

CAT BILL 2011

Second Reading

Resumed from 6 September.

MR C.J. TALLENTIRE (Gosnells) [2.47 pm]: I am very pleased to rise to speak to this Cat Bill 2011. I understand how the intent of the legislation is around —

The SPEAKER: Member for Kimberley and Minister for Agriculture and Food, if you wish to have a conversation please take it out of this place. The member for Gosnells has the call and we are dealing with the Cat Bill; we are not dealing with anything else.

Mr C.J. TALLENTIRE: I understand how this legislation is intended to focus on responsible pet ownership and that is a commendable endeavour that we see in the legislation. But there are some questions about how effectively the legislation will achieve that goal of bringing about responsible pet ownership, in this case cat ownership. Responsible pet ownership is indeed something that we need to encourage and foster in our community. There is no doubt that there are many benefits that come from people owning pets—quite frequently they will own cats and dogs, the usual pet ownership that people are able to contemplate. There are mental health benefits, and social benefits from people being able to discuss the activities of their pet with another pet owner. There are all sorts of other benefits that people gain, such as companionship. Pets provide us with many wonderful moments in our lives and our pets are an important part of our families. It is very important that we recognise that. I notice a trend towards people putting little stickers on the back of their cars that indicate the members of the family; it seems to be a growing trend in Perth at the moment. So often, those stickers will indicate the members of a family and within those little symbols, those little caricatures, we see the dog and cat included as part of the family. I think that that is an interesting thing; it shows just how people really embrace this idea that cats and dogs are important members of our families. That is understood. It is however important that we put in place the right regulatory processes to make sure that the vast majority of the community, who are responsible pet owners, are not upset by the minority in the community who fail to be responsible pet owners. I think that is the intent of this legislation, although I am concerned about how effectively this legislation will tackle that problem. I understand this legislation is primarily about reducing the number of cats and kittens euthanased each year. We have seen some annual variation in the number of cats or kittens euthanased, between 5 000 and 10 000 a year. It is unclear to me how many of those kittens are found in the urban setting. An important detail is just how many are caught in a rural or bush outback setting.

I will say a little about the impact of cats on our Australian ecology. I begin by observing that it has been found that cats have been in this country for a considerable time—going back to some of the first Dutch explorers. Indeed, I think testing has found that some outback feral cats share a common DNA with cats in Amsterdam—suggesting that this linkage is indeed an old one. There is no doubt that cats will kill our native fauna. They are a risk. Some very good studies show how dramatic their impact can be. I turn now to a book that I have referred to in the past in this place. That in itself is telling. It is Tim Low's book, *Feral Future: the untold story of Australia's exotic invaders*. This edition was published in 2001. I say that it is interesting that I refer again to this book because so often, when dealing with legislation in this place, we have the opportunity to contemplate the terrible impacts of introduced species on the Australian continent. This time I refer to Tim Low's book to look at the impact of introduced cats. He records that some very good studies have been done on places like Macquarie Island, where the introduction of cats led to the extermination of the Macquarie Island parakeet, which is a unique flightless rail. Other studies also demonstrate that the introduction of cats has caused damage and indeed has led to the elimination of species, going to show how extensive the damage can be.

Low continues, making reference to cats in an urban setting. In suburbia, we are dealing with a highly modified environment in which natural predators of birds have already been wiped out. It could in fact be argued that where we have suburbia we no longer have chuditch and pythons that were the natural predators of some of the bird populations in suburbia. Because of urbanisation, we have lost one group of predators and another has come in; that is, the introduced predator—the cat. That point is worth noting. As dramatic as the impact of the introduction of a cat can be on native habitat—I cite again the example of Macquarie Island—including the extermination of species, in a suburban context in which we are already dealing with a highly modified environment, other questions need to be answered as we test the question of the impact of cats on our ecology.

