callous cruelty have been inflicted on animals raised by certain breeders. Yet, little has been done to stop this horrific treatment. Beautiful dogs and cats have spent their entire lives confined in misery and have died in suffering. Substandard conditions result in sick and deformed animals: many animals live in pain, denied basic needs and necessary veterinary care. They have never experienced nature and natural behaviours, such as running, jumping, digging, being taken for walks or other normal aspects of care and socialisation. This gross neglect results in psychological disorders, such as anxiety disorder or aggression, as well as a range of physiological health problems.

These breeders provide only subsistence level care for the dogs and pups. Cheap, low-quality food results in dietary deficiencies and chronic disease. Young animals need the antibodies and appropriate amounts of vital fats, proteins and vitamins, available from their mother's milk. Puppies that are force-weaned prematurely, so that they can arrive at the pet store at eight weeks of age, are deprived of these benefits.

Breeders continue to profit while these poor animals continue to be used, abused and discarded: mother dogs and cats are confined in cramped, unsanitary, breeding facilities. These dogs exist for the sole purpose of breeding, over and over again, with callous disregard for their needs and welfare. Puppies are born with genetic disorders and deformities, resulting from inbreeding, and remain untreated due to veterinary costs. Most are euthanized or killed. For too long, this unethical profiting from the sale of animals has caused dreadful suffering that has been deceptively hidden from the public gaze and overlooked by legislation.

Personally, I would have liked to see this Bill go much further and to exclude all commercial sales of puppies, except for breeds that allow people with allergies to purchase dogs that have 'wool' as companion animals. Puppies and kittens should not be bred for sale to pet shops: every bought dog or cat, even from a 'reputable' breeder, means the death of another animal. Animal welfare would be vastly improved by adoption of animals from shelters and rescue organisations, instead.

Recommended inclusions: This Bill can be strengthened by incorporating further relevant inclusions, as indicated by the numbered dot point recommendations, listed in bold type on the following pages.

- **Recommendation 1. Require online classifieds sites to sell only animals sourced from shelters and animal rescue organisations. Social media sites must also be prohibited from selling animals.**

Discussion 1. The only way to effectively manage online classified and social media sites is to prohibit ‘for sale’ advertisements of puppies, kittens and other household pets and ensure that only shelters and animal rescue organisations are permitted to advertise pets online. Members of the public are misled and cannot distinguish between certified, reputable breeders and those who simply profit without regard for animal welfare. Too many animals with health problems, arising from conditions under which they are raised and bred, are sold online by unethical breeders. Except through the websites of genuine shelters, online sales of household pets, including dogs, cats, cage birds, rodents, reptiles, amphibians and fishes, must be prohibited.

- **Recommendation 2. Pet shops should not be permitted to display or hold animals on shop premises and must also be required to prominently display notices promoting adoption.**

Discussion 2. The keeping of puppies, kittens and other animals at pet shops is not conducive to these animals’ wellbeing. This practice encourages impulse buying and should be strongly discouraged to protect against abandonment and neglect. **Photographs, only, should be displayed.**

Further, animals bought from pet stores often have serious behavioural issues, since they have not been socialised by suppliers. The better option is to encourage the general public to adopt rescued dogs from shelters, rather than to buy from breeders, ‘reputable’ or otherwise. **Therefore, I urge that regulations should also require Pet Shops to display a notice to promote the re-homing of animals from authentic shelter facilities.** A profit incentive could allow for Pet Shops to receive a commission from these sales.

- **Recommendation 3. Requirements to register as a breeder or, alternatively, be forced to apply for an exemption number and pay a fee should not apply to owners of pregnant household cats and dogs or foster carers of rescued pets. Puppies and kittens must not be force-weaned and separated from their mother at the extremely immature age of 28 days, in order to surrender them to a shelter. Exemptions from all fees must apply to prevent this cruelty. (Risks of early surrender are posed from ‘exceptions’ to rules by applicable waivers: as when, in 1(c) the dog is supplied to a pound or shelter.)**

Re: Exemptions, as listed on page 28 of the Bill: 43ZA Exceptions for supply of dog. 1(b) the dog is supplied by a member of a class of persons prescribed under section 43E (3)(c); 1(c) the dog is supplied to a pound or shelter.

