

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

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Dr Doug Black, director, Central Animal Records and Microchips Australia.

The CHAIR — I declare open the Standing Committee on the Economy and Infrastructure public hearing and again welcome those present. Today we are hearing evidence on our inquiry into the Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016 and the evidence given today is being recorded. All evidence taken today is protected by parliamentary privilege. Therefore you are protected against action for what you say in here today, but if you go outside and repeat the same things those comments may not be protected by the same privilege. Welcome, Dr Black. Thank you for agreeing to provide evidence to the committee. I will hand over to your good self for any introductory comments and we will follow with some questions.

Dr BLACK — I thought that first off I need to identify who I am, actually. I am a registered vet in Australia and have been in practice for some 38 years. I have been a member of the AVA over that entire time and have actually been involved in the AVA committees and was the president of the board of the Melbourne Metropolitan Practitioners Branch, which is a branch of the AVA, as well. I have been largely working with dogs and cats, although I do confess to a specialty in birds.

Three of us at the Springvale vet clinic in Melbourne in the late 1980s introduced into Australia the actual concept and the reality of microchip identification in animals. We recognised the need for traceability, something that Dr Walker mentioned before, and we felt that microchip identification was the best way to achieve that. We now currently as an offshoot of that run Central Animal Records, which is a national animal microchip registry, and we also run a company called Microchips Australia, supplying microchips.

I am still currently practising part time, but essentially working in the microchip area, and have now been involved in helping to formulate legislation in various animal areas in Victoria and in national law. I have also had the opportunity to work quite a number of years in contract work for various animal welfare shelters as well as council pounds in the state of Victoria.

I have given you guys a written submission. I have actually just listened to most of my written submission, I think, in the last hearing. So I guess I do not really have any vested interest in any of this, except to say that I absolutely despise animal cruelty, I certainly believe in honesty and I do believe in evidence-based science and flexibility. As a result of that, I do have some issues with the legislation in its current form.

I think that we are all on the same page, and that has been mentioned any number of times. We all abhor the sorts of things that have been shown in some of the establishments that are blatantly going against the law, but I do not believe that this legislation is necessarily going to address that. Certainly the first thing that I have an issue with is definitely that maximum of 10 breeding females. I just see that as I have just heard that it has really been a figure that has been plucked out of the sky. To me it makes no sense that someone breeding 9 animals is more likely to comply with animal welfare conditions than someone breeding 11. It just does not make any sense. I understand that they wanted to specify a number, but I believe that numbers are totally irrelevant to the whole picture. The focus surely should be just purely and simply on animal welfare. Whether someone is breeding 1 dog or whether they are breeding 150 dogs, if someone is creating animal cruelty — it does not matter how many animals they have got — then they are open to the full force of the law, essentially.

That is my other issue in general — that it is all about resources. I heard that mentioned as well. Currently, in my experience, there is no resource available capable of carrying out the sort of inspections and auditing that is required, so certainly if this is going to happen, something needs to be done in that regard. There is no doubt that in the current situation, regardless of this legislation, it is never going to have an impact unless it is being carried out at the coalface.

The second area is that I do have a problem with the sale of puppies from pet shops essentially being banned, although it is couched in the fact that they can only be available through approved sources, which essentially ends up being an animal welfare shelter. My experience in animal welfare shelters would probably guard against that a little bit. I believe that there are not as many pups that come through in that situation. I know there are some pups, but most of the animals that come through are animals that have been owned and there has been a bad experience or whatever or for another reason that Dr Walker mentioned before as far as people's situations go.

When those animals come in they are subjected to a behavioural assessment and obviously a general examination for health. That will expose certainly some of the extremes, but it does not expose a lot of nuisance behaviours, phobias or issues that are triggered only by a particular sort of incident — a thunderstorm or

whatever. None of that is going to be able to be seen. Obviously the bottom line is that the parents of that animal are never seen, and the breed is always guessed. I have been involved in guessing breeds. We think, 'Oh, that looks like so and so'. Certainly in some of the areas where DNA analysis has been formed it becomes ridiculous that we have guessed so far wrong. That is relevant from the point of view that, regardless, there are some breeds that have innate behaviours and innate characteristics that you would like to know about when you actually buy a pup. So I do not believe that the banning of the sale of pet shop dogs is a great idea as well.

My experience on the microchip registry side of things is that pet shops are quite compliant in terms of at least the paperwork, and they are very traceable. As mentioned by Dr Walker before, there are codes of practice in both of these areas of rearing and breeding, as well as pet shops, that if they were properly enforced, we really would not need to be talking about this at all. So that is pretty much my position.

The CHAIR — Excellent. Thank you very much, Dr Black. I was hoping just to draw you upon two particular issues that have been raised, and that is both the availability of puppies and the puppies families want — the poodle crosses and the like — and indeed the flow-on effect of the potential price of those puppies if this legislation was to be introduced. Do you have a view on both the availability and the possible price of puppies going forward?

