



RSPCA
Submission

IMPROVING DOG WELFARE OUTCOMES IN TASMANIA

December 2024

INTRODUCTION

The Royal Society for the Prevention of Cruelty to Animals Tasmania is a not-for-profit charity that has a proud 140-year history of protecting animals.

The RSPCA's core purpose is animal welfare, with a focus on the key pillars of protecting animals, educating the community and advocating for better animal welfare laws.

RSPCA Tasmania welcomes the opportunity to contribute to the Tasmanian Government's Improving Dog Welfare Outcomes in Tasmania review.

This is an invaluable generational opportunity for Tasmania to lead the way and set the national standards for animal welfare in Australia.

As it stands, Tasmania's current laws and regulations are broken. The existing Animal Welfare Act 1993, Dog Control Act 2000 and the Animal Welfare (Dogs) regulations 2016 have failed in many ways, including effectiveness and enforceability.

This was clearly highlighted by the case of Tasmanian Labradoodles. Tasmanian Labradoodles was able to grow into the state's largest puppy farm and hundreds of dogs, if not thousands, were born into poor health and horrific conditions.

The RSPCA first brought 70 charges for over breeding against the owners of Tasmanian Labradoodles in early 2023. The charges related to alleged overbreeding between April 2021 and February 2023, under the Animal Welfare (Dogs) Regulations 2016

It took a three-year fight for the RSPCA to finally succeeded in forcing the immediate and permanent closure of Tasmanian Labradoodles, with a landmark out of court Agreement on July 19, 2024.

While this was an historic win for animal welfare in Tasmania, the ultimate victory will be ensuring this can never happen again by changing Tasmania's laws.

The RSPCA Tasmania submission outlines several changes to Tasmania's laws, critically the introduction of a cap of 10 breeding bitches at a facility and a maximum of four lifetime litters. This will result in a ban on puppy farms and introduce the strongest laws in the country.

On July 30, Minister Jane Howlett told Parliament that the Government: *"never want to see this situation ever happen again in Tasmania. That's why this Government is undertaking a review of the Animal Welfare (Dog) Regulations Act 2016 to prevent overbreeding, stamp out puppy farms and improve welfare for all dogs..."*

The RSPCA thanks Minister Howlett for leading this process to improve dog welfare and strengthen the regulatory and legislative framework. The RSPCA is committed to the continuous improvement and strengthening of animal welfare standards in Tasmania. This submission is focussed on making sure this happens in the most effective way possible.

OVERVIEW

The RSPCA's submission is based on research and evidence-based practices that provide a comprehensive framework for improving the welfare of dogs in Tasmania.

Since the Dog Regulations 2016 were drawn from the Animal Welfare Act 1993, considerable changes have been made as to how the RSPCA Australia views dog wellbeing .

As of 2020, the RSPCA nationally uses the Five Domains Model of Animal Welfare when considering the lived experience of animals in humans' care.

This model is also used widely globally and ensures both positive and negative experiences are considered in the overall mental state and welfare of animals.



In response to the review, the RSPCA's submission will address each of the key themes set out in the Discussion Paper, with additional recommendations as required.

These include critical changes including laws that ban puppy farms, secure mandatory registration for breeders and deliver a Code of Practice for breeders and facilities.

The changes include strengthening existing requirements as well as introducing new measures that will ensure dogs are better protected in Tasmania.

Importantly, they will also bring Tasmania in line with, and in some cases better than, other jurisdictions to ensure we do not become a haven for breeders looking to subvert laws in other jurisdictions.

Theme 1 - Breeders and Breeding

2.1.1 Fertile female numbers within breeding enterprises

Recommendation

- Introduce a limit of 10 breeding bitches within breeding enterprises.

Tasmania does not currently have a limit on the number of breeding bitches at a breeding enterprise. Having a limit is critical to banning puppy farms in Tasmania.

When setting a limit, Tasmania must ensure the cap aligns with Tasmania's size and that we have the strongest cap of any state or territory – ensuring we do not become a target for breeders from other jurisdictions.

The RSPCA recommends a limit of 10 breeding bitches at a breeding enterprise.

Smaller breeding cohorts ensures great individual attention and care for dogs and reduces the health and safety risks associated with overcrowding.

It is worth noting that the existing standards require a minimum staff to dog ratio of 1:20, it will be important to continue to remind breeders of this requirement.

2.1.2 Welfare of breeding bitches

Recommendations

- A minimum breeding age of 18 months.
- A maximum breeding age of 6 years.
- A maximum number of lifetime litters totalling 4.
- Breeding on consecutive cycles, if approved by a vet.
- A bitch must have had at least one cycle (oestrus cycle) before mating.
- No breeding if a bitch has previously (a) given birth by caesarean or (b) suffered a failure to carry a litter to term more than 42 days after mating.
- Mandatory desexing of retired bitch within 6 months.
- Bitches only to be bred if reasonable expectation of finding a home for puppies.
- Mandatory reporting of litters.

Tasmania's existing legislation does not provide adequate protections for breeding bitches.