Re: On page 32, persons eligible for an exemption number: 43ZI Eligible person - owner (or ‘responsible person’, e.g. the formal or informal carer for rescued pregnant dog.) A person is also an eligible person in relation to a dog if the person— (a) is the owner of, or responsible person for, the dog; and (b) did not breed the dog; and (c) does not conduct a business activity that includes the supply of dogs.

Discussion 3. There is a very limited period of 28 days, before being required to either register as a breeder, apply for an exemption number or to take the puppies or kittens to a shelter. Fees to gain an exemption number may act as a deterrent to the owners of pregnant family pets.

Puppies and kittens should not be subjected to cruel practices of being force-weaned and prematurely separated from their mothers to be taken to a shelter at 28 days. Nor is it, in any way, practical for their owners or foster carers to register as breeders. Fees to apply for an exemption number may also be prohibitive to the owner of the pregnant dog or cat. Therefore, the owner or person responsible for a dog or cat should be fully exempted.

While it is acknowledged that the Bill also seeks to reinforce responsible dog ownership, this does not alter the fact that, without full exemption, requirements of the Bill may result in unintended consequences. Pressure to comply within 28 days to register as a 'breeder' or pay fees as an 'eligible person' serve only to propel the current owner (or original owner) of a pregnant domestic dog or cat towards several choices:

- To abandon the pregnant dog or cat
- To surrender the pregnant animal to a shelter
- To abandon or surrender the pups or kittens (within 28 days)
- To kill the pups or kittens before the 28-day registration period.
- To give away the pups or kittens (within 28 days)

Since there are also fees to surrender animals to shelters (\$50 for each animal in some facilities), the original owner may be discouraged from surrendering a litter of several animals. In any case, surrender prior to 28 days, is an act of extreme cruelty and is totally inconsistent with the aims, intentions and underlying principles of this Bill.

The Protecting Puppies Bill should not result in prohibitive costs to householders or to animal foster carers. Therefore, in the best interests of protecting the safety, welfare and lives of puppies and kittens, the Bill must provide safeguards to ensure that premature surrender, abandonment or killing is avoided.

Pet owners or carers must be fully exempted from exemption fees and simply be referred to in the Bill as 'fully exempted persons' without having to ap. This definition is intended to indicate the legitimate difference between an owner or carer of a pregnant household pet and a breeder in the pet industry. **The owner or carer is someone who is not permitted to sell puppies, which prevents 'backyard breeding'. But a breeder (under certification) is permitted to regularly or intermittently sell puppies or kittens bred specifically for this purpose.** Pet owners must rightly be fully exempted from the registration obligations of a 'breeder' or from having to apply for an exemption number as an 'eligible person' and pay fees.

- **Recommendations 4 (a) the requirement of breeders to keep puppies for a minimum of 60 days before a sale and 4 (b) that the actual sale should not take place prior to this period of time.**

Discussion 4 (a). Although it may be in the interests of commercial breeders to sell puppies prior to a minimum of eight weeks of age, and thereby hasten the breeding process, this is not in the best interests of the puppies or their mother. When puppies are taken too young from their mothers, this leaves them weak and vulnerable to illness. Best practice in health care, strengthening of immunity and socialisation of puppies should not be ignored. These principles provide a higher quality of care: puppies kept with their mother for at least eight weeks receive a range of benefits that would otherwise deprive them of this important period of maternal care. This range of benefits includes protection from developing allergies and resistance to disease and avoidance of anxiety problems.

The vital phase of natural feeding, during early life, provides better immunity and improved socialisation through maternal care. In receiving their natural food and proper process of digestion and elimination through massage of the pups' and kittens' bellies by the mother's licking, this maintains the normal maternal bond of connection. Contact and body warmth also provides comfort and nurturing for baby animals.