Dr BLACK — I have had the experience of visiting one particular facility that was mentioned here before, and that is Banksia Park. I have never been to a facility that goes to the degree that they do as far as meeting all of the needs of both prospective owners and the community, in terms of some of the disabled people that work there as well, and also particularly the animals, both the adults and the pups. They are a very significant breeder. I know there are others that are similar, but that is the only one that I have inspected, so it is the only one I can comment on. I cannot see the logic of dragging that best-practice, leading business out of an industry that is screaming for an example to be followed. To me it just makes no sense at all that, as fallout of the legislation, a business like that sort of goes by the wayside. All of a sudden we have lost the benchmark.

In answer to your question — I have not really answered it — obviously that is a significant number of pups that will be removed from the marketplace, along with others of similar numbers or at least close to similar numbers. All of a sudden that has to be filled, and the only way that I can see that it is going to be filled is through some of the smaller, backyard breeders. I have had a great deal of experience with breeders of all sorts and dimensions in 38 years of practice, and I can tell you that some of the ones who are just basically in it for the buck, in a very small way, are under-resourced, they are generally not well educated in terms of requirements such as hygiene and basic conditions like that, nutrition et cetera, and they certainly do not follow through in terms of the progression of that pup in the family later on as well. So some of those, I believe, will probably be prone to being far more guilty of animal cruelty in the future.

Again, the point that was raised before is that as soon as we start getting some of the smaller ones cropping up based on the commercial incentive, because undoubtedly the price will rise — and significantly rise, I believe — then all of a sudden it becomes even more difficult to enforce the auditing and inspection requirements that are going to be required.

The question was asked earlier: would it not be easier to inspect a smaller number of large breeders than a larger numbers of small breeders? I totally agree with that. I see it now; I see plenty of that. The figures that were represented before did not add up, and the reason they do not add up is that there is a very, very high rate of non-compliance. A lot of people do not register their breeding businesses.

The CHAIR — I wonder if you might be able to explain something that we might have heard from a previous witness? We heard from the RSPCA that they are an evidenced-based organisation and that they work in the field of scientific evidence. They have also given us evidence that they do not believe there is any evidence that a limit of 10 is based on any scientific study or the like, but they support it. Can you explain why they might do that?

Dr BLACK — I can understand that in some of the instances that they have seen there have been large numbers of dogs involved. So then there may be an inference that, say, one and one makes two. That is probably the reason, I would have thought. They see probably some farms that have been grossly causing animal cruelty, and a lot of those have been larger breeders. But that does not mean that the science then says, 'Well, if you have 10, therefore you can't operate in a way that is not cruel to animals'. As I say, there are

proven examples where animal welfare and breeder numbers are not mutually exclusive. They are definitely not mutually exclusive.

The CHAIR — It does not sound terribly scientific though, does it?

Dr BLACK — No, there is no science at all that has gone into it. If there were, they certainly would not support that. But, no, I think 10 is a figure that has been literally brought by negotiation or a guesstimate.

Ms HARTLAND — I particularly want to talk about microchipping. I have always had cats and dogs, and they have always been microchipped. As I understand it, with this bill it will be much more centralised in terms of the microchipping and the numbers et cetera. Do you think that is going to be of benefit both to owners and to breeders?

Dr BLACK — My understanding of the bill itself is that it will not have that effect. There is a focus on registration of domestic animal businesses, and the breeding animals that are registered within that business or that are part of the business, their microchips will be recorded. But the bill itself does not deal with the centralisation of microchipped animals. The Companion Animals Act already sufficiently deals with that. There are a number of national microchip registries that are licensed to operate in Victoria, and although that is possibly not ideal in some senses, it actually works really quite well in the sense that in terms of an animal being found, each of the registries can interrogate the other databases for the purposes of reunion for that particular animal. So there is a coordination that already occurs there.

Ms HARTLAND — So how many registries are there in Victoria currently?

Dr BLACK — I think there are six, and Greyhound Racing Victoria, which is a registry as well, makes seven. I think that is current; I hope that is current. I am pretty sure that is right. So Greyhound Racing Victoria is involved in it because we do see stray greyhounds from time to time or microchips in animals that are supposed to be in greyhounds that actually are not. So they are involved in that, but essentially the others are more focused on the companion animals.

Ms HARTLAND — Right. So a dog that goes missing ends up in a shelter; they check for the microchip. What is the process then for how they actually find the owner if there are seven different registries?

Dr BLACK — We have a system called Pet Address. Each of the authorised shelters can go into Pet Address and put in that microchip number and immediately they will see where that dog is registered, in which registry, and then they contact that registry direct. A lot of registries, including ours, if they ring us, we will actually do that interrogation for them. They just simply tell us the microchip number. We need to ascertain their credentials and they need to quote a security number so that we are not at risk then of divulging private information to someone who is not authorised. Once we have established that then we interrogate the database, whether it is ours or theirs, and then we can give them the address and contact details of the owner.

Ms HARTLAND — In an average year how many contacts would you have from shelters or local government et cetera to these services?

Dr BLACK — I should have checked.

Ms HARTLAND — You can take it on notice.

Dr BLACK — Yes. Currently, I guess after operating over time we have got something like 2.7 million animals on the record, and I would hazard a guess that not all of those are current. We have done something like 700 000 reunions just in our registry alone. Yes, it certainly is significant. I do have those figures, but I have not brought them with me, I am sorry.

