NSW Legislative Council Select Committee on Puppy Farming in New South Wales, Inquiry into puppy farming

Submission from the Cat Protection Society of NSW

The Cat Protection Society of NSW is opposed to puppy (and kitten) farming.

Background and the profit motive

Intensive breeding for profit is a greater problem for dogs than cats, because there is a high demand for certain dogs such as the 'designer' crossbreeds and fashionable breeds, and people are willing to pay high prices for such puppies. This provides a stronger motive to breed such dogs for profit. A search of Gumtree (6 March 2022) revealed an 11-months old, female French Bulldog for sale for $24,990[i] - one imagines this is not a family-pet price point, but with the same search showing numerous ads for French Bulldog puppies for sale for upwards of $3,000 then maybe that dog is destined to be an investment and not a pet.

In our experience, the large majority of registered cat breeders care for their cats, care about finding good homes for them and don't breed for profit. They care about genetic health and general feline welfare, as well as their own cats.

As a rehoming facility, Cat Protection takes in owner-surrendered cats as well as homeless cats. In my 15 years at Cat Protection, with something like 15,000 cats admitted over that time, I've seen very few (truly) pedigree cats surrendered, and then usually for reasons such as the owner had passed away or had to move into permanent care. This largely because most pet cats aren't pedigree, but it is also because registered responsible cat breeders take the time and care to place kittens with appropriate homes.

We are concerned about backyard breeders of cats. We are concerned that, as with dogs, there are certain cat breeds that are popular and thus more vulnerable to exploitation. (I use the term 'breed' loosely because many kittens are 'marketed' as a 'breed' without any pedigree papers, sometimes without even a passing resemblance to the so-called 'breed'). And, as with dogs, the tragedy is that these 'popular' cat breeds are often those with inherent serious health problems, such as the Scottish Fold[ii] and those with brachycephalic features such as Persians. [iii]

Puppy farms and other cruel breeding practices exist because there is a profitable market. There must be a sustained campaign to reduce the demand that is causing so much suffering: pet buyers need to be informed that their choices can promote or limit animal cruelty; that there is nothing cute about animals who can't breathe properly or who suffer a lifetime of pain and stress. The animal welfare problems are caused by both supply and demand, and strategies are needed to address both to protect animals from suffering.

No justification for puppy or kitten farms
Cat Protection supports banning the intensive breeding of cats and dogs. There is no justification for 'farming' of cats and dogs; large-scale commercial premises are cruel and unnecessary.

There are many good, responsible, and caring people who breed pedigree dogs and cats on a small scale, and who care about placing them in good homes. There are many homeless pets in pounds and shelters available for adoption.

The ban should look like a ban; there are no regulations that could provide animals with good welfare when the number of animals kept is on an industrial scale. There are other risks in intensive large-scale breeding, including zoonotic diseases, biosecurity issues, and public and environmental health.

Capacity for care is a key concept in shelter medicine: it means managing the animal population at a level that allows optimal health and welfare [iv] and having sufficient resources, including qualified staff, to mitigate risks[v]. Multi-animal housing and care is complex and expensive if it is done properly; bigger animal populations present bigger levels of risk that need more resources to manage. Small-scale breeders, whose cats or dogs are essentially family pets and might have only two or three litters in a lifetime (and not all at the same time) do not confront those same issues; their ‘capacity for care’ is much less likely to be compromised.

Population intensity is an issue, there is a difference between having a few pets and being an animal hoarder. Restricting the number of animals is a valid regulatory strategy to promote animal welfare.

Animal welfare issues
The animal welfare issues associated with puppy/kitten farming are many, and include infectious diseases, mental and physical suffering, reproductive health (including leading to death), genetic conditions and poor socialisation, which can lead to anxiety disorders and dangerous behaviours (such as dog biting). Cats and dogs in intensive breeding facilities don’t have any chance of a good life.

Consumer issues are continuing animal welfare issues
The animal welfare issues aren’t resolved when the pets are shipped off to the new owners: the puppies and kittens who have been born in intensive breeding facilities will come with conditions that might last a lifetime; that might require thousands of dollars of corrective surgery; that might lead to relinquishment or euthanasia because the new owner cannot deal with the temperament and/or health issues of their new pet.

Consumer protection can be improved through better (and enforced) legal standards, as well as education.

There is also room for ethical, animal-welfare considerate sector participants to work together to promote better practice. In the UK, organisations including The Kennel Club, British Veterinary Association, RSPCA, and Animal Welfare Foundation,

formed a stakeholder group, eventually developing The Puppy Contract[vi], a tool to encourage responsible breeding and buying of puppies. The principles underpinning The Puppy Contract are:

- *Every dog should be born with the best possible chance of living a healthy and happy life*
- *All those who breed dogs should prioritise health, welfare and temperament over appearance to protect the welfare of both the parents and offspring*
- *All those who benefit from dogs have a collective responsibility to work together to protect dog welfare*
- *Both the buyer and the breeder have an obligation to protect the welfare of the animals in their care.*

This is a laudable initiative but does not diminish the need for enforceable laws governing the standards of animal welfare for breeding dogs and cats.

Regulatory issues

The regulatory system needs to ensure transparency and traceability, there must be accountability throughout the supply chain. There must be enforceable, practical, standards that promote animal health (mental and physical), welfare and wellbeing. A One Health/One Welfare framework approach should be adopted in developing those standards, which should focus on outcomes noting the different needs of different species and breeds.

