

# TRANSCRIPT

## STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

### Inquiry into the Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016

Melbourne — 15 November 2016

#### Members

Mr Joshua Morris — Chair

Mr Khalil Eideh — Deputy Chair

Mr Jeff Bourman

Mr Nazih Elasmr

Mr Bernie Finn

Ms Colleen Hartland

Mr Shaun Leane

Mr Craig Ondarchie

#### Participating member

Ms Samantha Dunn

#### Staff

Secretary: Ms Lilian Topic

#### Witnesses

Dr Liz Walker, Chief Executive Officer,

Ms Janet Wilson, Campaigns Manager, and

Ms Mhairi Roberts, Animal Welfare Policy Manager, RSPCA Victoria.

**The CHAIR** — I declare open the Standing Committee on the Economy and Infrastructure public hearing. Welcome to all those present this morning. Today we are hearing evidence in relation to the Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016. The evidence today is being recorded. All evidence taken at this hearing is protected by parliamentary privilege; therefore you are protected for what you say in here today, but if you go outside and repeat those same things, those comments may not be protected by this same privilege. Welcome to our witnesses present this morning. I might get you each to state your name and your title and then move into some introductory comments, and then we will follow with some questions from the committee. Over to you.

**Ms WILSON** — I am Janet Wilson, I am campaigns manager at RSPCA Victoria.

**Ms ROBERTS** — I am Mhairi Roberts, I am the animal welfare policy manager, also with the RSPCA.

**Dr WALKER** — I am Liz Walker, I am CEO at RSPCA Victoria.

**The CHAIR** — Fabulous. Dr Walker, if you would like to begin.

**Dr WALKER** — Thank you, Chair. We are grateful for the opportunity to present to the committee. We will be addressing the committee terms of reference, which are the likely effect on the bill on existing dog breeders in Victoria and the availability of both pet and working dogs in the state of Victoria. RSPCA Victoria feels that this amendment bill has the potential to improve welfare because of the establishment of one set of animal welfare standards for both dogs and cats and the elimination of any exemptions. Further, it creates traceability with the establishment of a central domestic animal business register. We believe that if you are going to breed for profit, those animals need to be traceable, as it would be for livestock. Finally, this legislation change means that the consumer can be confident that they are purchasing an animal that has been ethically bred.

We understand that the inquiry is particularly interested in the effect on existing dog breeders and the availability of pet and working dogs in Australia. We have finalised an analysis of the market, and that suggests that the bill will not have enormous impact on the number of puppies produced each year. Our analysis shows that the majority of dogs applied into the Victorian market are currently bred by legally unregistered small breeders and potentially illegally unregistered breeders as well. We believe that this amateur market is alive and well and will continue to produce the majority of puppies for the Victorian market. We do believe, however, that the bill will have an impact on this amateur group, as they will now have to register as a domestic animal business. Our concerns therefore relate to the inevitable scale increase in the number of breeder registrations as a result of the mandatory DAB registration by these small breeders. We believe it is important that registration for breeders be fair, consistent and equitable for all breeders and that it is easy to enforce and monitor compliance, that it is supported by good education and that it is appropriately resourced.

In regard to the proposed limit of 10 fertile female dogs, there appears to be no scientific evidence available to support an ideal number for the keeping of fertile animals. However, having such a limit does have the potential to reduce the scale of suffering at any one location and provide for easier enforcement, specifically through the clarity of having that limit on animals. We do also believe that any limit should be consistently applied to both dogs and cats. That is my overview. I look forward to receiving your questions.

**The CHAIR** — Great. Thank you very much, Dr Walker. I might just pick up on one point that you made there with regard to the 10 breeding females. You said it would have the potential to reduce suffering at one location. I might just give you the example of one facility with 150 dogs compared to 15 facilities with 10 dogs. Would it not be logical that it is going to be easier to enforce appropriate welfare at one facility with 150 dogs rather than at 15 facilities with 10 dogs across the state of Victoria?