In addition, we need to look to community attitudes about the keeping of cats. Fortunately, some very good studies have been done. The City of Armadale has been very active in this area. Dr Maggie Lilith, from Murdoch University, while undertaking her doctoral studies, researched the impact of cats on the urban–bushland interface. She also looked at the community's attitude towards cats. She found that, in the Armadale area, a substantial proportion of respondents in the community believed that cat regulation was necessary. I think we can see that there is community support for this regulation. Dr Lilith was able to detail that 75 per cent of cat

owners and 95 per cent of non-owners supported some form of cat regulation. She also noted that at least 70 per cent of both owners and non-owners agreed with the proposition that cats not owned by licensed breeders should be desexed. It is clear that there is great support for much of the intent of this legislation. Dr Lilith also found that most cat owners—85 per cent—agreed that they would be happy to license their cat if it became compulsory to do so. However, she did find that fewer owners—60 per cent—were prepared to keep their cat on their property at all times to protect wildlife and that over 80 per cent were willing to confine their cat at night if required to.

Mr G.M. Castrilli: Sorry, member for Gosnells: what was that figure again—if you don't mind?

Mr C.J. TALLENTIRE: Certainly, minister: the study found that less than 60 per cent of cat owners were prepared to keep their cats on their property at all times to protect wildlife, and that over 80 per cent were willing to confine their cats at night if that was required.

Mr G.M. Castrilli: Thank you.

Mr C.J. TALLENTIRE: So there is a slight difference. However, the real message is that cat owners want to do the right thing. The sense is of people wanting to be responsible, which is, of course, a good thing. Dr Lilith also noted that cat owners seemed to be substantially motivated by the value of these measures in reducing injury to the cat and facilitating the return of lost animals, rather than by a concern for or interest in the environmental impact on wildlife of their cats' activities. That is an interesting aspect to the study! For the minister's benefit, this PhD thesis is titled, "Do pet cats (*Felis catus*) have an impact on species richness and abundance of native mammals in low-density Western Australian suburbia?" There are many other aspects to this study, however. Dr Lilith concluded that upon study of the bushland areas in the City of Armadale, the extent of the impact of cats in the area was questionable because so many other things impact on bushland in the urban context. I think her position would be that we need to do much to control fire frequency in urban bushland areas and other degrading activities, including disease as a result of its vulnerability to fertiliser run-off, trail bike activity, litter dumping and a whole host of other things that degrade urban bushland. Support for control of cats in urban bushland—yes! But that needs to be done at the same time as we control a whole lot of other degrading processes that impact on urban bushland. Of course, the biggest degrading process that impacts on urban bushland is urbanisation itself. I note today, the news reports indicating that Channel 7 intends to develop its bushland site in the northern suburbs. I have not seen the exact figures, but I imagine that any development of that site will lead to the destruction of at least some, if not all, of the very high quality bushland that is unique in our northern suburbs. It is of such good quality and of such a size that it is satisfactory for the maintenance of a kangaroo population. It is quite unique that in the heavily urbanised area of our northern suburbs we have a piece of bushland that can sustain a kangaroo population.

Mr G.M. Castrilli: Do you know how big the area is?

Mr C.J. TALLENTIRE: It is around 7.5 hectares. It is not enormous but it is significant because of its quality.

This legislation will result in some benefits but other things need to be done in tandem with it to control the activities of cats. The study by Dr Lilith has been supported by others. I note that Murdoch biological science postgraduate student Jacky Grayson completed a similar study in 2008 and found that the lack of habitat was more of an influence on the presence of passerines—perching and songbirds. Some examples of those include the western spinebill, a beautiful bird we see in our suburbs from time to time; the New Holland honeyeater, a very populous and sometimes noisy bird; and the rufous whistler. Cats can impact on those bird species but other things can cause the demise of those birds just as much as the presence of cats.

Like most members, I have received submissions from the secretary of the Feline Control Council of Western Australia. I thank it for forwarding me that information and recognise the important role that those types of groups perform. Registered breeders can be our gateway to responsible pet ownership. If bodies look after registered breeders by training them and providing them with information, the registered breeders can, in turn, educate future cat and kitten owners. Those bodies can inform people who have carefully thought of getting a cat about what conditions they are likely to encounter and what is required to make for a most satisfactory addition to the family. Registered breeders who are passionate about the cats they look after and sell can continue to give advice to new cat and kitten owners, and they are a very important part of animal welfare and good companion pet ownership. In the vast majority of cases the people who sell animals as pets are not in it for the money; they do it because they are passionate about it and they want to find a good home for the litter of kittens that has come into their family. It is a good idea to register breeders. That will ensure that good-quality information is passed on to people who will then become good pet owners.

