

TRANSCRIPT

STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

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

Melbourne — 9 November 2016

Members

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Witnesses

Ms Debra Tranter, founder, Oscar's Law, and

Ms Glenys Oogjes, executive director, Animals Australia.

The CHAIR — I declare reopened the Standing Committee on the Economy and Infrastructure public hearing. Thank you to our witnesses for being present here this evening. We are today hearing evidence in relation to our inquiry into the Domestic Animals Amendment (Puppy Farms and Pet Shops) Bill 2016, and the evidence is being recorded. All evidence taken today is protected by parliamentary privilege; therefore you are protected for what you say in here today. If you go outside and repeat the same things, those comments may not be protected by this same privilege. Once again, welcome and thank you. I might get you both to just introduce yourselves and the organisation you are representing and then move into any introductory comments. Then we will follow with some questions from the committee.

Ms OOGJES — I am Glenys Oogjes, the executive director of Animals Australia.

Ms TRANTER — I am Debra Tranter, the founder of Oscar's Law. Thank you for inviting us here today to give us the opportunity to present evidence. Oscar's Law are supportive of the intent of this legislation for a number of reasons. It will cap the number of dogs allowed on puppy factories to 10, limiting the risk of behavioural and psychological damage caused by the deprivation suffered by these dogs, as evidenced by behavioural reports and veterinary reports we and other organisations have. We want to see breeding dogs kept as pets and their puppies born in the family home, and this is impossible when you have hundreds of dogs. It is also what the public want to see happen, as evidenced by the decrease in demand for puppies born and raised in sheds on puppy factories rather than in the home by reputable breeders.

In the last few years we have witnessed a decline in sales of factory-farmed pups, as evidenced by the decline in numbers of dogs on large puppy factories. In 2010 one of the larger puppy factories in Victoria had 200 breeding dogs and supplied over 50 pet stores around Australia, and they also exported puppies overseas. Today they are down to 60 dogs. In 2012 another large puppy farm had 300 dogs and at the time stated that if they could breed twice as much, they would sell them. Instead of doubling to 600 dogs they have dwindled down and now have 150 dogs. We have got about 28 pet shops left in Victoria that sell these puppies, but the majority of pet shops are now choosing not to sell puppies but to hold adoption days, and this is simply due to public demand.

All of this demonstrates that demand for these types of puppies bred in a factory farm environment is decreasing. The bill reflects this and that the public is turning towards adoption or registered breeders who keep their dogs in the home as family pets. The bill also will provide a level of transparency, accountability and consumer protection that is not evident now. At the moment we have an underground black market in puppies. Breeders hide behind brokers, who sell to pet shops and the online websites. The identity of who bred and sold the puppy is almost impossible to trace, and if something does go wrong with that puppy, the consumer has no recourse of action, as they cannot identify the seller.

The bill by way of a DAB number and a central database will identify anyone who wants to sell companion animals, and it includes backyard breeders, as there is no threshold on the number of dogs allowed before the DAB requirements kick in. The bill also stops the unworkable and ineffective self-regulation of some breeders by having everyone that breeds and sells companion animals operate under one set of standards and legislation. We support and promote the reputable breeders, and we are always telling the public to go to Dogz Online, which is where reputable breeders sell their puppies. Unfortunately not all registered breeders with Dogs Victoria abide by the code of practice. Being a member of Dogs Victoria does not equate to being reputable or ethical, just like a puppy farmer being a member of PIAA or AAPDB or Pets Australia does not equate to being ethical. Dogs Victoria unfortunately have no way of ensuring their members abide by the code. They have no powers of entry or enforcement, and there are no follow-ups when complaints are lodged.