**Dr WALKER** — Well, I guess that depends on the model you have got for enforcement and compliance. The bottom line is to have a standard of animal welfare through the code of practice that applies to all operators and to have an appropriate enforcement and compliance system in place. That is what we really need. I understand what you say around 150 to 100. We do not have an evidence-based answer for that. If the code is applied, there is no evidence to show that having any less — but what we can be really clear on in terms of making that enforcement and compliance easy is that if there is a limit of, say, 10, the minute there are 11 fertile breeding animals there is a breach. So in terms of making it simple for compliance and enforcement agencies, there is some simplicity to that.

**The CHAIR** — We have obviously heard evidence from other witnesses that there is already an issue with local government's capacity to enforce the guidelines as they exist now. From my point of view, I think it would be logical that that capacity in local government would be further reduced if you are going to have more breeding facilities rather than less. Therefore if across a municipality, if we again use that example, you have got one breeding facility with 150, so you have got one place where council officers can go, or you have 15 with 10 — you have got 15 places where these animals are going to be. I accept perhaps that the potential to reduce suffering at one location may occur, but the potential for suffering at 15 locations may indeed be higher. The fact that there is one location at which there may be animal welfare issues I think would be easier to address than if you had 15 locations at which both yourselves and local government are trying to assess the issues that breeders may be facing or the animal welfare issues that dogs may be facing.

**Dr WALKER** — I understand what you are saying. I think the advantages of this bill are the traceability that it provides and the one standard of animal welfare. By making it mandatory for all breeders who are breeding for profit one litter per year and having a domestic animal business registration that is where the opportunity is, so that enforcement agencies, compliance agencies and indeed industry groups and especially the community can actually know where these breeders are and that they can be contained on that central register of animal businesses. That in and of itself is really, really important. The traceability is very, very important in terms of making sure that animals are ethically bred and providing the information about where these operations are. Knowing where they are means that we can have a compliance framework and an enforcement framework in place to make sure that those animal welfare standards are met. Under the current system — and from our analysis, which you will see — there is an enormous number of breeders and no-one knows where they are, and that is where the challenge lies.

The opportunity of this bill is to make that code of practice, which is in place now and is an excellent code — it was redone in 2014 and updated last year. We think it is a good code; it might need some tweaking to accommodate all the smaller breeders having sufficient detail but it is set up to have high numbers, large breeders and small breeders. It is already there. Having that one standard and having the traceability so that all breeders are clearly identifiable is where the opportunity lies. I think what is really important for not only the compliance agency but also the community — and you talked about it earlier — is in terms of being able to be comfortable as a member of the community that you have acquired an animal that has been bred under good welfare conditions in line with the code. So to be able to make that central register of domestic animal businesses available to be forward facing so that the community can check in to make sure it is registered and compliant is an enormous value to the community as well.

**The CHAIR** — I note that you acknowledge that there is no scientific evidence behind the 10-dog number. Can I put it to you that it is purely ideological then?

**Dr WALKER** — You would have to ask the government and the department about why they have chosen that number.

**The CHAIR** — Just one final question from me: in effect what this legislation is looking to do is to wipe out the professional dog breeding industry and effectively just have the amateur market supply the puppy market in Victoria. My concern about that is you have spoken about the need for breeders to register, and maybe I am more cynical the new, but I think what we will see as a result of this legislation is greater numbers of backyard operations that will not register, will act illegally and fill the market of those professional breeders that have been outlawed by this bill. The demand is still going to be there for these puppies. It is about where they come from. The question really is about whether or not we want large-scale, open, ethical breeders that anybody can go and see, the RSPCA can go and look at and councils can go and look at, or do we want backyard operations that councils do not have the capacity to go and visit and you might not even know are operating.

**Dr WALKER** — There are two things I would like to talk about. One is around education of the community, which we think is very key to this legislation. The other is I would just like to walk you through the analysis we have done, and we apologise that we only sent it through late last night, so I anticipate you have not had a chance to read it. We do note that in the bill it talks about education. We think that you need to have good law, good compliance and good education for both participants in the industry and the community. There is no doubt that we need to educate the community with regard to the fact that you should only be buying a puppy when you know what the domestic animal business number for that puppy is so that you can be sure that they are aboveboard.

