27 May 2019

To whom it may concern  
Dog Standards and Guidelines Consultation  
Animal Welfare Regulation  
Department of Primary Industries and Regional Development (DPIRD)  
Locked Bag 4  
Bentley Delivery Centre WA 6983

By email: dog.standards@dpird.wa.gov.au

Dear Sir/Madam

Submission on the draft Standards and Guidelines for the Health and Welfare of Dogs in WA

I am writing to you on behalf of RSPCA WA, to provide our written submission on the draft Standards and Guidelines for the Health and Welfare of Dogs in WA.

RSPCA WA is proud to have been actively involved in this initiative and overall, we welcome the draft Standards and Guidelines as a positive step towards improving dog welfare in WA. The Standards and Guidelines are a critical step towards ensuring all dogs receive at least an acceptable minimum level of care.

In particular, it is promising to see minimum requirements for basic physical health care, meeting behavioural needs, providing shelter, preventing dogs being left unattended in vehicles where they are at risk of heat stress, stopping the use of prong collars, minimum age at mating and a maximum number of litters.

However, RSPCA WA recommends several key changes in order for the draft Standards and Guidelines to achieve the stated purpose ‘to ensure the health and welfare of dogs kept in WA’. In particular, we recommend that the definition of a ‘domestic dog operation’ is revised down, a maximum number of breeding dogs per breeder is introduced, minimum space requirements apply to all dogs and electric shock collars are prohibited.

Thank you for considering our feedback. We look forward to hearing the results of the public consultation process.

If you have any questions or comments please do not hesitate to contact us.

Yours faithfully,

Iain Torrance  
Chief Executive Officer
# Draft Standards and Guidelines for the Health and Welfare of Dogs in Western Australia

## Public Submission Form

### Respondent information

<table>
<thead>
<tr>
<th>Company or association represented by this submission</th>
<th>Your name</th>
</tr>
</thead>
<tbody>
<tr>
<td>RSPCA WA</td>
<td>Iain Torrance</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Postal / business address</th>
</tr>
</thead>
<tbody>
<tr>
<td>PO Box 3147</td>
</tr>
<tr>
<td>Malaga WA 6945</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Email</th>
</tr>
</thead>
<tbody>
<tr>
<td><a href="mailto:rspca@rspcawa.asn.au">rspca@rspcawa.asn.au</a></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phone number</th>
</tr>
</thead>
<tbody>
<tr>
<td>(08) 9209 9300</td>
</tr>
</tbody>
</table>

### Consent to treat this submission as a public document

Your submission will be made public and published in full on the Department of Primary Industries and Regional Development (department) website unless you ask for it to be confidential. Your name will be included but your contact address will be withheld for privacy.

It is important to note that even if your submission is treated as confidential by the department, it may still be disclosed under the *Freedom of Information Act 1992* or any other applicable written law. Submissions that contain defamatory or offensive material will not be published.

Do you wish this information to remain private and confidential? (Please mark the applicable box).

<table>
<thead>
<tr>
<th>I acknowledge that this submission will be treated as a public document</th>
<th>This submission is confidential</th>
</tr>
</thead>
<tbody>
<tr>
<td>✅</td>
<td></td>
</tr>
</tbody>
</table>

If you have marked your submission as confidential, please identify any specific parts which you feel need to be kept private.

N/A
Feedback on the draft Dog Standards and Guidelines

1. Please indicate if you are any of the following:

☐ Companion dog owner
☐ Working dog owner
☐ Sporting dog owner
☐ Dog breeder
☐ Dog trainer
☐ Pet shop owner or employee
☐ Other pet business owner or employee
☐ Local government employee
☐ Local government elected member
☑ Rescue organisation employee or volunteer (including foster carer for dogs)
☐ Veterinarian
☐ Veterinary nurse
☐ I do not own or care for a dog
☐ Other (please specify) ______________________

2. Should people who own or keep dogs have to comply with minimum standards for the health and welfare of dogs?

Strongly agree – RSPCA WA strongly agrees that people who own or keep dogs should have to comply with acceptable minimum standards for the health and welfare of dogs. Mandatory minimum standards also have overwhelming community support with 93% of respondents to the 2018 ‘Stop Puppy Farming’ public consultation supporting their introduction (DLGSC 2018).