One Dogs Victoria member we complained to in July 2015 — we had no reply to our complaint. We referred to that complaint to the RSPCA, who referred it to the council, as it was a council matter. The council inspected and just basically told them to decrease the amount of dogs they had, which they did, to nine females; therefore it is no longer a council matter. A year later no changes have been made to those dogs' living conditions, and Dogs Victoria up until last month were still registering their litters. I do have photos of that property at the moment. In another example we lodged a complaint with Dogs Victoria in March 2015. We had no reply whatsoever. We followed up in April 2016 with another complaint to Dogs Victoria, and there was absolutely no answer to that complaint either. That breeder is still advertising on Dogz Online, still registering litters with Dogs Victoria and the dogs are living in the same conditions with no change at all.

So while we do support the intent of this legislation, because it will effectively cover anyone that breeds dogs, regardless of what organisation they are a member of and regardless of whether that dog is a purebred dog or a crossbreed dog, we do not believe that one group of breeders should be registered with council and another group that breeds different dogs should not be registered with council. There is clearly a need for these current laws to be rectified and brought into line with community concerns and expectations.

Ms OOGJES — Thank you. I absolutely support what Deb has said, and we can add to that evidence if you like. What I would like to say is that we absolutely support this legislation. It has been really clear why it is required. Deb has talked about some of those reasons. I think that it is a particular situation with animals across the board that they do not have a voice. There are certainly no canine or feline whistleblowers out there, most breeding occurs behind closed doors or in remote areas. So finding out about problems is really difficult. Here I pay tribute to those people such as Deb and very many other rescuers who have gone in and exposed the conditions in puppy farms. That is why we are here today. That is why the legislation has been put forward, and that is because the community have been outraged by what they have seen. And it is quite terrible. Obviously we need something done to address this. I hear what the MAV is saying about concerns about administration, but the MAV is not opposed to the intent, nor about the key elements of what we need, such as a central registry.

If I could just reiterate what Deb was saying about an even playing field, if you like — that is, that all those people who breed, whether they be purebred, crossbreed or backyard breeders, need to be registered by a central registry, but with council looking out for them. Here I am referring particularly to Dogs Victoria and their exemption, if you like, from the current registration. They do not deserve it. I could run through evidence of where there has been quite egregious, terrible conditions in purebred breeders' places. We have made complaints to Dogs Victoria, and honestly they have not been able to cope. They have not even got back to us on many occasions, but they certainly have not used their powers to deregister members, for example, or change their practices. In my view they do not deserve to have that exemption. There has been suggestions in recent times that they are going to improve their inspection, and I understand that, but at best that could simply augment what the councils would do.

You may know that Animals Australia has exposed the greyhound industry, live baiting particularly, and what was found in that instance across Australia was that self-regulation does not work. That is where a body has dual purposes — that is, to promote an industry or a practice — or in the case of Dogs Victoria, for example, to maintain the reputation of their industry but also then police it. It is not in their interests, if you like, to allow such things to get out into the public. That would reduce the reputation of their, in this case, purebred breeding dogs.

In the greyhound industry they have gone ahead, and dismantle self-regulation, including Victoria, after the chief veterinary officer's Milne report recommendations and the Bittar report, which was across all racing codes. We are in Victoria separating the commercial elements of the industry and the regulatory integrity elements of the industry, and again I say that is what should happen here. Dogs Victoria can remain as a club of purebred breeders — of course they can — and promote their industry and their members, but they cannot also police it. I do think that they must be treated as the same as any other breeder. I will not go through the history, but again I have some terrible photos of Dogs Victoria members that have not been sanctioned and who unfortunately continue terrible practices. I will not go into it. What I would say is that there is a real case for ensuring that there is fairness and impartiality and that all people who want to breed dogs and cats are treated in the same way.

The CHAIR — Great. Thank you both for your presentations. We might move into some questions. Ms Tranter, you spoke about supporting the intent of the legislation. I am wondering if there is anything in the legislation that you do not support.

Ms TRANTER — I do have some concerns around the rescue foster element. It seems to put a lot of power into the hands of foster carers and take a lot of power away from the rescue groups. I am not a rescue group. The rescue groups I am speaking to have more concerns about that, and I am sure they will put their submissions in, but it is around foster caring, having to register the dogs in their name rather than that of the rescue group. It is the rescue group that is responsible for the care and that pays for the care of those dogs as well, not actually the foster carer.