In our submission to the November 2021 NSW Department of Primary Industries Consultation Paper: Licensing and regulation of cat and dog breeders, Cat Protection noted, among other things:

We have previously submitted, and reiterate our view, that the existing Animal Welfare Code of Practice: Breeding Dogs and Cats, does not provide for the health and welfare standards that the community would reasonably expect for dogs and cats in 2021. The improvements proposed by DPI in its October 2017 discussion paper were worthy but misunderstanding and misinformation from breeders saw the proposals not amended, not deferred, but simply never seen again. The recent review was limited to minor issues of drafting for the sake of breeders' comprehension of their obligations and not for the sake of animal welfare. There have been no meaningful improvements to the regulated standards in over a decade.

Establishing a new licensing scheme for 'some' breeders; leaving 'some' breeders subject only to the (inadequate) Code of Practice; and leaving 'some' breeders out of any breeder-specific regulation represents a very significant change and ought to involve significant consultation and thus time and information.

Cat Protection believes the health, safety, welfare and wellbeing of breeding cats and dogs is not protected under existing legislation, regulations, standards and guidelines. We believe these issues should be considered together: that is, the

legislation along with applicable regulations, codes and standards and guidelines, with more detail on the proposed framework and more time for consultation.

We are unable to provide any detailed comment in the timeframe, beyond restating our comment from July 2021 that the Welfare in Pet Trade Responsible Cat Breeding Guidelines[vii] (and the Dog Breeding Guidelines) endorsed by the EU Platform on Animal Welfare in November 2020 provide a good place to start from which to develop meaningful, welfare-considerate guidelines.

We are unable to provide reasonable comment on the consultation paper because it lacks context and detail. There is, however, one point we would like to make: the paper notes that a breeder licensing scheme would be based on the principles: "easy to understand" "proportionate costs" and "minimises unintended consequences" but the principle of protecting animal welfare is not listed.

Whether or not there is merit to separate regulations for different categories of breeders, the explicit and stated principle of any animal welfare law should be the protection and promotion of animal health, safety, welfare, and wellbeing.

In our submission[viii] of June 2015 to the NSW Parliament Joint Select Committee on Companion Animal Breeding Practices in NSW, we made the following points, and almost seven years later, we make them again:

We appreciate that there are many ethical and good registered breeders of cats and dogs whose motivation is continuation of a healthy, happy and well-adjusted pedigree. However, there are people who exploit animals for a profit motive and engage in poor practices which results in much animal suffering.

Cat Protection strongly supports the implementation of a system that protects cats and dogs from breeding practices which harm their health, wellbeing and welfare, and which contribute to an 'oversupply' of pets.

While there are thousands of homeless cats and dogs in shelters and pounds, it is a tragedy that there are people seeking to profit from the production of more animals. They are bred without regard for their health, wellbeing or welfare, and without regard to the fact that many of them will end up in pounds and shelters once they manifest the health and behavioural problems that arise from poor breeding practices and inconsiderate rehoming practices.

Council planning issues

Councils face local community backlash and, in the case of Murray River Council, broader community backlash[ix], by allowing puppy farms but their capacity to refuse such developments is hampered. As noted earlier, there is a straight numbers issue when it comes to welfare-appropriate, healthy, and safe housing for cats and dogs, and banning puppy/kitten farms would mean councils would have clearer guidance on the issue. Moreover, if breeding in high numbers is banned, identifying puppy farms would be easier.

Other issues

As we noted earlier, there are certain breeds with inherent health problems, such as brachycephalic cats and dogs. In regulating breeding, the issues of health and welfare of breeds must be considered. Cat Protection agrees with the comment of Paul McGreevy, Professor of Animal Behaviour and Welfare at UNE that "…we should be breeding for quality of life."[x]

Eliminating intensive for-profit breeding will go a long way to improving outcomes for pets but we also need registered breed organisations to work with animal welfare veterinarians to change breed standards so that they prioritise animal health, welfare and wellbeing.

Thank you for the opportunity to comment. This inquiry presents an opportunity to improve cat and dog welfare but, as with the inquiry into the draft Animal Welfare Bill 2022, comes at a time of exceptional pressure on the under-resourced veterinary and charitable animal welfare and care sector. We believe the issue warrants thorough and expert consideration to develop a workable framework that offers the best health and welfare outcomes for cats, dogs and the people who love them. We are hopeful that time and resources will allow this.

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[i] https://www.gumtree.com.au/s-ad/sydney-city/dogs-puppies/french-bulldog-female-lilac-merle-long-hair-11-months-old/1291552930

[ii] https://theconversation.com/cute-and-condemned-to-suffering-its-time-to-ban-the-breeding-of-mutant-cats-65874

[iii] https://icatcare.org/advice/severe-brachycephalic-in-persian-and-related-breeds/

[iv] https://www.sheltervet.org/assets/docs/shelter-standards-oct2011-wforward.pdf

[v] https://catcare.org.au/shelter-health/

[vi] https://puppycontract.org.uk/

[vii] https://ec.europa.eu/food/system/files/2020-11/aw_platform_plat-conc_guide_cat-breeding.pdf

[viii] https://www.parliament.nsw.gov.au/ladocs/submissions/36106/Submission%20141%20-%20The%20Cat%20Protection%20Society.pdf

[ix] https://www.abc.net.au/news/2021-05-05/controversial-puppy-farm-to-go-ahead/100116614

[x] https://www.abc.net.au/news/2022-02-15/what-is-the-future-of-ethical-dog-breeding/100829158