Sadly, RSPCA WA regularly encounters situations where dogs are poorly treated but the conduct falls short of the criminal standard of cruelty as outlined in s.19 of the Animal Welfare Act 2002. As current legislation is largely cruelty based rather than animal welfare based, this can limit capacity to render assistance in cases where inadequate or inappropriate care leads to poor animal welfare before they escalate to animal cruelty. Cases of puppy farming and irresponsible and indiscriminate dog breeding are prime examples of the types of cases where the standard of animal care falls well below what is acceptable. These cases illustrate the urgent need for mandatory minimum standards to facilitate intervention and prevention.

Dogs require at least an acceptable minimum level of care clearly delineated in the form of minimum standards. The minimum standards should be based on sound scientific evidence (Mellor and Bayvel 2008) and be mandatory that is, regulated under the Animal Welfare Act 2002. The compliance regime supporting the standards should be adequately resourced to ensure dogs in WA receive at least an acceptable minimum level of care.
3. Should people who breed dogs have to comply with minimum standards for the health and welfare of dogs?

Strongly agree – RSPCA WA strongly agrees that people who breed dogs should have to comply with acceptable minimum standards for the health and welfare of dogs and these standards should apply to all dog breeders.

There is overwhelming community support for breeders to meet acceptable minimum standards. In the 2018 ‘Stop Puppy Farming’ public consultation, the majority of stakeholder groups expressed overall support of >90% for the introduction of minimum standards for dog breeders. For example, 87% of respondents supported legal restrictions on the number of litters a breeder can produce from a female dog during her lifetime (Culture Counts for DLGSC 2018). Over 50% of dog breeders and livestock working dog owners also supported the introduction of minimum standards for people who breed dogs (Culture Counts for DLGSC 2018).

In addition to safeguarding the welfare of dogs, minimum standards for dog breeding may prevent the financial and emotional distress that West Australians experience when they are left to deal with the devastating consequences of irresponsible and indiscriminate dog breeding. The consequences can include puppies and dogs suffering from debilitating physical illnesses and significant behavioural problems as the result of factors including indiscriminate mating, poor socialisation, inadequate preventative health care, poor nutrition and unsanitary housing (McMillan et al 2011, Wauthier et al 2018).

Sadly, RSPCA WA regularly encounters situations where dogs are suffering as the result of irresponsible and indiscriminate breeding. Numerous entire (undesexed), pregnant, lactating, sick, injured and abandoned dogs and their litters come into our care. They are suffering from significant physical and psychological consequences that have been associated with irresponsible and indiscriminate breeding. Cases include entire female dogs surrendered to RSPCA WA suffering from life-threatening uterine infections that require emergency surgery. Cases include ‘Angel’, an emaciated pregnant dog who gave birth to eleven pups just a few days after her arrival at RSPCA WA and the ‘Kalgoorlie 13’, thirteen mix-breed puppies surrendered to RSPCA WA by a backyard breeder who failed to provide adequate care during their mother’s birthing complications. Their mother did not make it through labour. Cases include the ‘Narrogin 9’, nine puppies dumped by a creek at just 1-2 weeks old and forty-six dogs and puppies surrendered by a ‘designer puppy breeder’ suffering from a range of physical and behavioural issues. These cases and many more like them highlight the urgent need for all people who breed dogs to have to comply with minimum standards for the health and welfare of dogs.
4. Should people who care for dogs in a domestic dog operation have to comply with additional minimum standards for the health and welfare of dogs?

Strongly agree- RSPCA WA strongly agrees that people who are responsible for dogs in a domestic dog operation should have to comply with additional minimum standards. An overwhelming majority (>90%) of respondents in the 2018 ‘Stop Puppy Farming’ public consultation also supported additional standards for domestic dog operations including over 70% of dog breeders, over 80% of veterinarians and over 90% of dog owners (Culture Counts for DLGSC 2018).