The CHAIR — I might post the same question that I posed to the MAV about the inquiry into companion animal breeding practices that was conducted in New South Wales. One of the findings from that inquiry was the committee found that there was not a correlation between the number of animals kept and the welfare of those animals. I wonder if you might make some comments on that.

Ms TRANTER — Obviously I disagree. We support breeding dogs treated as family pets and born in the home, which is why we have always referred people to Dogs Victoria to get their puppies, because we believe the majority of Dogs Victoria people are breeding dogs that are family pets, and the puppies are whelped in the home. I do have a behavioural report here and I have so many behaviour reports and veterinary reports of dogs we have rescued from puppy farms. I have one here where the dog was seven years old. It had been surrendered because it had its five litters on the puppy farm. It had been living on a puppy farm with 150 other dogs. That dog had to be put on Valium. It was unable to walk, it was unable to make eye contact and it saw three or four different animal behaviourists. In the end all the animal behaviourists, the vets, the rescue group and the foster carer that were consulted recommended that the dog be put down. That is not an isolated incident. That is just one of the behavioural reports I have brought today.

What I am saying is that if you are keeping hundreds of dogs in tin sheds, they are not pets. We are not talking about pets. They are production dogs. You cannot meet their needs. These are companion animals, and even on the government's own website they describe the dog as a companion animal. It has certain needs and it needs social interaction, companionship and environmental enrichment, and these dogs live a life of deprivation on puppy farms. It does inflict severe psychological trauma on these dogs. It is volunteer-based rescue groups in the community that are picking up these dogs and paying the vet bills and paying the animal behaviourists to rehabilitate these dogs. But sadly many of them do not make it. They have to be put down.

The CHAIR — Ms Oogjes, is there anything you would like to add?

Ms OOGJES — I would like to add our experience with the greyhound industry. It might not sound relevant until you start to think that while the industry was exposed because of one element of it — live baiting — what that brought out over and over again was the way greyhounds were being brought up, and that was because they were not properly being socialised. As you all know, dogs have evolved with humans for absolutely centuries to be companions and to live closely with them, and when they are treated almost like farm animals they do not develop and experience an enriched environment, which means they are really fearful of new environments. We see that people who in very large numbers are adopting greyhounds are now finding the dogs do not even know what a staircase is or what sounds are. It is absolutely a parallel to what occurs if you have large numbers of what are in essence production animals, as opposed to companion animals being brought up in a home environment and from their very first moment of life knowing about what it is to interact with people.

The CHAIR — I just want to explore that further. Obviously there is always going to be anecdotal evidence about the number of dogs kept and the welfare outcomes for those animals. What if you were to imagine a breeding operation that had, let us say, 100 breeding animals and at this organisation there were people who were employed to play with these breeding animals? I am just wondering, where is the evidence that the number of animals kept directly impacts on the welfare of those animals if all the social needs of those dogs are met?

Ms OOGJES — I do not think there is that sort of scientific evidence, because you virtually cannot do those comparisons. I go back to what Deb was suggesting — that it is a home environment we are looking for. So a commercial row of kennels, even if you have people dealing with those animals on a very regular basis, is not the same as bringing them up in an environment which is where they are actually going to go: into another home, into a similar environment.

The CHAIR — Would you agree then that that is more of an ideological view than a scientific view?

Ms OOGJES — No, not at all.

Ms TRANTER — No. The behavioural report that I just spoke about, that dog that was put down, she came from a large puppy farm with over 100 dogs — council compliant, passed every inspection, they employ staff, they apparently have environmental enrichment programs. But the dogs that are coming off that puppy farm at the end of their breeding life are coming off psychologically damaged. You cannot treat a dog as a breeding machine, a primary producer to supply puppies to a commercial market, and expect that dog to settle into a family home at the end of its breeding life. It is just not possible.