That leads me to the issue of pet shops. I have grave concerns about the role of pet shops selling dog and cats. I believe that it is all too likely that a pet shop will appeal to those who are in an impulse-buying frame of mind. It

is unfortunate that a family with young children can go into a pet shop and make an instant purchase based on their emotions when they see a cat.

Mr J.M. Francis: Are you against the idea of pet shops selling live pets?

Mr C.J. TALLENTIRE: Yes, I am.

Mr J.M. Francis: Now that a pet shop will have to charge for the desexing at the time of purchase, which will add \$100 to the cost of buying a kitten, do you agree that that will help reduce the amount of impulse purchases?

Mr C.J. TALLENTIRE: I see the member's point.

Mr J.M. Francis: It makes it that little bit more expensive. If you cannot afford to desex a cat, you should not be buying a cat in the first place.

Mr C.J. TALLENTIRE: That is an interesting point. However, as we can see in the legislation, a kitten cannot be desexed until it is six months old.

Mr J.M. Francis: But you can't wait until a kitten is six months old before you sell it either, can you? The best thing to do is to make people pay up-front and commit to the cost of desexing when they buy the cat. That is probably the best compromise, would you agree?

[Member's time extended.]

Mr C.J. TALLENTIRE: It is an interesting point, but that would call upon pet shops to engage in a bureaucratic process for the payment of the sterilisation up-front.

Mr J.M. Francis: A voucher from the local vet is all it would take.

Mr C.J. TALLENTIRE: It could involve a local vet. It sounds like a complicated process.

Mr J.M. Francis: You would ban pet shops from selling them altogether. I would say that this is a good compromise.

Mr C.J. TALLENTIRE: My preference is for pets to be sold through registered breeders. That is a more effective means of communicating with the owners and having an ongoing relationship with them, without the commercial aspect. The member for Jandakot's proposal is a curious fudge between an economic dissuasive position and emotions; he is confusing economics and emotions too much.

Mr J.M. Francis: Sorry for interjecting again, but I am saying that adding to the cost when initially buying the cat will help take away some of the impulse purchases because kittens are not disposable assets, but some people treat them that way. If you have to fork out an extra \$100 or \$150 up-front, you are less likely to make an impulse purchase and are more likely to think twice about buying a cat that you will not commit to for its natural life.

Mr C.J. TALLENTIRE: I would prefer them not to be for sale in pet shops.

Mr J.M. Francis: Is it the Labor Party's policy to stop pet shops from selling live animals?

Mr C.J. TALLENTIRE: I am making a speech on my position and I do not want to dwell on that point any further.

I support other aspects of the legislation, including microchipping pets, which is incredibly useful. I have heard members say that if pets are microchipped, they do not need to be registered. It seems to me that a microchip database is, by default, a registration database. The two go together. The question of paying for the registration must be examined.

That leads me to the issue of cost shifting. I have spoken to the City of Gosnells about this matter. It is concerned that yet again local government will be picking up the costs that have come about because of a state government decision. It is unfortunate to see the constant trend of shifting costs to local government when local government is already struggling to provide services. That cost would be for not only the management of the regulations, but also the time of rangers. I would very much like to hear the Minister for Local Government talk about how local governments will be assisted and recompensed for the additional time of local government rangers. That is a reasonable request, given that the state government is giving the local governments this additional work.

I would like to again thank those people from both sides of the issue who have contacted me. Some people in my electorate have told me how upsetting it is for them to know that kittens are being euthanased, and I totally support them. I support anything that weeds out irresponsible pet ownership. However, we need to make sure that the legislation we introduce will deliver the goals that we have set for ourselves.