I think for Victorians, when there is a very simple system, it is either you have a DAB registration or you do not. I do not think that is a hard message. I think we can get that across, and that will force people to become compliant. I would like to touch on the market analysis that we have conducted, because I think this actually shows, to the best of our ability using real data, that that smaller breeder contribution is currently enormous and that we do not envisage that that will change as long as it is fair, equitable and consistent for them to be able to register as a DAB.

Taking you through that, we went through the domestic animal management plans for all 79 councils and identified that there are around about 720 000 dogs in Victoria that are registered and 230 000 cats in our 2.1 million households. We all acknowledge that it is likely there are high numbers of those animals because they are not all registered. So let us just say there are 1 million dogs in Victoria. If the average life of an animal is 12 years of age, every year we need about 83 000 puppies to come into the market. So we analysed the supply. We said, 'We understand that there are 3900 breeder prefixes with DOGS Victoria and that there are 90 breeders registered with Victorian local governments as domestic animal businesses'.

We assumed that all breeders are complying with the current legislation and that people who are breeding from 1 or 2 females are not registered, that people who are breeding from 3 to 9 fertile females for members of DOGS Vic or are registered as domestic animal businesses, and that people who are breeding 10 or more fertile females are registered as DABs. And we said, 'Let's say five puppies per litter'. We looked at DOGS Vic's annual reports, and they say on average there are about 18 000 puppies a year. So if we assumed all breeders registered as DABs with local councils produced 10 litters a year, that is about 3000 pups, plus the 18 000 from DOGS Vic gives us 21 000, which gives us a gap of around 60 000. This must be coming from somewhere if you assume the current state is that we are not running out. We then moved it up and said, 'What say, the domestic animal business registered breeders went up to 50 litters per year?', but even so there are around 15 000 puppies. If you said 60 of those breeders were dog breeders, even if that was a little bit higher, it still in total only gives us 33 000 animals and we need 83 000.

What we have deduced from the data that is available to us is that if you assume that there is no such current shortage of puppies, between 50 000 and 60 000 puppies are born each year to unregistered businesses in Victoria. As we said, some of them will be legally unregistered and some may be operating illegally. Based on our analysis, we think that the registered domestic animal businesses are contributing between 3.6 per cent and 18 per cent of all the puppies in Victoria, and the majority of dogs supplied into the Victorian market are bred by DOGS Vic and by legally unregistered small breeders and potentially illegally unregistered small breeders as well. So we do not believe that the argument that imposing a limit of 10 fertile females will encourage amateur breeders and reduce animal welfare standards, as there are already those smaller breeders in the market. What will change is that with these small breeders, because of the education piece, that consumers will know they need domestic animal business registration. They will have to register in order to sell their puppies, and then they can be held accountable to the one welfare standard.

For similar reasons we believe that this should not actually push the prices up. Having said that, if the process of becoming registered as a DAB is overly expensive, complex, restrictive or onerous, then it could discourage breeding and therefore affect supply.

**Mr EIDEH** — I have a quick one, and then leave it for other members to ask. The question is: I note that the Victorian government has funded a special investigation unit. Can you tell us about some of the recent investigations and prosecutions?

**Dr WALKER** — Sure. There is only so much I can say because there are ongoing investigations. I can tell you that over the past year we have had over 30 properties that are under investigation. We conducted a number of seizures this year. In June this year we seized around 100 animals in the Longwood area. We currently have, I think, around five cases that are pending prosecution.

**Mr EIDEH** — Just with regard to the recent investigations, can I ask how many of these have been applicable organisation members and were they and their animals appropriately registered?

**Ms ROBERTS** — The five investigations that Liz mentioned — the pending investigations — they are or were members of an applicable organisation, and that is with dogs.