The introduction of number of mandatory requirements around age, total litters and desexing is critical to upholding the highest standards of animal welfare and improved maternal health.

It is important to note that animals should not be bred before they are fully grown, and skeletal maturity is breed-specific and should be checked before breeding is initiated.

As such the RSPCA recommends a minimum breeding age of 18-months and a maximum breeding age of 6 years.

The introduction of a maximum number of litters totalling 4 is critical, especially in the context of allowing breeding on consecutive cycles. The limit ensures bitches do not endure excessive breeding and can retire from breeding at an appropriate age.

The introduction of mandatory desexing for retired breeding dogs will also prevent unregulated breeding and support the welfare of dogs later in life. It also has the added benefit of a vet having interacted with the animal after breeding, potentially identifying any dental or medical conditions.

2.1.3 Breeding heritable conditions

Recommendations

- Mandatory comprehensive vet assessments before each breeding cycle (or, within 4 weeks of mating or yearly (whichever is sooner).
- Mandatory genetic screening before each breeding cycle for breed-specific conditions.
- Banning the breeding of dogs found to have heritable defects that cause disease.

Tasmania's existing legislation does not have any requirements regarding breeding heritable conditions.

The introduction of mandatory vet checks and genetic screening should be required before each breeding cycle. The early detection of health risks improves breeding outcomes and reduces the incidence of inherited conditions in puppies.

Additionally, the banning of the breeding of dogs found to have heritable defects that cause disease will ensure informed breeding decision and stop the continued breeding of health issues that compromise animal welfare.

Theme 2 – Identification, Tracing and Licensing

2.2.1 Microchipping of puppies

Recommendation

- Mandatory microchipping at 8-12 weeks of age.

Early microchipping ensures breeders are held accountable and allows for traceability in the event of welfare concerns or abandonment.

RSPCA Australia's studies show that microchipping significantly improves rehoming rates for lost dogs and discourages unethical breeding practices.

2.2.2 Kennel licence assessments and 2.2.3 Identification of Breeders

Recommendations

- Mandatory registration and licence for all breeders.
- Code of Practice for breeders and facilities.

The RSPCA considers the mandatory registration and licence of all breeders, and associated Code of Practice should be introduced in Tasmania.

The licence would include terms and conditions that relate to animal welfare standards outlined above – such as the number of breeding bitches at the property, microchip details, and the recording of litters for each bitch.

The licence would also relate to a Code of Practice for breeders and facilities, which can be enforced.

This will ensure there is a one-stop-shop for breeders to register. And, importantly, it will ensure there is a single point of register for all breeders that is accessible to the RSPCA, the Department of Natural Resources and Environment and councils to access for monitoring, compliance and inspection purposes.

It would also provide a breeder's licence number or something similar to breeders, which must be identified at the point of sale and advertisements, such as social media.

This would provide a searchable identification number that consumers can check against the public register, giving dog-owners a new level of scrutiny and comfort that they are buying from a reputable breeder.

RSPCA Tasmania considers the South Australian model as the gold standard – all dog breeders are required to register and meet several requirements in relation to breeding and selling animals.

A 2022 review of these mandatory changes in South Australia found:

** “Initial registration requirements have increased knowledge of who the breeders are in South Australia, created a database of breeder information which can be drawn on, and increased awareness with buyers about the requirements of breeders and sellers under the Act. Significant opportunities for improving the animal management and animal welfare outcomes associated with dog and cat breeding have been identified.”*

We also note the **Victorian model, which features three breeder categories – micro, recreational and business. The categories have different requirements in terms of registration and fees and are defined by the number of dogs at the premises. A Tasmanian version of this may be worth considering. We recommend that the Tasmanian Government engage with the South Australian and Victorian Governments on its reform and develop standards and guidelines that reflect the Tasmanian context and community expectations.

Theme 3 – Handling, Management and Containment

2.3.1 Training Techniques

Recommendation

- Support for reward-based training.

The RSPCA supports reward-based training methods where the dog is set up to succeed and then rewarded for performing the ‘good’ behaviour – positive reinforcement.

Reward-based training provides mental stimulation to keep dogs happy and enhances the relationship between the dog and the handler.

It also involved generally ignoring any ‘unwanted’ behaviours, if dogs are not rewarded – i.e. receives no attention or treats – for certain behaviour, they tend to stop doing it.

Aversion therapy or physical punishment must not be used in training programs. Punishing a dog for ‘unwanted’ behaviour can exacerbate the problem.

2.3.2 Use of electronic collars

Recommendation

- Ban of electric shock collars.

The RSPCA Tasmania supports Tasmania joining the ACT, New South Wales and South Australia in banning the use of electric shock collars.

In 2021, we joined a successful campaign to prohibit pronged collars. We believe the same principals around animal welfare apply to electric shock collars.

Studies show that adverse training methods, such as those using shock collars, can induce stress and anxiety in dogs, often resulting in behavioural problems. RSPCA promotes positive reinforcement techniques as an evidence-based alternative for practical training.