MS R. SAFFIOTI (West Swan) [3.09 pm]: I rise to speak on the Cat Bill 2011 and to echo some of the comments of the previous speakers. I am surprised by the content of the legislation. I think that we all support

the overarching aims of the bill, which are, as was laid out in the second reading speech, to reduce the number of stray cats being euthanased each year, to encourage responsible cat ownership and to better manage the unwanted impacts of cats in the community and on the environment. I think they are pretty good goals and aims, and I think people would be pretty supportive of them. But one thing that has surprised many of us on this side is just the level of, I suppose, bureaucracy—red tape—created through this legislation. I am very surprised that the Liberal Party has brought it forward because when it first won government it set out to reduce red tape and set up the Red Tape Reduction Group. What I see here is a lot of red tape for ordinary people living in their homes. Although we support the idea and logic behind the legislation, when we go through it, it seems quite severe and extreme in some cases. I think we all want to get to an endpoint that will see fewer cats being euthanased, and more people taking responsibility for their cats. But broadly my view of cat ownership is that 95 per cent of cat owners do the right thing and want to do the right thing; I think a figure somewhere states that 93 per cent of cats are controlled. My initial impression was that 95 per cent of cat owners want to do the right thing, but this legislation seems to contain some pretty extreme and severe penalties.

This morning, during our open hearing of the Public Accounts Committee, we heard, for example, that the fine for an infringement relating to a firearm being unlicensed for three months is \$421. What we are seeing here is a \$5 000 penalty —

Mr J.M. Francis: That's not right. Have you read the Interpretations Act as to how that is interpreted?

Ms R. SAFFIOTI: Up to \$5 000; but it is still \$5 000.

Mr J.M. Francis interjected.

Ms R. SAFFIOTI: I would like to have the minister's point of view on this, rather than the member for Jandakot's. It says up to \$5 000 in the legislation, so \$5 000 is an option.

From my reading of the legislation, the penalties are quite extreme; I will be very interested to hear the minister's response to that. As I said, I think it is pretty extreme, and I do not want to see the poor pensioner out there getting whacked with massive fines; I do not think that is the desire of anyone in this house.

I wanted to raise an issue about the pound service providers, because it has been particularly raised with me. Probably early last year a resident came and spoke to me about what she saw as some instances of cats being euthanased a little too quickly after they were found on the streets. She had grave concerns that not enough effort was being made by the council, but in particular by the pound service provider, to actually identify the owner. I know this legislation covers this area, but I want to ask who the minister believes will be responsible, or will it be the pound service providers across the metropolitan area; and whether he sees it all being from one service provider, or whether he sees it being from different service providers. I did not personally investigate the example given to me to see whether it was fully accurate, but I wrote to the council seeking some assurances. Although I did not personally investigate it, I did follow up the issue with the council. The concern was broadly about, okay, once a cat is seized, exactly how much effort is being made by the pound service provider to ensure that the owner is found and contacted, and that if the cat has a legitimate home, can that cat go back to that home. Also, another concern was the measures taken to try to find alternative homes for some of these cats. Again, we do not want to make it easier for cats to be euthanased; I am not saying that all cat service providers would be like that. A couple of years ago when this legislation was being discussed I visited the Shenton Park cat home, and I know how much effort it puts into trying to find accommodation or a new home for the cats that are brought in. Although there are some people out there who are pretty widely respected throughout the community for making an effort to find the existing home, or new homes, for the cats, we do not want to make it too easy to euthanase cats.

In relation to that, I did not see in the legislation—maybe the minister could provide us with some response during consideration in detail or his second reading response—the regulations for pound service providers. I think we will be seeing those pound service providers playing a greater role. There seems to be a lot of regulation on the owners of cats, but when the cats are taken to the pound service providers they must be dealt with in a humane way, and as much effort as possible must be made to ensure that cats that belong to pensioners or little children—members get the picture—are not euthanased.

As I said, people on this side are broadly supportive of the aims of this bill. It cannot be argued that we want to try to ensure that we reduce the number of euthanased cats, and that we do try to control our pets, but many of us are concerned about the extreme nature of some of this legislation, and whether it has gone slightly overboard. Like I said, 95 per cent of cat owners are responsible people who take care of and love their cats. We do not want the situation of someone who is a loving owner of a cat having their cat go missing and finding 10 days later that the cat has been euthanased, without them having the chance of trying to recover that cat. I think that is a real danger of this legislation.

Like I said, the penalties of up to \$5 000 are quite significant, and another issue is the registration process and fees. I have not gone through every line of the legislation, but can the minister explain the fee-setting process, and whether there will annual caps and increases from local governments? I think the annual licence fee is another big issue, given, again, the cost of living pressures on many people out there. We do not want a situation of people not being able to afford to even keep a cat. They are the sort of issues I wanted to raise.