Additional standards should apply to all people managing large numbers of dogs. The additional standards are reasonable and are essential to ensure a minimum level of care is afforded at an individual and population level including:

• Record keeping – to ensure monitoring, traceability, treatment and follow-up
• Human resources – to ensure there is a sufficient number of people to care for dogs
• Puppy socialisation – to ensure puppies grow up into mentally healthy dogs and associated benefits for dogs, owners and the community eg. reducing the rate of behavioural issues that contribute to dog attacks and dog bites (Thompson et al 2010)
• Hygiene and biosecurity - to prevent disease transmission between dogs

RSPCA WA recommends that these reasonable and essential additional standards apply to breeders with ≥3 breeding females (please see response to Q5) as well as shelters, pounds, pet shops and boarding premises where dogs are kept overnight or during the day (as outlined in the draft document).
5. Do you think that the proposed standards and guidelines in the document reflect community values and expectations for the acceptable treatment of dogs?

Somewhat agree/somewhat disagree – RSPCA WA believes there are some proposed Standards and Guidelines in the document that reflect community values and expectations for the acceptable treatment of dogs including but not limited to minimum requirements for:
- Basic physical health care
- Meeting behavioural needs
- Providing shelter
- Preventing being left unattended in vehicles where they are at risk of heat stress
- Stopping the use of prong collars

However, there are key aspects of the standards that fail to reflect community values and expectations. Some of the proposed WA standards are also inconsistent with other national and international standards and legislation. In parts, the standards are not consistent with contemporary scientific evidence.

In particular, RSPCA WA recommends the following standards be urgently revised in order for the document to achieve its stated purpose which is to ensure the health and welfare of dogs kept in WA:
- Dog breeding standards
- Electronic shock collars
- Minimum space requirements

**Dog breeding standards**

Mandatory dog welfare standards are one of the central tenets of the ‘Stop Puppy Farming’ reforms. In principle, RSPCA WA welcomes the concept of Standards relating to dog breeding including minimum age at mating, maximum number of litters and additional standards for domestic dog operations. However, we question whether the proposed definition of a ‘domestic dog operation’ and lack of upper limit for the number of breeding females are sufficient to ‘Stop Puppy Farming’ and prevent over-breeding and irresponsible and indiscriminate dog breeding more broadly.

Let us consider the following -

"In this document a domestic dog operation is a person who owns five or more fertile bitches that are kept for the purposes of breeding and selling dogs
S15.1 (d) a bitch must not be mated until she is at least twelve months of age
S15.3 (a) a bitch must not produce more than two litters in any eighteen month period and (b) must not produce more than five litters before being retired from breeding."

Conceivably, a person could keep four bitches for the purposes of breeding and selling dogs. As per the proposed Standards, if the four bitches are mated at twelve months and produce two litters in any eighteen month period to a maximum of five litters, the person could produce ~100 puppies over a period of a few years (using an estimated average of five puppies per litter). Yet under the proposed standards, this person would not be considered a ‘domestic dog operation’ and would not have to keep records, ensure there is a sufficient number of capable people to care for the dogs, follow a puppy socialisation program or undertake biosecurity measures to prevent disease transmission between dogs. Hence, we question whether the breeding standards and definition of ‘domestic dog operation’ meet community expectations or are sufficient to ‘Stop Puppy Farming’.
The Standards fail to meet the community expectation of a maximum limit on the number of breeding dogs a person can keep for the purposes of breeding and selling. In the 2018 ‘Stop Puppy Farming’ public consultation, there was 86% support for a maximum number of dogs per breeder (Culture Counts for DLGSC 2018). Several cases of irresponsible and indiscriminate dog breeding in WA have involved breeders keeping large numbers of breeding dogs for example, ‘the bunker puppy farmer convicted of animal cruelty’, ‘south perth backyard breeder’ and ‘north perth backyard breeder’. Given that the proposed standards form a central tenet of the ‘Stop Puppy Farming’ reforms and a key feature of these cases is the keeping of large numbers of breeding dogs, it seems appropriate for the standards to place a maximum limit on the number of breeding dogs a person can keep. If a cap on the number of breeding dogs is not to be included by DPIRD in the Standards, this must be a matter for the Department of Local Government to include under proposed reforms to the Dog Act 1976.