2.3.3 Tethering

Recommendations

- Introduce a minimum tether length of four times the dog’s body length.
- Ensure secure water bowls are provided that cannot be overturned.
- Tethering areas are free from hazards.
- Requirements for appropriate collars or harnesses, prohibiting the use of chains or makeshift restraints.

The RSPCA opposes the tethering of companion animals, except for the short-term and appropriate tethering of dogs.

Where a dog needs to be securely restrained temporarily, a well-designed and situated tether using safe equipment can be used in appropriate conditions.

Tethered animals should not be left unsupervised, and all reasonable steps must be taken to ensure that the tethering does not cause pain, injury, or distress and that the dog's welfare and community safety is protected.

2.3.4 Exercise

Exercise is important for a dog's health and wellbeing. The RSPCA advises identifying the appropriate level of exercise for the dog's breed, age and health. For example, puppies need gentle exercise, that builds as they grow. Healthy, fit dogs benefit from free play and extended walks. While older dogs are kept to age-appropriate activity.

Theme 4 – Facilities, Housing and Sleeping

2.4 Housing

Recommendations

- Regulations requiring mandatory weatherproof, elevated and insulated housing.
- Regulations requiring mandatory bedding.
 - Dog always be provided with a dry area suitable for sleeping and a cleanable housing area.
- Regulations requiring the removal of waste, faeces, urine and soiled bedding daily.

The RSPCA uses the “five Domains” of animal welfare, which includes behavioural interactions, nutrition, health physical environment and mental state. Housing requirements are critical to the wellbeing and welfare of a dog, ensuring dogs have access to comfortable, safe and hygienic environments.

The RSPCA supports updating the regulations to specify that housing must be weatherproof, elevated off the ground and insulated against extreme temperatures.

Adequate bedding materials must be provided to prevent injuries or exposure-related illness.

2.4.1 Environment enrichment

Recommendation

- Introduce detailed enrichment requirements into the Tasmanian Guidelines.

The RSPCA advocates for all animals to be provided with appropriate enrichment. Research shows that enrichment reduces stress, prevents destructive behaviours, and improves overall wellbeing.

The addition of detailed enrichment requirements will enhance a dog's wellbeing. This should include, for example, exercise, toys and puzzles to stimulate mental activity; and opportunities for social interaction, both with other dogs and humans.

In the case of Tasmanian Labradoodles, many of the dogs that were surrendered had never been in contact with a human, had never had toys and did not have daily exercise. The impact on the mental state of these dogs is still being managed by their new owners' months after they were rescued.

Tasmania's existing guidelines have only a very simple statement about enrichment. Tasmania would benefit from a more detailed guide, such as that detailed in the *Victorian Code of Practice for the Operation of Breeding and Rearing Businesses*.

Theme 5 – Transport

Recommendation

- Develop detailed transport guidelines to cover land, sea and air transport.

Tasmania does not have regulations guiding the transport of dogs by road or sea, existing regulation guides only air travel.

As an island state, it is critical that the transport of dogs in, to and from Tasmania is regulated across all modes of transport.

These should consider ventilations, journey duration, crate size and comfort.

Theme 6 – Exemptions

Recommendation

- Removal of the exemptions for working dogs, greyhounds, and Dogs Tasmania.

All dogs deserve the highest possible standards of animal welfare and should be subject to the same animal welfare regulations and legislation.

Theme 7 – Other

Recommendations

- Introduce a definition of puppy farms.
- Ban the sale of dogs in Pet Shops.

It is important to define an issue when you are seeking to address it. The RSPCA Australia defines a puppy farm as: An intensive dog breeding facility, operating under inadequate conditions.

Should Tasmania accept the recommendation of limit of 10 breeding bitches, we advise that the Tasmanian definition should be:

“A dog breeding facility with more than 10 breeding bitches, or an intensive dog breeding facility operating under inadequate conditions.”

In regard to pet shops, many jurisdictions have an explicit ban on selling dogs in pet shops. Under existing laws, Tasmania does not. The RSPCA advises taking this opportunity to explicitly ban the sale of dogs in pet shops. Pet shops are not appropriate places for puppies or dogs, they require much greater socialisation and support than a shop environment can provide.

CONCLUSION

RSPCA Tasmania thanks the Tasmanian Government for the opportunity to contribute to this critical process to improve dog welfare outcomes in Tasmania.

This is an invaluable generational opportunity for Tasmania to lead the way and set the national standards for animal welfare in Australia.

Should the Department of Natural Resources and Environment Tasmania require any further detail, please do not hesitate to contact the RSPCA Tasmania.

We look forward to working with the Tasmanian Government to improve and strengthen animal welfare standards in Tasmania.

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*https://cdn.dogandcatboard.com.au/dogandcatboard/docs/About/Reports/Final_Act_review_report.pdf

**<https://agriculture.vic.gov.au/livestock-and-animals/animal-welfare-victoria/domestic-animal-businesses/breeding-and-rearing-businesses/regulations-for-cat-and-dog-breeders>