**Ms HARTLAND** — I have got a couple of questions. One of the things that has been talked about with this legislation, if it happens, is that we would just have huge numbers of breeders. The number that has been quoted in a number of submissions is 10 000. Do you think that that is actually how many breeders there will be if this legislation goes through? Do you have any sense of that?

**Dr WALKER** — The honest truth is that we do not. However, the analysis that we have given you suggests that it is definitely in the thousands, if you consider that there are around about 3900 breeder prefixes with DOGS Victoria and anecdotally, I have heard, there are around about 800 cat breeders. We acknowledge that not all those people are going to perhaps breed every year, so therefore they may not keep their registrations up, but let us just say 2500, 3000. Then our analysis has shown that between — what have we said? — 50 000 and 60 000 animals are coming from the smaller breeders. If every litter is 5, that is 10 000. The likelihood of it all being single animal breeders is not so great, but certainly the numbers would appear on this analysis to be quite high, which again is why from an animal welfare perspective having something in place that really gives us that traceability is I think where we need to get to and why we think this is very, very important.

**Ms HARTLAND** — So for councils or the RSPCA to be able to actually manage the inspections that will be required et cetera it seems to me a gap in this is around resources, so that the government will actually need to resource either councils or yourself or other agencies to actually make sure that the registration complies and the breeder complies with legislation, well, if this is passed. Can you comment on that?

**Dr WALKER** — Yes, I can. RSPCA, as a principle, believes good law is easy to comply with and it also should be easy to monitor compliance and to enforce it, and it also needs to have good education backing it up. There is no doubt that this needs to be resourced. As in the current state, the compliance side of managing intensive breeding organisations, puppy factories, is conducted by local government. RSPCA's role is in enforcement. That needs to be worked through. As an observation, given the large numbers of domestic animal businesses that would need to be registered, I think, without any detail and without having discussed it in detail with anyone, one might imagine that there has got to be a cost-effective, compliance system out there somewhere because there are a lot of breeders who ought to be registering.

**Ms HARTLAND** — There have been a number of complaints from various people about lack of consultation. Can you talk about what consultation you had with the government over this bill?

**Dr WALKER** — Yes, I can. My understanding is that our inspectorate manager was consulted with in terms of the enforcement aspects associated with puppy factories and how that worked. We meet regularly, as RSPCA, with both the minister and her office as well as the department. We were aware of the clear intentions to create legislation that was in line with the election promise. Other than that, we — myself and my colleague Sophie Buchanan — were given a confidential and high-level overview of the legislation earlier this year, and it just went through the high-level aspects of the legislation in a short time period, and that was it.

**Ms HARTLAND** — Were you required to sign a confidentiality agreement?

**Dr WALKER** — Yes.

**Ms HARTLAND** — Thank you. Also, would you be able, or is there any agency, to give us a figure of — looking at puppies — how many puppies are actually bought on impulse and then end up in one of the shelters?

**Dr WALKER** — Do you have a comment on that?

**Ms ROBERTS** — I am not sure that our system captures that data, when we have animals that are surrendered to us, so I am not aware that any other organisations would be capturing that data either.

**Dr WALKER** — But what we can say is that although we do not capture what the source of those animals are, we do know from our analysis of last year's statistics that around about 3600 animals were surrendered to us, and of those 60 per cent were surrendered because of what had happened to the people — so their circumstances had changed, they were renting, they were older — and it was very much a people-driven surrender rather than there was something wrong with the animals. So we do not necessarily believe — there is no indication in the current data we have — that that is a huge problem.

**Mr BOURMAN** — Thank you for your presentation. Anyone can answer this. How many animals in total were handed in last year or the year before, just roughly?

**Dr WALKER** — Surrendered to us, it was 3600.

**Mr BOURMAN** — Does that include strays and things like that?

**Dr WALKER** — No, that is the ones that were surrendered. Overall there were around about 23 000 that came through our doors, is my understanding. We can come back and confirm that; it is in our annual report.