Electric shock collars

The proposed Standards fail to reflect community values and expectations that electric shock collars must not be used on dogs. A 2017 change.org petition signed by 38,959 signatories and addressed to the WA Director of Animal Welfare Regulation, called for aversive devices including electronic shock collars to be banned (Bowes 2017). The sentiments expressed in this survey, reflect Australian community values and expectations more broadly. Indeed, the use of electric shock collars is prohibited in other Australian states and territories including ACT, NSW and SA. A recent nationwide ABC News Radio poll asked “After trainer Darren Weir’s disqualification for possessing jiggers, should we reconsider how we handle all animals in our care” and 65% of respondents selected “yes, time to phase out other electrical aids like…dog collars” (ABC News Radio 2019). This expectation is echoed overseas with many countries, including England most recently, legislating or intending to legislate to protect dogs from being electric shocked (Mills 2018).

Under the current WA Animal Welfare (General) Regulations 2003 Part 2 – Offences against animals s.3 “a device other than an electric fence that is designed or modified to deliver an electric shock to an animal” is classified as an inhumane device. Inexplicably, the same piece of legislation that classifies electric shock collars as inhumane devices, expressly permits their use on dogs.


In summary, contemporary scientific evidence supports the prohibition of electric shock collars on dogs. The use of electric shock collars is associated with physical harm (eg. discomfort, pain, injury), mental harm (eg. fear, anxiety, phobia, learned helplessness) and damage to the human animal bond (Masson et al 2018a). These concerns have been raised for pet dogs (Rooney and Cowan 2011), livestock working dogs (Arnott et al 2014), police dogs (Schilder and van der Borg 2004) and military dogs (Haverbeke et al 2008). Electric shock devices are tools for deliberate or unwitting animal abuse (Whiting 2016).

In addition to harm to individual dogs, it has been suggested that aversive punishment-based methods may constitute a public health risk factor for dog bites (Ó Súilleabháin, 2015). This concern arises from scientific evidence that aversive punishment-based methods “may provoke fearful or defensively aggressive behaviour” (Herron et al 2009) and “increase aggression towards people” (Arhart et al., 2010; Rooney and Cowan, 2011).
There is no evidence that aversive methods such as electric shock are more effective than reward based methods for animal training. On the contrary, there is evidence indicating reward based methods are more effective (Ziv 2017).

Peak professional veterinary and dog training organisations in Australia and overseas warn against the use of electric shock collars:

- The Australian Veterinary Association (AVA) draft policy recently released for review in February 2019 states “Behaviour-modifying collars such as e-collars, citronella, prong and choke collars, must not be used on dogs. This is because they are designed to cause unpleasant experiences such as pain, discomfort and fear” (AVA 2019)

- The New Zealand Veterinary Association (NZVA) “does not support the use of electronic behaviour modifying collars (e-collars) that deliver aversive stimuli for the training or containment of dogs” and assert that “Positive reinforcement training methods are an effective and humane alternative to e-collars for dog training” (NZVA 2018)

- The European Society of Veterinary Clinical Ethology (ESVCE) “strongly opposes the use of e-collars in dog training” (Masson et al 2018)

- The British Veterinary Association (BVA) support the ban on electric shock collars in England “in order to help protect animal welfare” (BVA 2016)

- The Pet Professional Guild (PPG) International Position Statement on the Use of Shock in Animal Training states – “It is the PPG’s view that electric shock in the guise of training constitutes a form of abuse towards pets, and given that there are highly effective, positive training alternatives, should no longer be a part of the current pet industry culture of accepted practices” (Tudge and Nilson 2017) and PPG Australia (PPGA) recommends “banning the sale of electric stimulation devices and all related training and control aids” (Calnon and Bridge 2008, PPGA 2019a)

The RSPCA is opposed to the use of any devices which deliver electric shock for the purpose of modifying an animal's behaviour or performance. Such devices are inhumane as they inflict pain, involve punishment and can be used to abuse animals (RSPCA 2016).

