

17 February 2011

Ms Caroline Le Couteur MLA  
GPO Box 1020  
Canberra ACT 2601

Dear Ms Le Couteur,

**Re: Public submission on the exposure draft of the Animal Welfare Legislation Amendment Bill 2010.**

The Australian Companion Animal Council (ACAC) is the peak body representing the pet care industry in Australia. The Council is a non-profit organisation committed to the promotion of socially responsible pet ownership. ACAC's reputation has been built by its focus on evidence-based decision making. We are committed to protecting the rights of socially responsible pet ownership as well as respecting the needs of non-pet owners.

The ACAC disagrees with the Animal Welfare Legislation Amendment Bill 2010, Experience has shown that an over-reliance on a purely regulatory response to animal management issues results in disappointing outcomes for both the animals and the people who care about them.

This is particularly the case when the underlying drivers are not well understood as is the case with shelter overpopulation.

Most importantly, there is a difference between markets and Pet Stores. Pet Stores are permanent and can be better regulated than markets. Pet stores are easily regulated and are open to public and official scrutiny. With pet stores, animals are vet checked, vaccinated and chipped prior to sale and re vet checked post sale (PIAA 2011). Pet stores are only 15% of the market of the sale of puppies and kittens.

Key points to note:

1. There is no evidence that there is overbreeding of companion animals by pet owners or breeders.
  - Trend data indicate that the number of owned cats and dogs in Australia has not increased, and in fact is decreasing. [ACAC 2010]
  - The desexing rate of owned cats and dogs in most jurisdictions in Australia is sufficiently high to achieve zero population growth [Nassar]
  - Preliminary statistics suggest there are more homes available than pets needing homes. [Williamson 1, 2011]
2. The entry of animals to animal welfare shelters is driven by array of complex biological, social and regulatory factors
  - Shelter entry cannot be attributed to a single predominant cause such as 'overbreeding'. *"Among the top 10 reasons for relinquishment common to both species were: moving, landlord not allowing pet, too many animals in household,*

*cost of pet maintenance, owner having personal problems, inadequate facilities, and no homes available for litter mates. For cats, allergies in family, house soiling, and incompatibility with other pets were among the top 10 reasons stated. For dogs, owners having no time for pet, pet illness(es), and biting were among the top 10.*" [Salman et al, 1998]

3. The entry of cats to shelters, in particular, is related to the large population of *non-owned* (also called *stray*, or *semi-owned*) cat populations that exist. These cats are free-living, free-breeding, not subject to the direct influence of the regulation of ownership, and can make up 80% of the cat shelter population. [Marston *et al*] Local government trapping initiatives typically trap these cats far more often than wandering owned cats. [Moore] [Buttriss] Initiatives that target owned cats will have no influence on the non-owned population.
  - The rate of entry of cats can be influenced by government activity, such as the Who's For Cats Campaign, which saw a significant increase in cats in shelters. [BAW] [Moore, 2001]
  - The exposure draft states the entry of dogs into shelters is attributed to behaviour problems, however is it incorrect to assume that behaviour problems are related to overbreeding, or can be ameliorated by restricting pet acquisition. Behaviour problems should be addressed through the education and encouragement of the breeding of well socialised and healthy animals, *and* the support of new dog owners in good dog ownership practices. [AIAM, 2011]
4. There is no evidence for singling out pet shop impulse purchase as a significant driver for animal abandonment
  - Pet shops represent only one of many sources for pet acquisition. The predominant sources of cat acquisition are animal shelters, stray cats, and from friends, with pet shops supplying only 9% of new pet cats. The predominant single source of dog acquisition is from breed clubs or associations, with pet shops supplying only 15% of new pet dogs. [PIAS, 2011]
  - 'Impulse purchase' is an ill-defined term, and there is no evidence linking pet shop purchase with increased risk of relinquishment. In fact the opposite is true. Salman reports: "*Animals previously owned by friends were relinquished in higher numbers than animals from any other source. The next most common sources for dogs was from shelters, followed by breeders, previously owned by strangers, and strays. For cats, the next most common category source was stray, followed by shelters, and offspring of a cat they owned.*" [Salman et al]
  - The promotion of pet acquisition is not unique to pet stores – marketing techniques are also used by animal welfare organisations, rescue groups and council pounds alike. Examples can be seen at [www.petrescue.com.au](http://www.petrescue.com.au). All pet outlets, including shelters, pounds and retailers are operating in a competitive market to place pets into homes: shelters and rescue are now moving into the retail space [RSPCA, 2011]
5. Mandatory desexing has failed to generate the desired result in the ACT, and in every jurisdiction where it has been implemented globally
  - Although theoretically a sound approach, mandatory desexing has never worked in Australia or elsewhere in the world. This may be in part due to the already high level of voluntary compliance with desexing, the impracticalities of enforcement, the presence of high numbers of non-owned cats, or the complex array of factors that drive shelter entry. [Hayward] [Williamson 2, 2010]
6. The importance of animal shelters and pounds
  - There will always be a need for the community support services offered by animal shelters. ACAC congratulates the efforts of the ACT RSPCA shelter which has one of the best re-homing results in the country, through the progressive practices it has put into place in recent years. It is, however, unrealistic to expect

that the community will one day no longer require the services of shelters such as the RSPCA.