Weaning is typically not complete until at least eight weeks of age. Breeders often provide disparate information on their websites to promote shorter periods of time. However, it is also well recognised that

puppies disadvantaged by early removal fail to receive essential nutrients for immunity and the required behavioural, social, psychological and physiological needs. In contrast, puppies receiving the behavioural influences of socialisation through maternal training are superior in well-bred behaviours. Compassionate best practice ensures that puppies and kittens are not removed earlier than necessary to receive benefits that should rightly extend beyond any incentives of faster financial gain.

Discussion 4 (b). An additional advantage of the requirement to hold puppies for 60 days, prior to sale, protects against any possible risk that the breeder may attempt a sale or disposal of animals prior to the 28-day required registration period, thereby refuting possession. This also prevents breeders from refuting their duty of care and attempting to hold the new owner responsible for any veterinary treatment or medications.

- **Recommendation 5: Change of wording from ‘supply’ to ‘sell’ throughout the Bill.**

Discussion 5. When puppies or kittens are not being bred for sale, finding good homes for these animals ensures a better outcome for animal welfare than alternatives, such as dumping. **Therefore, rather than use the word ‘supply’, throughout the Bill, it is appropriate that it be replaced with the word ‘sell’. This reflects the exclusive intention of a breeder to profit from the breeding and selling of puppies and kittens. Conversely, it does not refer to the action of someone whose family pet has birthed puppies or kittens and who subsequently gives these away, providing them freely to good homes.** This enables a more successful outcome for those puppies to find safe, permanent homes in responsible households, rather than the possible outcome of abandonment, due to misinterpretation of current terminology used in this Bill.

- **Recommendation 6: Breeders must not supply puppies or dogs for the Greyhound racing industry and persons involved with this industry must not be permitted to register as breeders.**

Discussion 6. The cruelty of Greyhound racing is well documented. This barbaric industry results in horrific injuries and ‘wastage’ of young dogs that cannot perform on the track. Therefore, protection of puppies from this heinous ‘sport’ is integral to this Bill. Clearly, in the best interests of animal welfare and prevention of cruelty, there must be a requirement in the Bill that breeders are not permitted to supply puppies or dogs to this industry. This Bill must also ensure that those who are involved with Greyhound racing are not permitted registration as breeders. The practices for which these animals are bred and raised and their ‘training’, results in puppies placed at serious risk of injury and mistreatment. Further, as there is no guarantee that ANY breed of puppies or kittens will be safe from the barbaric practice of live-baiting, those associated with the industry must be prohibited from breeding puppies, kittens or any other type of animal.

- **Recommendation 7: In keeping with the aims of this Bill, it must prohibit the sale, the purchase or the use of these cruel collars and other punitive devices that are currently legal in Queensland.**

Discussion 7. Puppy breeding facilities have a strong incentive to use products aimed at preventing dogs from barking. There is a range of inhumane devices that are currently on the market, such as **sound collars** (collars that emit a high-pitched sound when the dog barks); **electronic collars** (collars that deliver an electric shock to the dog when it barks); **citronella collars** (collars that spray the dog’s face with citronella scent when it barks); **choke chains** (chains that contract on the dog’s neck, restrict breathing, and can literally choke it); **prong collars** (collars made of multiple wire prongs that clamp into a dog's neck); these devices are especially cruel, sometimes causing puncture wounds.

Prong collars were banned in Victoria 17 years ago. All of these collars are punitive and cruel. It is natural to bark. Dogs must be trained using methods which do not cause fear, distress or pain. Recommended

training methods are humanely managed and reward based and may also effectively use principles of classical and operant conditioning.