I think everyone supports the thrust of what this bill is seeking to do, but it seems a little extreme when we compare some of its penalties with penalties that exist in other legislation, and I wonder whether it will achieve what it wants to achieve. Again, 95 per cent of owners are responsible, so this legislation is really attacking that five per cent, and I do not know whether it will actually achieve the desired result.

MS M.M. QUIRK (Girrawheen) [3.17 pm]: There are a couple of concerns I want to raise, and also get some clarification from the minister on, about the Cat Bill 2011.

As we have already heard, feral cats pose a major environmental problem in our community; I will talk a bit more about that shortly. As we have also heard today, the vast majority of cat owners are very responsible and manage their cats in such a way that they do not pose an undue threat to our environment. This bill seeks to strike the balance—I am not sure that it has it totally right. As the member for West Swan said, maybe we are putting an impost on responsible owners because of the few irresponsible owners.

The first thing I want to raise is the impost on local government resources. An even cursory view of this bill indicates that it will have a significant impact on local government resources. I do not know whether they will be adequately compensated. I know this bill has been subject to lengthy consultation, but I would like some advice so that I can assure the three local councils that currently service my electorate that it is not a situation of local governments being put to much time and expense without getting any compensation.

The next issue I wanted to raise has also been noted by other speakers, and it is the impost on elderly owners. I gather that the estimated fee for the chipping and sterilisation is in the vicinity of \$200 a cat. That will have to be paid by pensioners and elderly people, who rely on the companionship of their cats. We know from studies that having that companionship has positive outcomes for people's health. They will be conscientious and will want to comply with the law. It may well be, however, that the \$200 that this may cost them, in light of all their other expenses, will cause them some concern. Many pensioners are very conscientious about abiding by the law, paying their dues and paying their way. This will be another stress on them in complying with the law. I think we need to be mindful of that. Although I know that the bill will not come into operation for some time and there will be that long lead time, it may well be possible to consider some transitional arrangements for pensioners.

The third point I want to raise—it was sent by one of my constituents to the minister—relates to whether the bill will have the desired impact on feral cats in the community. This letter is about an incident that occurred in my electorate. With the indulgence of the house, I will read the letter that was sent to the minister. It states —

I have just read the proposed Cat Bill ... together with your explanatory Memorandum. Whilst I fully support responsible cat ownership and applaud the stance taken to enforce compulsory sterilisation, microchipping and tagging of pet cats by owners, I can find no reference in this proposed Bill as to ways of solving the existing stray/feral cat problem. This is an issue requiring urgent attention and one which will unfortunately continue until Local Councils and/or animal welfare groups make a concerted effort to eliminate them. At present it is for the most part, ignored.

Let me give an example. My 90 year old mother, living alone in Girrawheen had a massive problem with stray cats at the beginning of this year. They were reproducing in rapid numbers and had invaded her large back garden. She has a small dog which at times was terrified to go outside as the protective she-cats would defend their young and attack the dog if he got anywhere near their kittens.

We made phone calls to the Wanneroo City Council but were informed that although they agreed it was a health hazard, their rangers do not 'round up' stray cats.

Mr G.M. Castrilli: Sorry, member; which council was that?

Ms M.M. QUIRK: It was the Wanneroo council. The letter continues —

The Council, in turn, suggested contacting the RSPCA, which we did. This organisation was a complete disappointment in that they informed us they did not take in or collect stray cats but only dealt with domesticated pets that were being surrendered and put up for adoption. When we mentioned the fact that the TV program depicts the RSPCA as caring for and collecting strays, we were informed that this perhaps did take place in the eastern states where the program is produced, but did not apply here in WA.

The Cat Haven, an organisation that relies totally on voluntary contributions, unlike the RSPCA, which receives government funding, was prepared to help, however they only had one ranger available and could only supply a few traps at a time. As you can imagine this ranger is a very busy person and was in fact on leave when we first called. We were informed that each cat caught by the Cat Haven ranger would cost my mother \$10. Fair enough, when there is only one or two to collect but in this particular instance, it would have cost my mother every bit and more of her pension.

She goes on to say —

... kindly put us in touch with a wonderful lady named Paula McManus who lives in Warwick. Paula is a pensioner who does this work gratis with no motive other than to eliminate the stray cat epidemic.