**Ms ROBERTS** — It is our annual report, yes.

**Mr BOURMAN** — How many of those animals would have needed to be desexed?

**Dr WALKER** — Can I come back to you on that?

**Mr BOURMAN** — Yes, sure.

**Dr WALKER** — I do not have those figures at my fingertips.

**Mr BOURMAN** — I guess I will get to the point then. Most reputable breeders, I would suggest, do not sell an entire animal; they get them desexed, unless they are for breeding purposes. So what I am wondering is: how many of these animals that are coming in are either strays or are coming in as a result of an illegal, substandard breeding program? What I am seeing is a lot of assumptions, a lot of potentials, but no actual data, and we are all here to make sure animal welfare is being attended to. When I look at the data here, there are about 83 000 puppies per annum to replace, and there is an assumption that about 50 000 to 60 000 are born each year to unregistered breeders, give or take, judging by your thing here. Do we know how many of them are ethical breeders and how many are illegal, substandard breeders?

**Dr WALKER** — No, we do not know, and that is exactly why we think that the traceability around the breeding of puppies and kittens is really important and why that registration of domestic animal businesses if you are going to breed for profit has to give greater transparency and accountability to the community. When you line it up with the one standard of animal welfare, we think that looks good for animal welfare into the future. Part of the challenge is that because of the exemptions and the different levels that are in place there is not good data. It also does make it hard for compliance because there are all these, I suppose, different levels and potential loopholes and what have you.

**Mr BOURMAN** — But it is safe to say there is absolutely no idea how many of those 50 000 to 60 000 will end up; it is a presumption, I guess, based on your modelling.

**Dr WALKER** — Absolutely. I want to be really clear that we have just taken the data that we could find. So we used the domestic animal management plans that are on all council websites, and up-front I think I can say that because of the cycle of DAMP plans, they are a couple of years old. They are not going to be perfect, but they give us as good an indication as possible, we believe, in the face of an imperfect set of data.

**Mr BOURMAN** — I guess the other thing I will ask your feedback on is that no matter what law is passed, whether it is this particular bill or an amended one, the people breaking the law wilfully are not going to be affected, are they? The illegal, substandard — the proper puppy farms; we are not talking about reputable breeders here that are trying their hardest, like Banksia Park or whatever. We are talking about the people who do not give a damn about the animals and just want to make a buck.

**Dr WALKER** — If people want to break the law, I guess they will go about doing that. This law, I think, creates clarity, transparency and simplicity, and you back it up with a good compliance system and education from the community. At the moment we have the smart puppy buyer's guide on our website. You can actually go right through that and still get nailed at the end by one of these rogue breeders, because you think you are heading off to pick up your puppy on a Saturday or Sunday afternoon, and you get a call from them and they say, 'We're not going to be home because someone's sick. They're in hospital. We'll meet you at the bus stop at Melton'.

With this system, with the traceability around domestic animal businesses, the likelihood of that happening is quite low, and the opportunity to provide feedback on that domestic animal business to the authority so that those rogue operators are immediately highlighted and brought to the attention of enforcement agencies or

compliance agencies is certainly there. We think that increases the likelihood that those guys who choose to break the law will find it increasingly difficult to do so in Victoria.

**Mr BOURMAN** — Actually, using your example that you have just proposed then, I think it will increasingly be happening more like that. You can give a fictitious address and then say to someone, ‘I’ll meet you at the bus stop in Melton’, and unless you take down the number plate — and assuming they are not using dodgy number plates — you have got absolutely no recourse later.

**Dr WALKER** — What I am saying is that before I have actually agreed to meet you at the Melton bus stop, I will only do that based on the fact that I know what your domestic animal breeding business number is, and I will have checked that on the forward facing website and I will know that you live wherever you live, and if it all turns belly up, then I can actually send the authorities back. That is where we think that traceability piece is a real opportunity.

**Mr BOURMAN** — We can only hope people are that forward thinking.

**Dr WALKER** — The education part is really important.

**Ms HARTLAND** — So important.

**Dr WALKER** — The community have indicated that they think raising puppies in an ethical fashion is very important and they want to know how to make sure they can do it ethically. I think they will be well and truly up for it, and if it is as simple and has such clarity as this legislation, it will make a difference.