### **Key recommendations**

ACAC recommend the Exposure Draft be thoroughly reworked, as the rationale underpinning the proposed amendments is flawed and the Bill will therefore not achieve its desired objectives.

Further objective data must be collected to adequately identify the key drivers of entry of animals into ACT shelters. At present the picture in ACT is incomplete.

ACAC believes that all suppliers of pets have a responsibility to do so in an ethical and responsible manner, regardless of whether they operate as a charitable organisation or a commercial entity. Regulations ought to dictate a set of standards for all outlets that sell or re-home pets. In particular, a comprehensive permanent identification system which enables puppies and kittens to be traced to their source should be supported, together with a reliable system for the collection of data to enable key vulnerabilities to be objectively identified.

Further, ACAC believes that pet owners are entitled to choose where they acquire a pet. Pet selection should be based on research of the type of pet that best suits their lifestyle, regardless of the source of the pet. Not every pet in a shelter is ideal for every prospective pet owner, nor is every pet in a pet store. Regulation that increases the divide between the two outlets only creates further confusion in pet owners.

The role of education of the pet-owning and pet-buying public is a notable omission in the proposed amendments. Encouragement of responsible pet acquisition, appropriate health, socialisation and training needs for pets through education are key platforms that ACAC support.

ACAC recommends a further consultative process with expert input and meaningful data. We are able to assist in this process so that the outcome is significant in benefiting the welfare of companion animals .

As President of ACAC and a registered specialist in veterinary behavioural medicine, I would be happy to provide you with any additional scientific information and participate further in this process if required. I look forward to having the opportunity to meet with you. I can be contact through ACAC's Executive Officer – [officer@acac.org.au](mailto:officer@acac.org.au) or directly on 0427 353 711.

Regards,

Dr Kersti Seksel  
President, Australian Companion Animal Council

### **Further information about Australian Companion Animal Council**

The Australian Companion Animal Council (ACAC) is the peak body representing pet ownership and the pet industry in Australia. ACAC's purpose is to promote the benefits of socially responsible companion animal ownership to the wider community. It is a non-profit organisation.

Current members of the Australian Companion Animal Council comprise: Australian Veterinary Association, Australian Small Animal Veterinary Association, Australian National Kennel Council,

Animal Health Alliance (Australia), Animal Welfare League, Pet Food Industry Association of Australia, Pet Industry Association of Australia, Petcare Information and Advisory Service, Association of Pet Dog Trainers and Veterinary Manufacturers and Distributors Association.

ACAC provides a forum for the pet care industry to promote the benefits of socially responsible companion animal ownership to individuals, the community and all levels of government through:

- Research - Our research into pet population, the effects of pet ownership on individuals and families and the value pets bring to a community is highly regarded;
- Education - ACAC and many of its member organisations are involved in educational initiatives to promote socially responsible pet ownership, such as PetPEP and Safe Pets Out There (SPOT).
- Advocacy – ACAC works with local and state governments in developing policy, provides submissions to all levels of government and has representation on the Australian Animal Welfare Strategy Committee – a Federal Government initiative administered by the Department of Agriculture, Fisheries and Forestry.

ACAC's reputation has been built by its focus on evidence-based decision making.

#### References:

PIAA	Pet Industry Association of Australia 2011.
ACAC	The Contribution of the Pet Care Industry to the Australian Economy, 2010
Salman et al	Human and Animal Factors Related to the Relinquishment of Dogs and Cats in 12 Selected Animal Shelters in the United States, 1998, Journal of Applied Animal Welfare Science
Moore	Cat confinement - does it work? Steven Moore UAM 2001 Proceedings, Australian Veterinary Association
Buttriss	UAM 2001 No cat zone - City of Kingston Robyn Buttriss
Marston et al	CAT ADMISSIONS TO MELBOURNE SHELTERS A report to the Bureau of Animal Welfare, December 2006 - Linda Marston, Pauleen Bennett and Samia Toukhsati
Nassar et al	Am J Vet Res. 1982 Jan;43(1):167-70. Feline population dynamics: a study of the Manhattan, Kansas, feline population. Nassar R, Mosier JE.
Le Couteur, MLA	Animal Welfare Legislation Amendment Bill 2010 (Exposure Draft) Explanatory Statement
AIAM	Dogs 101 – <a href="http://www.aiam.com.au/resources/files/Dogs101_Brochure.pdf">http://www.aiam.com.au/resources/files/Dogs101_Brochure.pdf</a>
BAW	"Who's for cats?" Campaign Evaluation March 2009 Department of Primary Industries, Victoria
Hayward	Mandatory Desexing in the ACT – has it worked?
Williamson 1	<a href="http://www.savingpets.com.au/2011/01/more-on-overbreeding-of-dogs-in-australia/">http://www.savingpets.com.au/2011/01/more-on-overbreeding-of-dogs-in-australia/</a>
Williamson 2	<a href="http://www.savingpets.com.au/2010/11/10-years-of-mandatory-desexing-fails-to-decrease-cat-numbers/">http://www.savingpets.com.au/2010/11/10-years-of-mandatory-desexing-fails-to-decrease-cat-numbers/</a>
RSPCA	<a href="http://www.rspcansw.org.au/services/RSPCA_Care_Centre_Rouse_Hill">http://www.rspcansw.org.au/services/RSPCA_Care_Centre_Rouse_Hill</a>