The CHAIR — That is my concern though. You can find anecdotal evidence for anything. My concern is, where is the scientific evidence? Our colleagues to the north found that there was no link between the number of animals kept and the welfare of those animals. I would like to know where is that evidence that points to the number of animals kept directly relating to the welfare outcomes — a scientific study rather than anecdotal evidence?

Ms TRANTER — I have only got vet reports and behavioural reports. I am not aware of any scientific study that has been done.

The CHAIR — Okay, that is more than fine.

Mr ELASMAR — Debra and Glenys, thank you very much for coming tonight. Can you explain in your view the importance for animal welfare of limiting the size of breeding operations?

Ms OOGJES — I think that is what we were just talking about — that is, the ability to give the breeding animals, but also of course their offspring, a home environment from the very first moment they are born, if you like. The first 8 weeks, 10 weeks of a puppy's life are really important in regard to how they develop and whether they are able to develop good bonds with people and be happy in their environment.

Mr ELASMAR — Would you like to add anything, Debra?

Ms TRANTER — Yes. I think that is why we always refer the public to find a registered breeder. The breeding dogs are treated as family pets. They are born into a home environment. They are handled and socialised from day one within a family home. They are allowed to stay with their mother during a critical socialisation period, whereas puppy farms remove those puppies from their mother and some of them are transported for hours in trucks; some of them are flown to interstate pet shops; then these puppies are put into pet shops during a critical time of their life. Some of them are as young as six weeks in pet shops, which is legal; they cannot sell them until they are eight weeks, but they can certainly put them on display younger than eight weeks. That is where they sit — in a glass box — until they are sold. Any animal behaviourist or even a registered breeder will tell you that this is a critical time for that puppy's socialisation period; it learns so much from its mother. We will always support puppies born and raised in the family home.

Ms HARTLAND — I think it would be really helpful for the committee if you were able to email or give to staff the reports that you have.

Ms TRANTER — I have brought copies, and we can leave these photos.

Ms HARTLAND — I think that would be really helpful for us to understand that. It is interesting because I have only, I suppose, in the last few years come to understand the issues around puppy farms, and it is obviously because of my association with Sue Pennicuik. I have had cats and dogs for the last 30 years, but I have always got them from Lost Dogs, or my vet, or someone's cat got dumped. So I was really shocked when I started to learn about puppy farms. How do you think that this legislation is going to stop this kind of appalling behaviour?

Ms TRANTER — I think the most important thing for us is that it is going to cap the number of dogs down to 10. Those puppy farms that are operating with hundreds of dogs now are going to have to phase down to 10 females. It will not shut them down, but as we said, our goal is to have puppies treated as family pets, raised in the family home. That is a system where this legislation will move us closer to. We also do not want to see puppies removed from their mother at such a vulnerable time and placed in pet shops — transported by trucks and planes long distances away from their mother and put in pet shops. That is another thing that this legislation will do.

It will also bring all breeders under the one piece of legislation, whether they are cross-breeding or pure-breeding, which I think again offers that level of consumer protection. At the moment anyone can buy a dog off Gumtree, and all you have got is the seller's mobile phone number. The microchip might be empty or it might be a fake microchip. That identifies the puppy, but not the seller. We get a lot of calls from people who have bought puppies from Gumtree or the Trading Post. The puppy gets sick, they are up for vet bills; in many cases the puppy has died. They have no idea or no recourse of action because they do not know who sold them

this puppy. I think that is why the DAB permit and the central database are so important for the level of consumer protection.

Ms HARTLAND — Am I right in understanding that one of the things that can happen now is that a breeder can reuse the microchip?

Ms TRANTER — Yes.

Ms HARTLAND — So that you can never quite trace where the animal has come from, and it also disguises how many animals they have; am I right in my understanding?