RSPCA WA strongly advocates for the Animal Welfare (General) Regulations 2003 to be changed to prohibit the use of electric shock collars. As per the process for ‘drafting and making subsidiary legislation’, we urge DPIRD and the WA government to take the necessary steps to prohibit the use of electric shock collars on dogs in line with scientific evidence, other Australian and overseas jurisdictions, and community values and expectations.
6. Do you think that complying with proposed minimum standards in Part 2 - General Care of Dogs will increase the cost of owning a dog?

**Somewhat agree/somewhat disagree -** It is likely that there are responsible dog owners and breeders in WA who already meet or exceed the proposed minimum standards in ‘Part 2 – General Care of Dogs’ including identification, housing, transport, health care, food, water, training and exercise. For people who already meet or exceed the proposed standards, there will be no increase in the cost of owning a dog.

For people who do not yet meet the proposed minimum standards, there may be additional costs for tasks such as establishing weatherproof shelter of an appropriate size, providing bedding and putting aside funds for food and veterinary expenses. These are all critical aspects of responsible dog care and are essential to ensuring the health and welfare of dogs kept in WA, which is the purpose of the Standards as stated.

As a charitable organisation that is responsible for the care for dogs, RSPCA WA genuinely appreciates the challenges associated with raising sufficient funds to meet the costs of dog care. We would welcome further support to assist people to understand the costs prior to assuming the responsibility of dog care and to assist people who are struggling to meet the financial commitments of dog ownership.

7. Comments or issues relating to Part 2 - General Care of Dogs of the draft Dog Standards and Guidelines. Please indicate the page, section and title for each part being commented on.

If applicable, please identify any evidence of likely costs, benefits or other impacts that may arise from the proposed Standards and Guidelines.

<table>
<thead>
<tr>
<th>P</th>
<th>Section</th>
<th>Title</th>
<th>Comments</th>
<th>Cost/benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>Introduction</td>
<td>Scope and application</td>
<td>RSPCA WA questions the definition of a ‘domestic dog operation’ as ‘a person who owns five or more fertile bitches…’</td>
<td>Please see response to Q5</td>
</tr>
<tr>
<td>3</td>
<td>Interpretation</td>
<td>Definition of ‘experienced dog trainer’</td>
<td>Use of the phrase ‘correcting behavioural problems’ may be a concern because a focus solely on ‘correction’ is not an ideal training approach from a welfare perspective</td>
<td>“One of the concerns raised by the reported prevalence of ‘correction’ as an approach to training is that there is a higher risk of animal welfare being compromised when ‘correction’ is used in the absence of an understanding of learning theory” (Branson et al 2009)</td>
</tr>
<tr>
<td>11</td>
<td>Transport</td>
<td>-</td>
<td>RSPCA WA recommends adding a Standard to prevent extreme confinement of dogs for prolonged periods of time in transport vehicles (eg. cages in a trailer) as extreme confinement for prolonged periods of time is a recognised stressor in animals (Moberg 2000).</td>
<td>The proposed space requirements are only dealt with in the context of housing, transport on the open back of a moving vehicle and crates eg. S3.3 “Dogs need to be able to stand, lie down with limbs extended, stretch”. Space requirements should also apply when a dog is being confined for a prolonged period in a transport vehicle eg. cages in a trailer. There are precedents for such minimum space requirements eg. the Victorian Code of Practice for the Private Keeping of Dogs “Dogs being transported in a cage or other appropriate container must be able to comfortably stand, turn around, lie down and act normally” and the Transport section of the RWWA Code of...</td>
</tr>
</tbody>
</table>
Practice for the Keeping of Racing Greyhounds (April 2019) states – “Greyhounds must be afforded sufficient room to enable them to sit and/or stand comfortably and without restriction”. A Standard should be added to ensure no dogs in WA are subject to prolonged periods of extreme confinement inside transport vehicles/trailers.