The RSPCA does not endorse any product that uses pain to change animal behaviour. As advised by the following statements on the subject, provided by RSPCA:

- a) This type of training is called 'punishment' as the dog is effectively punished by the collar for every bark. Punishment, as a method of training, is often ineffective as dogs often do not associate the punishment (the citronella spray, sound or shock) with the behaviour.
- b) This type of behavioural modification does not tend to be successful because it fails to address the underlying cause of the behaviour. Dogs bark for many reasons: play, fear, separation anxiety, frustration, environmental factors, boredom etc. These devices will not necessarily solve the underlying cause of the barking and will only temporarily mask the problem.
- c) Scientific evidence shows that dogs will habituate to the collar and barking will resume again.
- d) Sometimes it is appropriate for dogs to bark (e.g. as a means of communication) in which case the collar punishes them for normal behaviour.
- e) Dogs have far more acute ears and noses than we do, and therefore what we may smell as a relatively nice citrus smell, can be overpowering for a dog.
- f) These devices inflict pain and distress on the animal and therefore should not be used...

This respected animal welfare organisation advises the following: *RSPCA Australia is opposed to the use of any electronically activated or other devices which deliver electric shocks, high pitched sounds, or any other painful stimulus. Such devices can be used to abuse the animals, involve inflicting pain and are considered inappropriate for dog training or control. RSPCA Australia is opposed to the use of collars that deliver aversive stimuli such as sound or scent, including citronella collars and high-pitched sound-emitting devices. (http://kb.rspca.org.au/Should-I-use-an-anti-barking-collar-to-treat-my-dogs-barking-problem_446.html)*

Legislation must protect animals from cruel and punitive devices that use pain to control dogs: In order to protect puppies and dogs from such devices they must be banned from sale and purchase. To prevent online purchase, their use must also be prohibited. These cruel collars have no place in the humane treatment of any animal.

- **Recommendation 8: (With respect to Page 35: 140A Power to require information and 140B Offence to contravene information requirement.) Withholding self-incriminating information by any individual, who is reasonably suspected of animal abuse or neglect, is guilty of an unlawful act.**

Discussion 8. In reference to: Part 3 Amendment of Animal Management (Cats and Dogs) Act 2008. Paragraph 2 of Section 140B states: *It is a reasonable excuse for an individual not to give the information if giving the information might tend to incriminate the individual or expose the individual to a penalty.*

Presuming that this 'reasonable excuse' was not intended to harbour individual or institutionalised abuse or neglect of animals, it should be made clear in what circumstances that this could apply to safeguard against misuse of the law. If, indeed, this provision allows someone who has committed abusive or neglectful treatment toward an animal to withhold self-incriminating information, such as recorded video footage, photographs or other evidence of such actions, it is untenable that this legislation can allow them to do so.

One must ask: Why would this Bill seek to exempt an individual or an industry from appropriate penalties for animal cruelty or neglect?

- **Recommendation 9: Responsible Animal Welfare Legislation to prohibit Greyhound Racing.**

Discussion 9. Regulations banning Greyhound racing are entirely relevant to the Protecting Puppies Bill. It is in no way sporting to maim, injure and inflict deprivations, such as cruel confinement and lack of socialisation, on these gentle dogs. Greyhound racing is not a 'sport', nor an 'entertainment'. The cruelty of this industry results in an escalation of animals subjected to abuse. We cannot conceive of the terrible suffering many of these puppies and dogs experience. A further deleterious effect of this industry entails the impact of financial burden on community in funds for the upkeep and rehabilitation of these dogs. Many dogs bred for this industry end up abandoned in shelters ... or worse: injured, maimed or killed.

Therefore, when legislation incorporates measures to resolve protection against cruelty to puppies and dogs, it must also put an end to greyhound racing. It is sickening that greyhound racing is considered 'entertainment', particularly in view of horrific live baiting practices. Greyhound racing is insupportable. This cruel 'sport' must be regarded with the utter contempt it deserves: that it is beneath any concept of human decency. Until this barbaric industry is shut down, close vigilance is a requisite action to apprehend further neglect and illegal activities within the racing industry by owners, trainers and members. Attempts by certain politicians to bring in 'ag-gag' legislation, that serves only to inhibit legitimate and valid scrutiny of animal welfare abuses, have been noted.