Ms TRANTER — Yes. Online sellers can have up to 10 mobile phone numbers, so they will use a different number every time. But then they can also have a list of microchipped numbers that they can just place in the ad. The puppy is not actually microchipped, and there is no way of checking that. Or the microchip is inserted in the puppy but it is left what we call blank or empty, so there are no details on that microchip at all.

Ms HARTLAND — And this legislation, because of the central register, will stop that?

Ms TRANTER — We would like to see a requirement that the DAB number issued by the council must be in the advert, because then the DAB number identifies that person. We know that the person's details will be in a database, so if anything goes wrong, that person has that DAB number and they can go to the council or the RSPCA and report that. They can then go and inspect that property, that person, and take it from there.

Ms HARTLAND — Obviously we all want this to happen as quickly as possible, and it should have actually have happened several years ago. But the evidence from the MAV tonight I found quite disturbing — that lack of consultation — considering that it will be councils that will need to be the ones administrating this, and we do not want to end up where we were with the previous dangerous dogs legislation. So if this was delayed for a brief amount of time to fix that stuff up to make sure that the bill is going to work, because the MAV is clearly saying they support the intent, how would you feel about that?

Ms OOGJES — I understand what the MAV is saying. I am not sure whether or not it needs to be fixed as such, meaning I do not know whether or not it is workable, and I suppose to be fair that is what they are concerned about — whether it is. But if we were to say that it is likely to be able to work, what I would expect is that there needs to be consultation as to how it is administered and that they need time to ensure that they could do that — that is, to register a large number of new breeders and to work out the inspection and the regime of auditing and monitoring. I understand that totally. So I think that if that needs to take some more time, that would not be a huge problem — that is, a phase-in of some sort to be worked out. I would really hate for us to go backwards, because the bones of this legislation, I think, are really sound.

Ms HARTLAND — Again back to what MAV said to us: because of rate capping and generally, all kinds of services are being cost shifted onto council. Would it be something that you would urge government to give councils money to get this up and running as quickly as possible?

Ms OOGJES — I think there are two things. One is that, yes, it needs to be a full cost recovery in whatever way it is done — that is dog breeders, and cat breeders for that matter, paying sufficient fees so that can occur, and we do not know the figures for that as yet. But I do think that the state government may need to facilitate or assist in some way. What is required and what is the basis of this is the importance of a well-resourced, independent, competent inspectorate, because that is the other primary thing. Deb has talked about a lot of the reasons why this is really needed and why it will work.

The other element is to ensure that all of the breeders come up to a standard. What we do know — and I do not mean to be totally critical of purebred breeders as such, but I am critical of the bad track record of DOGS Victoria, and they do represent a lot of breeders — is they have not to date realised that they have to comply with the current Victorian breeding and rearing code, and they do. We need some time to ensure they come up to that standard, and part of that will be education of them but also of council officers and the inspectorate about what is needed. So I think trying to work that out in the interim is a really important thing.

Mr BOURMAN — Thank you for your presentation. I am going to ask a couple of questions, and they might seem a little inflammatory but I am actually going somewhere with it. Did you get permission from the people where you took those pictures? Did you get permission to enter their property?

Ms TRANTER — After 23 years I have a wide range of sources, and a lot of my sources do not want to be named. It is a very sensitive information so — —

Mr BOURMAN — I am not after their names. It is a concept I am going with. The answer is probably not.

Ms TRANTER — It is not relevant to — —

Mr BOURMAN — It is relevant to where I am going; that is all.

Ms TRANTER — Okay.

Mr BOURMAN — I am not trying to pin anyone with this, but I am trying to show something.

Ms TRANTER — That is fine, but as I said, I have got a lot of sources in the industry, and I would just rather protect my sources rather than put them at risk on the public record.

Mr BOURMAN — As I said, I did not want their name. But let us say that the concept of people breaking laws to further a cause they believe in is not new to the animal rights movement.

Ms TRANTER — Yes.

Ms OOGJES — Can I just intervene there and say that breaking in is not the right way to put it.