<table>
<thead>
<tr>
<th>20</th>
<th>Electronic collars</th>
<th>Minimum standards: electronic collars</th>
<th>RSPCA WA strongly advocates for electric shock collars to be prohibited for use on animals including dogs</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td></td>
<td>Please see response to Q5.</td>
</tr>
<tr>
<td>20</td>
<td>Restraint</td>
<td>G12.7</td>
<td>Choke collars can cause physical damage (e.g., to the trachea, increase intra-ocular (eye) pressure, in extreme cases brain damage has been documented) and psychological damage from the use of punishment (Guilherme Fernandes et al 2017). With this in mind and the myriad of available alternatives, it would be appropriate for the guideline to recommend that choke collars should not be used on dogs. It is “the position of The Pet Professional Guild (PPG) that the use of collars and leads that are intended to apply constriction, pressure, pain or force around a dog’s neck (such as choke chains and prong collars) should be avoided” (PPGA 2019b). RSPCA Australia is opposed to the use of choke chain collars as they involve aversive stimuli (choking) and punishment (RSPCA Policy 7.5.5).</td>
</tr>
<tr>
<td>24</td>
<td>Breeding dogs</td>
<td>G15.8</td>
<td>Inherited disorders pose a risk to animal welfare and genetic screening tests are one way to potentially reduce the risk (McGreavy and Nicholas 1999). However, there is only a benefit to the cost of running a genetic screening test, if the results of that test are actually used to inform breeding decisions.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Minimum space requirements should apply to all dogs. If people including livestock working dog owners need time to provide enclosures that at least meet the minimum sizes outlined in Table 1, a reasonable phase in time could be considered but S3.3 should not be grandfathered, that is pre-existing enclosures should not be exempt from these requirements otherwise the Standard is meaningless and dogs in WA will still be confined to existing enclosures that do not meet the minimum requirements.</td>
</tr>
<tr>
<td>34</td>
<td>Appendix 1</td>
<td>Minimum space</td>
<td>All dogs should be afforded the same minimum space requirements including livestock working dogs. For example, the average height of a kelpie at the shoulder ~39-51cm so as per Table 1, minimum floor area should be 2.4m² not 2m², minimum width should be 100cm not 90cm and internal height should be 180cm not 95cm.</td>
</tr>
</tbody>
</table>

G12.7 is just a voluntary guideline about the use of choke chains on dogs. RSPCA WA would recommend G12.7 states that choke collars should not be used on dogs as they cause pain, distress and significant physical injury and there are a variety of more humane alternatives.
8. Do you think the key issues about the general care of dogs have been adequately addressed in Part 2 of the draft Dog Standards and Guidelines? Please provide any suggestions for alternative options.

**Standard 1.3 Ear tattooing**
Ear tattooing of conscious dogs is a painful procedure. Concerns about ear tattooing conscious dogs as part of breed specific schemes have led some breed associations to abandon their tattoo schemes eg. The [German Shepherd Council of Australia](https://www.gscsa.org.au) Tattoo Scheme ceased 1 July 2017.

S1.3 intends to ensure that painful ear tattooing is not performed on conscious dogs. However, DPIRD has proposed exempting RWWA’s greyhound ‘ear branding’ of conscious 12 week old greyhound puppies. RSPCA WA understands that there are particular identification and traceability concerns which are unique to racing greyhounds and not all greyhound owners and breeders have ready access to microchip readers necessitating other forms of indelible on-the-spot individual identification. However, ear tattooing is still a painful procedure. Hence, if exemption for the RWWA ear tattooing scheme is granted we would strongly recommend that RWWA be required to explore the use of topical pain-relief agents eg. EMLA cream which has been shown to relieve tattoo associated pain in other species (Keating et al 2012).