I spoke with Paula after having previously caught 10 kittens myself and taken them to the Cat Haven and she, along with a couple of younger helpers arranged to visit my mother's home and set traps over a period of about a week to ten days.

I believe that the stress of all these stray cats contributed to the heart attack my mother suffered at the beginning of February, following which she was hospitalised for a few days and afterwards convalesced at my brother's home. It was during this time that her dog was boarded at kennels and Paula was able to take over the back garden and do what she does best without any hindrance. It was commonplace for me to call at my mother's home, find at least 10 covered traps in the garage, each containing a cat, ready for Paula to collect in a borrowed van, take to the Cat Haven, return and again re-set with food, and trap even more.

In all around 40 cats and kittens were trapped by Paula and her team, myself and others. These were either euthanased by the Cat Haven or, in the case of some kittens, sold. I do know that the Cat Haven enforces sterilisation of all the cats it sells and they do a magnificent job with little or no reward.

So, that's the recent history of my mother's stray cat dilemma. There are currently a few more kittens with their mother in the garden and we are hoping that Paula will be able to catch them quite soon, long before they reach breeding age. This is just one garden in one suburb—there are so many more and very few, if any, people like Paula around doing work that the authorities should be handling. It appears to be an uphill battle for her.

In the proposed Bill there are sections which refer to local governments, their authorised officers and the powers that they will hold to enforce the Bill. However as I stated previously, unless the local councils set laws and have rangers who are prepared to trap as many strays as possible over a period of time, we are in a no-win situation. There would be no-one to prosecute as nobody actually owns these animals. Even the policing of pets is going to be a difficult task. Cats are masters of stealth, speed and evasion of capture.

One wonders how they are going to monitor the stray cat situation. A person buys a cute, fluffy kitten from a pet shop ... and it's not long before it reaches maturity. Quite often, people move house or the novelty has worn off and the cat may be dumped in a park at a young age or if it has kittens, they are abandoned in the hope that some kind soul will find them and take them in. If not, the feral/stray breeding program continues.

I hope you agree with me Mr Castrilli that the Cat Bill should encompass more than the monitoring of much-loved pets. It should also address the current stray cat population and implement an ongoing strategy, which will successfully eliminate this scourge of Perth's suburbs

The letter is signed by Mrs Susan Douglas.

Another representation I have had is from the Feline Control Council of Western Australia. I imagine that the minister has had similar representations. The Feline Control Council is concerned with some elements of the bill. Although I will not canvass them in detail, I will raise some of its concerns and perhaps when the minister responds, he can indicate how the government intends to deal with them. Firstly, it says that there is no recognition of existing governing bodies or acknowledgement of registered hobby breeders and show enthusiasts, and that having councils define what is safe and ethical will result in a high degree of inconsistency. It says that there is nothing in place to protect existing complying cats if councils announce maximum numbers. A grandfather clause needs to be added to the legislation to prevent any demands by councils to remove existing cats that will exceed the new limits as this may increase the number of abandoned cats and will cause distress. Definitions for exemption from having contact details in the public domain under clause 12(9) need to be expanded in recognition of the polarised nature of the Western Australian community with regard to cats. Finally, the obligation for pet shops and sellers on sites such as Gumtree are not defined and it is disappointing that there is nothing such as a minimum age for the transfer of cats or a cooling-off period to minimise impulse

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Mr Chris Tallentire; Ms Rita Saffioti; Ms Margaret Quirk; Mr Joe Francis; Mr John Bowler

buys. I will not canvass that in any detail, but I make the point that these are legitimate concerns by people who care about the welfare of cats and who are, in many cases, enthusiastic breeders.

Finally, I make the point that I am not, strictly speaking, a cat person, but I know that many people in the community feel very, very strongly about this issue. It is important that we address it. On that note, I should say that I am very disappointed. I presented a grievance to the minister about the Dog Act, I think, three years ago. The problem of barking dogs is an enormous one. I would hope that a dog amendment bill will closely follow the Cat Bill and be introduced in this Parliament in the not-too-distant future.

I conclude by saying that I am not a cat person, but I congratulate the government for at least trying to address the issue. In relation to feral cats, there are some inadequacies. I am concerned that many local governments may not be able to cope either financially or in terms of resources with the workload this bill will generate. I will be pleased to hear the minister's advice on how he intends to deal with it.