Mr BOURMAN — As I said, I am going somewhere with this. I am not trying to make any accusations. My real question then is: if people thinking they are doing the right thing will ignore laws — perhaps bend laws, whatever — what makes anyone think that by changing all this legislation it is going to affect the people that do not obey the laws already? It is only going to affect the people that do obey the laws. The really bad puppy farms, the ones that I suspect Oscar's Law originally came from, are illegal, so they are just going to ignore this.

Ms TRANTER — They are actually legal.

Mr BOURMAN — But all the backyard ones are not. I am not talking about the registered ones. If they are legal, then there is the RSPCA and there are a lot of other things. My point is: if people do not obey the law now, by changing the law they are still not going to obey it. So what is this legislation actually going to achieve for animal welfare in the end?

Ms OOGJES — Can I just say that the point in having a need to register and an inspectorate and local councils knowing their area is that I do think that we are going to have to move to try and find those illegal places.

Mr BOURMAN — But does not that exist already? In a different way, in a different form, do not registration and councils and enforcement already exist? I am not talking about effectiveness; I am talking about their actual existence.

Ms OOGJES — It exists at the moment, and we have to continue to try and track down these places.

Mr BOURMAN — I do not dispute that. I am 100 per cent behind the intent of this bill, but I am not sure it will actually end up doing what it needs to do. I am saying if there is already a system in existence that is not working, rather than putting another system on top of it that may or may not work, would it not be easier, better and more effective to give more powers, more money, more whatever to try and get going what is happening? Because we are reinventing the wheel, but the wheel still will not turn. The illegal people will still do what the illegal people do.

Ms TRANTER — They will not be able to advertise their litters of puppies if they do not have a DAB number, so that is providing that level of transparency and accountability. When you are talking about legal puppy farms, which is what we are talking about where all these vet reports and behavioural reports are coming from, there is nothing in the legislation that looks after a dog's behavioural or psychological needs. As long as that dog has basically got the right size pen and the food and the water, there is nothing the RSPCA can do.

When you are talking about councils, there are some really good councils that are right onto this with yearly inspections and ticking all the boxes and doing proper audits, and then there are other councils that turn a blind

eye. There is nothing in the DAA that compels councils to go and do their jobs. We have got a code of practice, but if the councils choose not to enforce it, that is their right.

Mr BOURMAN — I am putting that forward as maybe a better answer, because all I am seeing now is a whole tranche of legislation which is intended to do something, but as I sat down and read through it I thought, ‘What is this actually going to affect in the way of illegal puppy farms?’. For legal ones there is already stuff there that is not working that, at least in my opinion, should be worked on, but I cannot see that it is ever going to affect the people that ignore it all in the end. That is my biggest problem, because it is not going to actually get to the really bad ones.

Ms TRANTER — What this legislation is going to do is get rid of the puppy farms. They are going to have to phase down to 10 dogs, which is what the community wants. That is what the community expects. The demand is dying for factory-farmed puppies born in a tin shed or bought from a pet shop. The market is turning towards adoption or registered breeders. We have seen that in the figures. So this legislation is in tune with the community’s expectations where it will shut down these large puppy factories. We do not want to see hundreds of dogs kept on properties in tin sheds and then surrendered to rescue with behavioural problems and veterinary issues that volunteers and the community are paying to fix. So the entire system at the moment is not working.

Mr BOURMAN — I am agreeing; I am not disputing that. I am saying that we are putting a new system in that probably has the same chance of not working.

Ms OOGJES — No, I do not think that is the case. It is addressing a different issue.

Mr BOURMAN — I beg to differ. I will just say one thing. You mentioned registered dog breeders and things like that. We have had a lot of them contact us, and the onerous conditions that will be placed upon them are basically going to start putting those people out of the business if it is not a source of income. I am actually worried that it is going to do the exact opposite of what you would like — that there will be a lot of people that are just going to give up dog breeding because it has all become too hard, and they are the good people; they are the ones you want. I have had somewhere between 50 and 100 of them contact me, so it is not like one or two. Again, I am trying to think of ways around this that do not destroy what you want and actually attack the problem.