With reference to those politicians who support the Greyhound racing industry: It is likely that the same politicians, who continue to support this obnoxious industry, may also attempt to hamper this recommendation into the Protecting Puppies Bill. I charge these politicians with failing to meet community expectations of ethical standards and genuinely consultative representation. Clearly, they gratify certain types of persons and industries that ruthlessly serve aims of financial gain and political ambition. However, community views and expectations of integrity and ethics by constituents and their valid concerns for animal welfare will impact upon these same politicians at election time. This fact is worth remembering.

This submission also requests the following relevant addition to this Bill, validated under the definition of *Other Legislation* in Animal Management (Protecting Puppies) and Other Legislation Amendment Bill 2016.

- **Recommendation 10: Urgent reforms must provide for humane stunning procedures for the slaughter of livestock. This reform must be prioritised, if Australia is to be held as a civilised nation in regulating practices for the slaughter of livestock. Exemptions from stunning and 'reversible stunning' during slaughter are abhorrent, callous practices that must be stopped.**

Discussion 10. Many areas of legislation require greater reform of existing pernicious and barbaric practices. An example of which includes the appalling 'reversible stunning' of cattle, where the failure of this method to ensure that livestock remains stunned during slaughter may result in animals regaining consciousness.

The horrific cruelty of exemptions from pre-slaughter stunning requirements: whereby, sheep are not required to have ANY form of stunning, must also be STOPPED forthwith. For cattle, stunning is still required but this occurs immediately AFTER the throat is cut. Both situations result in animals experiencing pain associated with the throat being cut, while conscious, and the subsequent bleeding out. Such acts of unimaginable brutality are currently committed within slaughterhouses and permitted by Australian law.

[REDACTED]

Legislation must address this very serious issue of abuse in the failure to provide any effective procedure of merciful stunning or humane animal slaughter. This disturbing revelation of failure in the duty of care to these animals, during slaughter, is not widely known to the public. Such a lack of transparency to consumers may be perceived as an intentional ploy to hide this shocking neglect of duty towards animal welfare.

Conclusion.

We need to DO MORE, much, much more, for animal welfare, since we are now living in a more enlightened age and in a first-world country. We have arrived to a time and place where compassionate awareness should be foremost in our behaviour towards animal safety and welfare. There is so much research available to inform us about the intelligence of animals.

We know that, like humans, animals are sentient beings with a central nervous system. We understand that they suffer pain, as we do. **Unlike humans, vulnerable animals cannot take action against what is done to them, nor have they the ability to make other choices for themselves.** Many animals in breeding facilities, including puppies and dogs, suffer the misery of confinement and deprivation, lack of socialisation and companionship. For too long, these animals have suffered, unseen to the world, and they continue to suffer.

THIS MISERY MUST STOP!

As stated by Nobel Peace Prize Laureate, Elie Wiesel, as quoted in his statement with respect to human life: ***Neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented.*** We can say with absolute certainty that animals are, similarly, totally vulnerable and need strong legislative protections guarding against institutionalised animal abuse.

Within the scope of the Animal Management (Protecting Puppies) and Other Legislation Amendment Bill 2016, I acknowledge that amendments in this Bill provide important legislative protections for animal safety and welfare. I sincerely hope that the information included in this submission provides a basis for accepting the recommended inclusions, as measures of further reform.

I have not had an opportunity to study this Bill or explanatory notes in full to clarify legislation. Although I have not had time to examine the section in relation to birds, I would certainly object if the permitted numbers confined birds in cramped or unhealthy conditions.

Clearly, the amendments in this Bill indicate a compelling call for change. It is time that the call for these, most basic reforms, must be heard loud and clear. This legislation must cross the political divide, as a voice for the protection of animals. A voice that must be answered with a united and solid response: ensuring that better and more compassionate outcomes are enshrined in law. Most of all, it must make a sustained difference for animals!

I call upon the House to be united in compassionate action and to unanimously pass the Animal Management (Protecting Puppies) and Other Legislation Amendment Bill, 2016 with further inclusions, as provided in this submission.

Yours respectfully,

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