Indeed, the [Greyhounds Australasia Review into Microchipping](https://www.greyhoundsaus.com.au) acknowledges that “Potential welfare issues associated with ear branding include discomfort for an ear branded pup may last up to 7 days, initial pain, noise of ear brand gun often distresses pups [and] timidness can eventuate after ear branding”. During the review, an experienced NSW greyhound vet, stated - “The ear brand – tattoo system often raises concerns where tattoos are faded, smudged and sometimes ineligible... For stewards to clearly identify tattoos for racing integrity purposes this can be difficult...the ear imprinted second is often almost indistinguishable as the pup is aware of the procedure and struggles when this second tattoo is applied...as an AQIS accredited vet I have the necessity to read many greyhound ear brands and at least 25% are not possible to identify...It is time to question the validity of persisting with an identification system that has existed for centuries, that has accepted inadequacies and failures” (Greyhounds Australasia Microchip Sub Committee 2008). These concerns suggest that if the racing greyhound tattooing scheme is granted exemption from S1.3, procedures may need refinement to address animal welfare issues.
9. Comments or issues relating to Part 3 - Domestic dog operations of the draft Dog Standards and Guidelines. Please indicate the page, section and title for each part being commented on.

If applicable, please identify any evidence of likely costs, benefits or other impacts that may arise from the proposed Part 3 Standards and Guidelines.

<table>
<thead>
<tr>
<th>P</th>
<th>Section</th>
<th>Title</th>
<th>Comments</th>
<th>Cost/benefit</th>
</tr>
</thead>
<tbody>
<tr>
<td>27</td>
<td>Section 1</td>
<td>Scope and application</td>
<td>RSPCA WA urges reconsideration of the definition of a ‘domestic dog operation’ as a person who owns five or more fertile bitches. We have concerns that the current definition is too high to effectively ‘Stop Puppy Farming’ and indiscriminate dog breeding more broadly. Please see response to Q5. In addition, further clarification may be required to ensure it is clear that where dog breeders are keeping breeding females across several different properties (which occurs in WA), that the total number of breeding females includes all the dogs of which they are a ‘person in charge’ as defined in the Animal Welfare Act 2002 regardless of whether they are the registered owner as defined under the Dog Act 1976 (as breeders often have their breeding dogs registered under different people).</td>
<td></td>
</tr>
<tr>
<td>29</td>
<td>Section 3</td>
<td>Housing requirements</td>
<td>Lack of ventilation and high ammonia levels are often associated with puppy farms (Towsey 2010). Lack of ventilation and noxious gases such as ammonia can physically harm dogs including their eyes, nose and respiratory tract as well as potentially causing distress (Hurt et al 2015). Hence, it is important to set appropriate upper limits for ammonia. RSPCA WA recommends that the upper limit for ammonia in S15.3.2 (b) is revised down as it does not appear to be consistent with available guidelines for the welfare of dogs and other animals and is likely to be insufficient to protect dogs from the harmful effects of noxious gases. An upper limit of 25ppm in S15.3.2 is likely to be too high. The Association of Shelter Veterinarians (2010) Guidelines for Standards of Care in Animal Shelters state - “Although some of the regulations for concentrated animal feeding operations cite minimum ammonia levels at or below 10ppm, acceptable levels in a shelter should be less than 2ppm (G. Patronek 2010, unpublished data). In properly run shelters, ammonia should be below this level even before morning cleaning”. Upper limits for ammonia for other animals are generally lower than that in S15.3.2. For example, in the WA Code of Practice for Poultry (currently regulated under the Animal Welfare Act 2002), “The presence of ammonia is usually a reliable indicator of a build-up of noxious gases. A level of 10-15ppm of ammonia in the air can be detected by smell and once reached corrective action should be taken. If ammonia levels reach 20ppm at bird level in enclosed buildings immediate corrective action must be taken. Ammonia levels from 25-35ppm will cause eye and nasal irritation in humans”</td>
<td></td>
</tr>
</tbody>
</table>
10. Do you think the key issues about the care of dogs in a domestic dog operation have been adequately addressed in Part 3 of the draft Dog Standards and Guidelines? Please provide any suggestions for alternative options.

