

Dear Chair,

Banksia Park Puppies have been breeding dogs for over 50 years. We promote ethical dog breeding and we promote high levels of animal welfare. We have a strong history of compliance with all Codes of Practice applicable to dog breeding. We contributed to the development of the current Victorian code of practice which is considered the best in Australia. We aim to provide leadership in animal welfare for dog breeding practices, and to bring others up to the same standard. Our submission will be related to the RSPCA's role relating to dogs, puppies, and dog breeding.

Background

The Wellington Shire which is our local council has been very proactive in regards to enforcement of the Codes of Practice relevant to dog breeding, especially over the last decade. However, not all local government bodies across Victoria have taken such a robust approach. This has led to inconsistency in enforcement of the relevant codes of practice and animal welfare regulations which in turn has given rise to community concern about poor breeding practices.

Given the lack of enforcement activity in some local government areas, we have seen the RSPCA have to step in to deal with dog breeders who are not complying with the Code of Practice and those that are breaking the laws under the *Prevention of Cruelty to Animals Act 1986*

Summary

There are three key areas for improvement we seek to highlight with respect to the current Inquiry

- The RSPCA should look to work more closely with industry stakeholders in particular breeders to promote better welfare outcomes;
- There should be a clear distinction between the RSPCA's advocacy role and compliance and enforcement responsibilities;
- Improved information for prospective dog owners, on how to choose an ethical breeder.

These are discussed in detail below.

Working with industry stakeholders for better welfare outcomes

It has been our experience that in the past the RSPCA has been reluctant to work with dog breeders to collectively push for a better future.

The RSPCA has interacted with other industries such as with pigs and hens and we believe a similar engagement with breeders would be highly beneficial. There has not been a strategic focus on working with dog breeders to improve standards and welfare outcomes. Given our own commitment to improved industry standards, we would welcome greater engagement with the RSPCA on these issues to proactively deliver better animal welfare outcomes.

At Banksia Park Puppies we want to work with all State organisations involved in the welfare of animals to ensure a better life for animals. As one of the largest breeders in Victoria (with nearly 1 million visits to our website and over 1000 Banksia Park Puppies going to new families per year) we can see a huge benefit to working with the RSPCA and the local councils collectively to ensure a better life specifically for dogs and puppies.

This would include a better welfare standards for breeding mums and dads, a healthier upbringing for puppies including vaccinations and preventing unwanted pregnancies later in their life, and to ensure a low surrender rate of older dogs through community education and breed education programs (such as why you would choose one breed over another breed, and cross breed versus pure breed).

We have recently had positive meetings with the RSPCA to work together to collectively improve dog breeding practices and we would like to see this relationship continue. Our aim is to create a proactive approach to animal welfare where it is acceptable to purchase from ethical breeders, and clearly unacceptable to purchase from those who are not to that standard. We hope that this relationship could be built further between industry and those responsible for enforcing the code (the RSPCA and local government), so that we can together create higher compliance levels

This opportunity for greater collaboration on animal welfare will not be helped by the proposed changes to dog breeding legislation (the Government's 'puppy farm' bill). The legislation does nothing to practically improve welfare standards while significantly increasing the compliance and enforcement burden for bodies such as local councils without providing additional resources.

The bill will force reputable breeders out of business rather than support those breeders to continue their operations and play a leadership role in raising industry standards. It will also lead to the proliferation of backyard breeders to meet demand making the industry even harder to regulate and control

Clearer distinction between advocacy and enforcement

At Banksia Park Puppies we have the highest standards of animal and veterinary care, including socialisation, enrichment, and rehoming programs. We have a reputation as ethical breeders who comply with and exceed the required standards for dog breeding. We are open and transparent and invite our customers to visit us.

According to the RSPCA website (<http://www.rspcavic.org/issues/puppy-factories/>, accessed 15 Feb 2017). *“The RSPCA strongly opposes intensive breeding of animals, most notably puppies. Puppy factories **are large-scale**, commercial businesses that mass produce all kinds of puppies for sale.”* This RSPCA definition defines ‘puppy factory’ as **large-scale**, and by this definition includes Banksia Park as substandard which we are not.

We abide by the laws imposed by the State of Victoria and have a current registration by our local Shire which is given every year based on an audit of our business both of our records and our practices. In addition to this, other people within this industry also acknowledge our standards, with Paul Martin Vet and President of the Australian Veterinary Association after visiting Banksia Park stated “Banksia Park Puppies is a good role model in terms of breeding puppies with an excellent welfare outcome”.

The RSPCA has a stated position of opposing large-scale dog breeding and at the same time have enforcement responsibilities. This places a business such as Banksia Park in the unusual position of potentially being subject to enforcement action by a body which notionally opposes the regulations it is required to enforce. There needs to be greater clarity around the RSPCA’s enforcement and compliance responsibilities and advocacy role. It should not be in a position of being potentially conflicted by publicly advocating against businesses such as ours and at the same time being responsible for administering and enforcing the code and legislation to which we are subject.

Two of their 6 objectives in the 2015-2016 annual report are:

- “Enforcing the existing laws to prevent cruelty to animals.
- Influencing the amendment or development of legislation and standards considered necessary for the protection and welfare of animals.”

These two objectives have the potential to create confusion as to whether the RSPCA is an enforcement body or an advocacy organisation. The RSPCA’s own objectives are to enforce the existing laws, yet also to influence changes to the laws. For the RSPCA to be fully independent therefore, they should only be enforcing the existing laws and giving evidence where required so that educated decisions by others can be made.

We therefore agree with the finding in the RSPCA independent report that there is *“a perceived conflict of interest for the RSPCA, which on one hand is charged with the responsibility for enforcing (specific) State laws but on the other hand is engaged in activism against those same or related laws. This perception has caused reputational damage to the RSPCA and questioning of its capacity to operate as an independent body charged with enforcing Victoria’s prevention of cruelty to animals laws.”* (http://www.rspcavic.org/documents/RSPCA_IndependentReview_final.pdf, page 10)

Better assistance for the public on how to choose an ethical breeder

Some members in the community seek to buy a puppy or dog from a breeder as opposed to a shelter as they may have certain specific requirements such as they want a certain breed that they have not been able to find in a shelter or they have allergies or other medical conditions that require them to seek a specific breed.

The RSPCA are in a unique position to guide the public on where to get an ethically bred puppy so as to not support breeders with substandard conditions.

The RSPCA has brought out the Smart Puppy Buyer's guide and checklist in recent times which has been helpful for our customers and the public. The RSPCA has very recently given us permission

to publish the guide on our website whereas in the past we were not allowed to do so. We hope that we can continue to use resources from the RSPCA and to work with them to help customers be better educated on how to pick an ethically bred puppy.

The public are often confused as to who is an acceptable breeder to purchase a puppy from. The RSPCA approves many types of farming with their 'RSPCA approved farming scheme'. We would like to see a similar initiative used to help the community when they are buying a puppy.

For example, breeders who meet stringent approvals would be able to advertise as being acceptable ethical breeders through the RSPCA "tick program". Our business which is legal and compliant with regulations and the code of practice should be recommended as a reputable source of puppies for prospective customers.

This program would help create a proactive approach which would lift animal welfare standards by using buying pressure to push those who are not approved to improve their standards. This will bring up the compliance levels of the breeders through market demand and community expectations.