



Appendix 2 - submission by All About Pups on the “Stop Puppy Farming” Consultation Paper.

Review of the 2015 Paper on Puppy Farms.

There is a lot of detail in the 2018 “Stop Puppy Farming” Consultation Paper that is missing which is referenced in the “2015 Steering Committee Paper” which I will discuss below to flesh out my view of the ALP’s stance on this proposed legislation.

The 2015 Committee Report on Puppy Farming by the WA ALP government raises the following:

1. Defines puppy farming as *“the intensive farming of puppies”* and also quotes the RSPCA definition of *“an intensive dog breeding facility that is operated under inadequate conditions that fail to meet the dogs’ behavioural, social and/or physiological needs” (RSPCA Australia 2010a).”*

However the report also adds *““The RSPCA Australia has said ‘Puppy farms are usually large-scale commercial operations, but inadequate conditions may also exist in small volume breeding establishments which may or may not be run for profit’ (RSPCA Australia 2014a). Hence, puppy farms can range from relatively small-scale operations to large organised businesses.”*

What the inclusion of this last definition does is cast the net very wide so that someone breeding a litter or two in the suburbs could also be labelled a “puppy farmer”. I think it is a stretch to include these breeders in the definition – unless there was an aim to inflate the figures to make it appear there is a bigger problem than there actually is.

2. States that “Puppy farming is also likely to be contributing to the homeless dog problem” which is a vague statement with no evidence to back it up.
3. They state that:
“In general, the Animal Welfare Act 2002 (AWA), and the Dog Act 1976 (DA), in combination with WA consumer laws, already provide the legislative powers needed to investigate and prosecute puppy farmers and sellers in WA who mistreat their animals, or sell unhealthy animals. As such, the steering committee does not recommend introducing specific legislation on puppy farms in the form of a dedicated Act.”

So, by their own admission, there is adequate legislation already in place in WA (and mirrored in other states) to prosecute puppy farmers and so they see no need to amend or add to this legislation, yet there is a stated objective to stop pet shops selling pups even though the three puppy farmers prosecuted in recent history in WA were not selling to pet shops.

The paper then states that what is required is more funding to the RSPCA to perform it’s investigative role in finding and prosecuting any puppy farms operating outside of the law. Why is this not investigated further before taking other more extreme course of action?

4. No statistics back up the assertion that pet shops are a significant contributor to the shelter dog population, the paper preferring to just claim that there are lots of shelter dogs in WA and pet shops must contribute to them.

- 5 The paper goes on to state:
“Some changes to existing legislation are required to facilitate the investigation and prosecution of puppy farming in WA. The steering committee strongly endorses the legislative changes proposed in the RSPCA Australia Discussion Paper: ‘Legislating to End Puppy Farming – The Way Forward’ (RSPCA Australia 2014a)”

This paper is fully copied on pages 24 to 29 of this report. The RSPCA lists a number of suggested course of action to tackle puppy farming but not one of these include the banning of pet shops selling puppies, which flies in the face of the steering committee's suggestion.

- 6 This committee doesn't contain any local representatives from the pet shop industry or any industry association representative but they have a member of Oscar's Law.

On the basis of material presented in this paper, the 2018 “Stop Puppy Farms” Consultation Paper and the evidence presented in Appendix 1, I find:

1. There being no evidence supporting the claim that pet shops are a significant contributor to the shelter dog population
2. There is no evidence presented that pet shops have been involved in purchasing puppies from the 3 listed prosecutions for poor welfare practices associated with dog breeding in WA
3. There is no evidence presented that there is a problem with significant number or any pet shops being involved in the supply chain of so-called “puppy farms” My assessment is that this proposed legislation is taking a direction more dictated by Oscar's Law policy, in attacking pet shops, than policy directed at tackling the real issues involved in decreasing the dog shelter problem and dissuading puppy farming.

I can conclude that the proposal to ban pet shops from selling non-shelter puppies is based on bias and prejudice, rather than statistics or evidence.

I would go as far as to say that, given the inclusion of a representative of Oscar's Law at both stages of the ALP governments preparations of papers, that their agenda has formed a framework for this legislation.

Oscar's Law states its aims to be:

1. *Stop the factory farming of companion animals*
2. *Ban the sale of puppies in pet shops*
3. *Encourage adoption and promote responsible pet ownership*

Oscar's Law is not an impartial advocate for animal welfare. They are a pressure group with a stated objective to close down pet shops which does not involve evidence-based prosecution. As such, they should not have a policy formulating role to the exclusion of the pet shops in WA that will be most affected and this and the current paper is tainted by their objectives.

That the Victorian government adopted most of the proposals (and more) in this paper is no reason to say it is right for it to happen here and I hope that it can be seen that:

1. We don't have pet shops feeding a factory farming problem here or elsewhere
2. The shelter dog problem rests squarely in the lap of backyard and other breeders, not pet shops.
3. Pet shops selling shelter dogs is not a solution to the problem of re-homing dogs and of keeping pet shops operating if they are not permitted to sell puppies.

We do have far too many dogs in shelters in WA but the overwhelming majority are of a type that is not suitable or attractive to the average pet owner in a suburban environment, especially if they have contact with children and other small dogs. The recent spate of dog attacks demonstrates the trend here. There are Cavoodles or Spoodles guilty of these crimes! This is the challenge faced – to target the reason why shelters contain so many various types of Bull Terriers and their crosses and other medium and large-breed dogs with the long-term solution being most important. Compulsory desexing and registration of breeding dogs may be a step in the right direction but it needs to be done in careful consultation with all affected parties and adequate research and statistical analysis to back it up. It is not enough to say “a policy should work to meet the stated objectives” as just because a policy has been implemented successfully in another state or country doesn't mean it will work here where we may have completely different circumstances.

If the government was serious about stopping puppy farms, it could regulate pet shops through legislation to ensure they only buy from regulated sources and meet other health and welfare criterion. The advent of internet puppy sales in the last few years has been a game-changer and will derail efforts to prevent the operation of unregulated breeders. In fact, their proposed legislation is likely to have the opposite effect of encouraging online and backyard breeders because the scarcity of certain pup breeds will push up prices.

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