**Mr BOURMAN** — You mentioned that you thought the current code of conduct was quite good.

**Dr WALKER** — Current code of practice, yes.

**Mr BOURMAN** — Yes, the current code of practice, sorry. If it is good, why replace it? Why not have more resources put into enforcing it? It seems to me that there is a current system that could work. What is coming is like using a Buick to swat a fly. It is not going to affect the substandard breeders, as criminals will be criminals, but if there is an existing way of doing it that just needs more resourcing — and I am happy to propose that the RSPCA gets more resourcing to deal with it — would that not be a more elegant way of addressing the problem?

**Dr WALKER** — My understanding is that this bill does not change the code of practice in any way, shape or form. What this bill does is say that the code of practice applies to everyone.

**Mr BOURMAN** — I am sorry to interrupt. The code of practice puts a lot more pressure on the smaller — I will call them — backyard breeders, and I am not talking about the legal ones, the ones that are doing the right thing. All of a sudden they have got to register as a domestic animal business. All of a sudden the council has got to do something about it. There could be ABN implications, for all I know. It is going to impose a lot of extra overheads for undefinable outcomes. I am just putting that out there — will it or won’t it; I do not know — whereas we have got a code of conduct that will still work, and we can work on addressing the problems as a separate issue.

**Dr WALKER** — I think there are two separate things here. One is that there are small backyard or amateur breeders — let us call them — who are not members of applicable organisations. It is asking them to be code compliant. If they have only got a couple of animals, I honestly do not think that the code is onerous at all. If they have more than two breeding bitches, they actually require planning permits in any case. So this is part of actually getting all the legal aspects in line in any case. Other than that, what is important about this is that it is not onerous or overly restrictive, and it is equitable and fair for them to be able to register as a DAB. We totally agree with that. But from an animal welfare perspective it means that we have that traceability; we have the one standard.

When it comes to applicable organisations, we understand that under the current system if you are a member of an applicable organisation, that is granted based on the fact that those organisations’ code of practice is at or above the act’s code of practice, so therefore there should be no problems. What we actually see is that the DOGS Victoria code of practice, for instance, has a number of shortcomings compared to the legislation’s code of practice, which brings us back to the point that if it is about animal welfare, it should not matter to the animal

who owns them; it should be about a single standard of animal welfare that as a community we believe is appropriate.

**Mr BOURMAN** — I agree on the last bit. I am just not entirely convinced this bill will address it. Anyway, I will get off my soapbox now and pass it back.

**Mr ONDARCHIE** — Janet, Liz and Mhairi, thanks for coming in this morning. The society always talks about how strong it is on animal welfare. What you think about dogs being transported in limousines? No. I will come back to that another time.

We talked about the different size breeders. Has the RSPCA inspected Banksia Park?

**Dr WALKER** — My understanding is that in the past there have been visits.

**Mr ONDARCHIE** — And what you think of Banksia Park?

**Dr WALKER** — I have not personally visited, but there have been no notices to comply, so there have not been any issues.

**Mr ONDARCHIE** — Thank you. You have said that you support the bill. You have indicated also you have had a briefing on the bill, a confidential one.

**Dr WALKER** — Yes.

**Mr ONDARCHIE** — You perhaps had a more intense briefing than some others who have come before us. Is it going to require more compliance and perhaps more investigation and more enforcement at some level to make this work?

**Dr WALKER** — I think that the sheer scale of the number of domestic animal businesses means that the compliance and enforcement model needs to be developed. I do not think it is clear on what it is at the moment.

**Mr ONDARCHIE** — Okay. That makes sense. Picking up Ms Hartland's question, given that often we hand that to local government to deal with — and they are strapped for cash, as they talk about right now with rate capping and things like that — is this a business opportunity or a potential new revenue stream for RSPCA?