Ms TRANTER — I believe a lot of the dog breeders do have valid concerns, but they are looking at the code of practice and the DAB requirements as they stand now. If we close down puppy farms and everyone has to phase down to 10 dogs, that code will be very quickly outdated. Things like staff to dog ratios will no longer be necessary, so that code is going to have to be reviewed. I would not support what Dogs Victoria and some breeders are saying — that they are going to be shut down unless they build concrete kennels in their backyards. I do not see that happening whatsoever, and I would not support that.

We do have concerns around keeping nine females in a residential home. What does that look like when you have got female dogs on heat? How do you separate them from the males when we are talking about a residential home? So I think there does need to be a code. The breeders that I know are able to keep their female dogs separate and have separate areas for when they are whelping and things like that. So the code would have to be redefined. The code as it stands now would not work if everyone was down to 10 females. It just would not work and would need to be redefined. I can understand the concern about the word ‘business’ in the domestic animal business permit; I understand that and believe that that is a valid concern as well.

Mr BOURMAN — And as a bit of a shot at the government, perhaps that could have been fixed by wider consultation beforehand.

Ms TRANTER — Yes, we could rename the domestic animal business something else.

Mr BOURMAN — Or come up with an agreeable middle ground or whatever, but as it stands now it has landed in front of us as it is. I could be here all night, but thanks, that was my main question.

Mr FINN — I am just wondering what you see as what we would need to enforce this law.

Ms OOGJES — We would need a good inspectorate. Is that what you mean?

Mr FINN — When you say an inspectorate, are we talking about 10 people, 20 people, 100 people, 1000 people?

Ms OOGJES — That is what we do not know, because we do not know how many breeders are out there and would need to be registered. So it certainly will be a larger number. I think that is the sort of thing that we need to look at over the next year or two so that councils can actually gear up for that.

Mr FINN — So would it be appropriate to put this bill on hold whilst we are preparing for that?

Ms OOGJES — No, I would not say put it on hold. I would just say that its start date, which at the moment is April 2017, could be later, meaning that when people have to register could be later than that while these things are discussed, consultation occurs and a system of implementation is worked out.

Mr FINN — Do you not think it would have been better if consultation had occurred before the government actually wrote the legislation?

Ms OOGJES — There was some consultation. Obviously we heard that the MAV did not feel they were sufficiently consulted.

Mr FINN — Or indeed at all.

Ms OOGJES — No, they did not say that. Only some people were consulted.

The CHAIR — No, they did say that.

Mr FINN — They said they were not at all.

Ms OOGJES — Sorry, meaning some councils were; I beg your pardon.

Mr FINN — A couple of councils, yes.

Ms OOGJES — But there was consultation; it just was not sufficient, seemingly.

Mr FINN — My view is that a law which is unenforceable is a bad law, and if we have to establish another police force almost to enforce this law, then that would seem to me to make this law unenforceable. I am just trying to get an idea of the sorts of numbers that we would need, first of all, to find out the number of breeders that there are and, secondly, to then get around and make sure they are all doing the right thing or shut them down if they are not.

Ms OOGJES — I do not think it is unenforceable, with respect; I just think that we have to work out how to enforce it.

Mr FINN — That may be the case, yes, but somebody such as you with expertise in this area, I would suggest, should have some sort of idea of how we would be able to enforce it, surely.

Ms OOGJES — Councils are already doing this but of course not with the full numbers that would be registered, because so many more would need to be, so they would have a good idea of how many people they need to get around to inspect the existing domestic animal businesses. They already inspect pet shops and places where people have their animals at the present time under the existing DAB structure. So they will have an idea of the scale of that; what they do not know, clearly, is how many people are going to need to register. There are groups out there that could provide some of that information, including of course Dogs Victoria in regard to purebreds, so that could be worked out relatively quickly, I would have thought — that is, how many people, how many premises and how many people does that take, council officers, to do that.