Ms HARTLAND — If you could just send those, that would be really helpful.

Dr BLACK — Sure.

Mr BOURMAN — I have a couple of technical questions. Microchips are a form of RFID; is that correct?

Dr BLACK — Yes.

Mr BOURMAN — How long do they generally last?

Dr BLACK — Hopefully forever. They are encased in biocompatible glass and they are a passive transponder. In other words, there is no battery involved or anything like that. So as long as the integrity of the capsule is there and they are a quality product, which sometimes is not necessarily the case, generally speaking then they should last forever. They are energised by the electromagnetic pulse from the reader, then they just generate enough energy to then pump out the code and that is it. We have got animals still alive, because cockatoos tend to last a long time. I have some in cockatoos that were implanted when we first started in the late 80s, and they are still active.

Mr BOURMAN — What is the failure rate on average of the microchips?

Dr BLACK — I think there was a question about there being good breeders and bad breeders. There are definitely differences in microchips. From when we first introduced microchips into Australia, we are still using the same product, which is a European, German-based product, and the failure rate is extremely low. If someone rings us to say that they have an animal there where their microchip is not scanning, we actually will tell the vet that we will fund an X-ray to be done on that animal to prove that the chip is actually there. We have only ever once found that the chip has been actually there and not working, so the failure rate is extremely low. Most of the time when there are failures it is either because it is a substandard product, which happened a few years ago in this country, because the chip has been implanted either inappropriately or incompletely or because it has actually just come straight back out the hole a day or so later. The AVA has got guidelines as to how to implant — to scan first the chip, to scan the animal first to make sure there is no chip there, to carry out the implant and then to scan afterwards to check that the chip is still there — but it still can come out that hole in the next day or two. That is probably the greatest rate of failure.

Mr BOURMAN — But on the whole they are fairly reliable en masse?

Dr BLACK — Yes, very.

Mr BOURMAN — And just one last thing: with this Pet Address thing you run, there is effectively a centralised registry in function if not design as it is. Am I correct in saying that, because you go to Pet Address and it will go to one of the other seven to find out what is going on?

Dr BLACK — It is not a registry at all, it is just simply a portal. It has got the ability to check on each of the registers. It is not a registry in itself, no.

Mr BOURMAN — But it is a central point.

Dr BLACK — It is a central point, yes.

Mr ONDARCHIE — Doug, how are Central Animal Records and Microchips Australia funded?

Dr BLACK — It is a commercial company, a private company.

Mr ONDARCHIE — So when I microchip my dog, how do you see the revenue stream?

Dr BLACK — So Central Animal Records charges a registry figure to anyone who sells a registry registration to a client. Essentially the simplest way that it works is that Microchips Australia is an independent company that sells a particular brand of microchips, and they link a Central Animal Records lifetime registration with that sale to a vet, to an animal welfare shelter, to a council. When that is implanted, the registration is done and it comes into Central Animal Records. Central Animal Records also sells registrations to other microchip suppliers as well. A vet might have a different preference for a different brand of microchip, but it is still linked to a Central Animal Records subscription.

Mr ONDARCHIE — Given your expertise and your role at the AVA et cetera, have you been consulted or has your opinion been sought on this bill prior to its introduction?

Dr BLACK — No.

Mr ONDARCHIE — Not at all?

Dr BLACK — No.

Mr ONDARCHIE — I note your comment about the 10 breeding animals — I think you said it was just plucked out of the sky — and you did say, quite rightly, that the focus really needs to be on animal welfare. This bit of legislation is a bit messy right now. What is your recommendation to the government in terms of where they go with this?

Dr BLACK — To be honest I do see merit in the registration of domestic animal businesses. That part of it I definitely see merit in. Some of the points that Dr Walker made were quite right.

Mr ONDARCHIE — It is only one part of it though.

Dr BLACK — It is only one part of it. There is not much of the rest of it that I would see can be easily fixed. I do not see the point in eliminating the pet shop sales, and I certainly do not see any point in the restriction of breeding numbers. The whole focus, rather than spending time on this legislation, should be on adequately resourcing the current codes of practice that are there. I think that Dr Walker put it as ‘puppy factories’, which is possibly another term that can be used, but why are we seeing those? The only reason we are seeing those is that they are not being adequately inspected or audited. We did not even know they existed, and that has been admitted any number of times. The only reason that is the case is that we have got no resources to do it.

Mr FINN — I have just one question, Dr Black, and I thank you very much for your contribution to our deliberations today, because you have clarified a great deal and confirmed a good deal in my mind as well. From what you have just said can we assume that you believe this bill is not needed?

Dr BLACK — Yes. To be honest I would like to see some registration of domestic animal businesses, but as I said before, I see the need is more in the compliance to the existing codes of practice.

The CHAIR — Dr Black, thank you very much for your contribution. You will receive a copy of the transcript of your evidence for proofreading, which will ultimately make its way onto the committee’s website. Once again, thank you for your contribution today.

Witness withdrew.