**Dr WALKER** — As RSPCA, we are always happy to engage in discussions with local and state government about how we can help to make sure that animal welfare standards are really high. We have not had those discussions. We are always happy to do that, and we would expect that anything we could do in this regard would be based on a model that was cost recovery for us. We think that, as an industry that is raising and selling animals for profit, there is a cost associated with good animal welfare and compliance, and that needs to be borne by the industry not the charity.

**Mr ONDARCHIE** — So one could draw a parallel that the successful passage of this bill could provide a new revenue stream for RSPCA?

**Dr WALKER** — I must say we had not actually contemplated that at all.

**Mr ONDARCHIE** — Really?

**Dr WALKER** — I do not know. No, not at all. We had not contemplated that at all. We are happy to have conversations. It is certainly not an area that we had anticipated.

**Mr ONDARCHIE** — One final question: does the RSPCA receive any funding from the Victorian government?

**Dr WALKER** — Yes.

**Mr ONDARCHIE** — By way of grants and normal funding?

**Dr WALKER** — We receive for our inspectorate — that is where we get our revenue from the state government — \$1 million a year to fund our general inspectorate function.



**Mr ONDARCHIE** — Do you apply for grants as well?

**Dr WALKER** — We apply for the animal welfare grant that has been run annually and which is available to anyone in the animal welfare sector. We do apply for that; we do not always get it.

**Mr ONDARCHIE** — And do you have any current grant applications in at the moment?

**Dr WALKER** — I do not believe so. There was one. Just to be complete, Mr Ondarchie, we also have the additional money for the puppy factory activity of the inspectorate as well, which is an additional \$5 million over four years, so it is \$1 million this year.

**Mr ONDARCHIE** — Thanks.

**Mr FINN** — Good morning to the three of you, and thank you for coming in. I just have a couple of questions. Is it fair to say that there are good breeders and there are bad breeders, and that really has nothing much to do with the number of dogs that they breed?

**Dr WALKER** — I think it is fair to say that there is no evidence to show that the number of fertile female animals that you have has a significant bearing on the animal welfare. What really matters is the manner in which you care for those animals and how you look after their psychological, physical and social wellbeing.

**Mr FINN** — I am not asking you to second-guess the government here, because nobody around here would even think of doing that, but I would be interested for you to speculate just for a moment on why the government has gone down this path of choosing 10 dogs as a number — a magic number — when in fact there is no evidence to support that magic number, there is no apparent factual basis for that number and indeed, as you say, there are — to put it in my words — good breeders and there are bad breeders. Why do you think this legislation has come to being in the way that it is?

**Dr WALKER** — Our observation is that the problem with puppy factories in the state of Victoria has been on the agenda for many years, and that the government's intent is to stop the cruelty in puppy factories where animal welfare is not cared for and their social, psychological and physical wellbeing is not cared for.

As to why the government has chosen the number of 10, I do not think we are in a position to speculate. What I can tell you is that of the puppy factories that we have prosecuted and that we investigate, there are dozens of animals, sometimes over 100, so we see in the work that our inspectorate does some extremely large-scale operations where the standard of welfare is appalling.

**Mr FINN** — I am sure that is the case, and I should point out that at our place we have a cat and a dog, both adopted, and we love them both to bits. I am just concerned that, as you say, there are some who might have 50, 60, 100 dogs, who treat them very, very poorly, but there are surely a number of breeders around who have a very strong vested interest in ensuring that their dogs are well looked after and are well kept in order for them to be presented to their new owners in a fit and healthy state.

**Dr WALKER** — Yes, that may be the case.

**Mr FINN** — As has been touched on by a couple of members already this morning, the local government sector has indicated to us that they will need what is a substantial army of inspectors in order to police this legislation. Would the RSPCA be in any situation to be able to help the local government sector in their efforts?

**Dr WALKER** — As I said before, our inspectorate and indeed our shelter operations work really closely with local government, and we are very happy to talk to local government about what a solution might look like. In fact one RSPCA document around puppy factories, when it talks about enforcement and compliance it does talk about RSPCAs working hand in hand with local government. That is currently what we do in our inspectorate role, but as I said, that is currently an enforcement role. This new bill really does lead to a whole new compliance framework, which we are very happy to have a discussion with the authorities about.