Mr FINN — We have already heard tonight that we are talking about thousands, if not tens of thousands, but that, I would have thought, is going to need quite a workforce to police. That seems to be possibly a high-water mark that we might not be able to reach at a council level.

Ms OOGJES — I hope that is not the case, because if that is the case, then dogs and cats in Victoria are not going to be properly protected.

Mr FINN — Thank you.

The CHAIR — I note that Chip Le Grand, who is a journalist at the *Australian*, on 22 October wrote an article about this particular legislation, and in part it says:

The Labor Party ran a successful campaign on this issue —

related to the puppy farms —

In the lead-up to the last state election, it generated enormous social media traffic, amplified by media-savvy animal rights activists. That success has steeled the government's determination to see through its reforms. But like New South Wales Premier Mike Baird and his ill-fated ban on greyhound racing, it appears the Andrews government consulted too narrowly before letting the dogs loose.

I am just wondering if you might comment on that. Do you agree with Mr Le Grand's summation of what we are seeing here?

Ms OOGJES — No, I do not. No, clearly the Victorian community are absolutely appalled when they see what is happening inside puppy farms and in the places of bad breeders. The government — and not just the Andrews government of course, but the previous government — obviously thought that it was an important issue, as the community did, so this is the response to it, and we welcome it.

The CHAIR — I am wondering, were Animals Australia and Oscar's Law consulted by the government in the drafting of this legislation?

Ms OOGJES — We were briefed at one stage.

The CHAIR — Did you provide any advice?

Ms OOGJES — We provided feedback at the time, a confidential briefing.

The CHAIR — So you signed a confidentiality clause?

Ms OOGJES — Yes.

The CHAIR — And Oscar's Law similarly?

Ms TRANTER — No.

The CHAIR — No consultation?

Ms TRANTER — No.

The CHAIR — No private briefing?

Ms TRANTER — I have had meetings with some MPs and department staff, but not consultation on the legislation or have not signed a confidentiality contract.

The CHAIR — Have you meet with Minister Pulford at all, discussing this?

Ms TRANTER — Yes.

The CHAIR — How many times?

Ms TRANTER — Once prior to the election —

The CHAIR — Okay; not since the election, though.

Ms TRANTER — once after the election, and I have had a couple of phone calls, and I have emailed her information that I thought was relevant.

Ms HARTLAND — I do not think we should underplay the importance of this legislation, considering what has happened in puppy farms over the last 10 years and the absolute cruelty that has occurred. Can you just

quickly outline what you think are the most important features of this bill that will actually stop this kind of mass cruelty towards what should be family pets or domestic pets?

Ms TRANTER — I think the 10-dog limit is crucial, also the ban on the sale of animals in pet shops and that everyone, regardless of what they breed, what type of dog — purebred or crossbred — is coming under one piece of legislation and they will be identified under a DAB.

Ms HARTLAND — I am particularly interested in the DAB. That is a really critical part of this so that you can trace the breeders, you can trace the dogs, you know what their medical history is and that registration is really pivotal to this.

Ms OOGJES — I think it really is. It is about being able to trace the animal through that, if you like, but it also will give confidence to the community that that breeder, and under that domestic animal breeding number, is under the purview of council inspection, if you like, that is open to that inspection and monitoring. So I do think that it changes the game considerably.

The other thing that I would add to what Deb said about the importance of this legislation is to monitor and ensure that people with cats and dogs — breeders — are brought up to a common code which provides minimum standards, but it is very patchy at the moment.

The CHAIR — Thank you both very much for your attendance this evening. You will also receive a copy of the transcript of evidence for proofreading, and that will ultimately make its way onto the committee's website. Once again, thank you for your attendance this evening.

Ms OOGJES — Thank you.

Witnesses withdrew.