Somewhat agree/somewhat disagree – The Standards in Part 3 cover key areas including record keeping, human resources, puppy socialisation, hygiene and biosecurity but these issues will only be adequately addressed if the Standards apply to all people breeding significant numbers of dogs. Hence, RSPCA WA urges the definition of a 'domestic dog operation' to be adjusted down from "a person who owns five or more fertile bitches" to three or more. Please see response to Q5.

In addition, particularly as these Standards constitute an integral part of the proposed ‘Stop Puppy Farming reforms’, a suitable upper limit on the number of breeding females must be incorporated into either these Standards or into the Dog Act 1976 to prevent the animal welfare risks associated with large scale puppy farms (McMillan et al 2011). Please see response to Q5.

11. Other comments

Overall, RSPCA WA welcomes the draft WA Animal Welfare Standards and Guidelines for Dogs as a positive step towards improving dog welfare in WA.

The current Animal Welfare Act 2002 is largely animal cruelty focused law which is constructed on a reactive offence-based approach. This legislation deals with acts of blatant cruelty when the conduct is sufficiently serious to lead to a criminal prosecution. However, the experience of RSPCA WA is that we regularly face situations where animals are being poorly treated or neglected but the conduct falls short of the criminal standard of cruelty. This can limit capacity to intervene in cases of poor animal welfare before they escalate to cruelty.

It would be preferable for WA to have more animal welfare focused law in addition to animal cruelty focused law. Animal welfare focused law, emphasising the need for providing adequate care, would allow for earlier intervention when welfare is poor, before it escalates to animal cruelty as defined in the Act. Provided the Standards are regulated and implemented effectively, we hope they will address this gap and ensure that all dogs receive at least an acceptable minimum level of care.

While some critics of the draft Standards and Guidelines have attempted to portray them as not addressing genuine concerns, this runs contrary to RSPCA WA’s daily experiences of the realities of poor dog welfare in WA. The Standards cover a variety of welfare concerns RSPCA WA encounters on a regular basis including dogs suffering as the result of failure to provide basic health care, inadequate shelter, behavioural deprivation, unsafe transport, painful forms of restraint and the devastating consequences of irresponsible and indiscriminate dog breeding.

Minimum requirements for the provision of basic health care, adequate shelter, meeting behavioural needs, safe transport and responsible dog breeding are welcomed as well as prohibition of painful prong collars. However, RSPCA WA has several key concerns and strongly advocates for electric shock collars to be prohibited, for minimum space requirements to apply to all dogs including livestock working dogs and for the numbers of breeding female dogs in the definition of 'domestic dog operation' to be adjusted down to safeguard dog welfare.

27 May 2019
References


Blackwell, E. J et al. (2012). The use of electronic collars for training domestic dogs: estimated prevalence, reasons and risk factors for use, and owner perceived success as compared to other training methods. BMC Veterinary Research 8, 93


Cooper, J. J et al. (2014). The welfare consequences and efficacy of training pet dogs with remote electronic training collars in comparison to reward based training. PLOS One 9, e102722.


PPGA (2019b) Pet Professional Guild Position statement on the use of choke and prong collars
https://www.ppgaustralia.net.au/chokeandprongcollarpositionstatement


Ó Suilleabháin, P. (2015). Training methods and dog–owner interaction as a public health risk
factor for dog bites. *Zoonoses and Public Health*, 62(6), 489–489


PPG (2019) Position statement on the use of choke and prong collars  
[https://www.ppgaustralia.net.au/chokeandprongcollarpositionstatement](https://www.ppgaustralia.net.au/chokeandprongcollarpositionstatement)

doi: [10.1016/j.applanim.2011.03.007](https://doi.org/10.1016/j.applanim.2011.03.007)

RSPCA (2014) Policy 7.5.5 Choke chain collars  

RSPCA (2016) Policy 7.2.2 Devices to modify behaviour or performance – Electric shock devices  


- END -