**Mr FINN** — What would a solution look like?

**Dr WALKER** — At this point in time we honestly are not clear. It will require time to work through that.

**Mr FINN** — How long do you think?

**Dr WALKER** — There are 79 councils and the Municipal Association of Victoria represents them, as I know does the Victorian Local Government Association. I think there is a considerable scale increase as I outlined: 90 to thousands of breeders. I think it would take quite some time — well and truly in excess of a year — to transition to something, and possibly two or three.

**Mr FINN** — And how many inspectors do you think would be needed — a ballpark figure if you like?

**Dr WALKER** — I do not really feel comfortable commenting on that at this point in time, because I think we need to understand what the challenge will be and how it will all work.

**Mr FINN** — Well, surely if the RSPCA does not understand the challenges, who does?

**Dr WALKER** — The local government at the moment and the state government have the information that we have too. We have simply looked at DAM plans and what have you. The local government currently has compliance requirements around domestic animal businesses, and we understand that they have a huge array of roles that they have to perform within their communities. So I think from a compliance point of view, they all have a good idea. We are an enforcement agency, which is different to compliance, but we are very happy to have the conversation.

**Mr FINN** — But given you are an enforcement agency, surely you would have a greater understanding than most, if not all, of the challenges that you speak of? For example, if you wished to do your job to the ultimate perfection, how many inspectors would you need to do that?

**Dr WALKER** — You may be aware that early in October we released an independent review into the RSPCA Victoria inspectorate, which was conducted by Mr Neil Comrie. He has proposed a structure for our inspectorate that we are currently implementing. That actually means that the number of personnel has not changed materially. It is around about 24 people within a structure around four regions of Victoria and including a separate team leader and group of inspectors investigating major investigations, such as puppy factories. It also relies on us implementing a team of volunteers to follow up cruelty reports that perhaps do not quite fit the bill of being a breach of POCTAA but nevertheless require help and assistance. We have 24 people, plus a team of volunteers, that are scheduled to be in place by December next year when we have completed our implementation of all the review.

**Ms HARTLAND** — This is probably a question on notice. In terms of funding, would you be able to supply the committee with how much funding the RSPCA has received over the last 10 years, because there have been change of governments, just from government?

**Dr WALKER** — Sure. From state government?

**Ms HARTLAND** — Yes, and what that money has been used for.

**Dr WALKER** — Sure. No problems.

**The CHAIR** — Just one final question from me. The further I have got into the area of dog breeding and the like, I have found there has been quite a bit of internal politics within the area. I am just wondering if you might be able to give me the RSPCA's view on Oscar's Law and the work they do and whether or not you endorse their methodology and their tactics?

**Dr WALKER** — RSPCA's vision is to end cruelty to all animals, so our inspectorate acts on reports of animal cruelty or concerns around animal cruelty, and we are always grateful to receive those and to be able to act upon them. We always act completely within the realms of the law.

**The CHAIR** — So can I take that as an endorsement of Oscar's Law's work?

**Dr WALKER** — No, I do not think so. I believe that that what Oscar's Law chooses to do and how they do it is entirely up to them. It is not up to the RSPCA to tell them or otherwise. As an evidence-based animal welfare agency that is really determined in the long term to end cruelty to all animals, we will engage in discussions with any stakeholders who want to talk to us about animal welfare and assess what they say against

the evidence, and then use our powers in our inspectorate if it is appropriate or use our advocacy and evidence to change it if we can do that too.

**The CHAIR** — I am pleased, Dr Walker, that you said that the RSPCA is an evidence-based organisation, because I think a lot of the discussion has been about the fact that there is no evidence around the 10 breeding females.

Thank you all very much for your contribution to the committee today. I remind you that you will receive a transcript of evidence in coming weeks for proofreading and that will ultimately make its way onto the committee's website. Once again, thank you for your attendance here today.

**Witnesses withdrew.**