There is one cat, however, that I am quite fond of. I should say that no discussion of cats is complete without reference to T.S. Eliot in the *Old Possum's Book of Practical Cats*. With the indulgence of the house, I will refer to my favourite cat, which is *The Rum Tum Tugger* —

The Rum Tum Tugger is a Curious Cat:

If you offer him pheasant he would rather have grouse.

If you put him in a house he would much prefer a flat,

If you put him in a flat then he'd rather have a house.

If you set him on a mouse then he only wants a rat,

If you set him on a rat then he'd rather chase a mouse.

Yes the Rum Tum Tugger is a Curious Cat--

And there isn't any call for me to shout it:

For he will do

As he do do

And there's no doing anything about it!

The Rum Tum Tugger is a terrible bore:

When you let him in, then he wants to be out;

He's always on the wrong side of every door,

And as soon as he's at home, then he'd like to get about.

He likes to lie in the bureau drawer,

But he makes such a fuss if he can't get out.

Yes the Rum Tum Tugger is a Curious Cat--

And there isn't any use for you to doubt it:

For he will do

As he do do

And there's no doing anything about it!

The Rum Tum Tugger is a curious beast:

His disobliging ways are a matter of habit.

If you offer him fish then he always wants a feast;

When there isn't any fish then he won't eat rabbit.

If you offer him cream then he sniffs and sneers,

For he only likes what he finds for himself;

So you'll catch him in it right up to the ears,

If you put it away on the larder shelf.

The Rum Tum Tugger is artful and knowing,

The Rum Tum Tugger doesn't care for a cuddle:

But he'll leap on your lap in the middle of your sewing,

For there's nothing he enjoys like a horrible muddle.

Yes the Rum Tum Tugger is a Curious Cat--

And there isn't any need for me to spout it:

For he will do

As he do do

And there's no doing anything about it!

MR J.M. FRANCIS (Jandakot) [3.32 pm]: That will be a catastrophically hard act to follow! I will try to keep this fairly short. I have been fairly keenly following the development of the Cat Bill for a number of years. I have spoken to hundreds of people across Western Australia at different forums about this bill, which I know will not

make everyone happy. I do not want to dwell on this point, but I am personally disappointed that the opposition has chosen to take a particular line with this bill. In particular, the shadow Minister for Local Government thought it worthy to run through the press gallery, and speak on talkback radio this morning, basically undertaking a typical Labor Party scare campaign, trying to fearmonger pensioners and low-income earners about the cost that may be involved in owning cats. I was pretty disappointed because it was far from the truth. To be honest, it was dead wrong. The fundamental issue that needs to be addressed by this bill is animal welfare. I know that Greens supporters may be concerned about the environmental impact, and that is great, but for me, as an animal lover, it is about animal welfare.

We are not quite sure, but nationally about 55 000 to 60 000 healthy kittens are euthanased every single year across Australia. In Western Australia, depending on which year it is and which numbers are looked at, we can guess it is somewhere between 7 000 and 15 000—so let us say about 10 000 healthy kittens, who should never have been born, are euthanased every single year by organisations such as the Cat Haven and the City of Bunbury. I feel so sorry for the people who work there; I commend them. Many people do a lot of great work in this area. It must be a very disturbing job to have to put to sleep dozens of healthy, beautiful, little kittens every single day because they were born into a world where there just was not a demand for them. It is basically a form of genocide; it is a pretty sad thing. I would like to think this bill goes some way to address that issue.

I make this observation—this is a personal belief, but I would like to think everyone in this place would believe it: when a person buys a dog or a cat, a commitment is made to care for that animal for its natural life. Responsible pet ownership means getting that pet desexed, microchipped and vaccinated every year, taking it to the vet if it gets sick in between, and providing food, water, shelter, and love and interaction to that animal. If a person cannot make that commitment and cannot afford the cost of that, I am really sorry but that person does not have any business buying that animal in the first place.

I would like to briefly touch on the additional cost to responsible pet owners. We know that 90 to 93 per cent of people already do the right thing; that is, they have their cat desexed. Not all people, obviously, have their cat microchipped. Microchipping is another issue I will touch on shortly. We know most people do the right thing. It is the seven to 10 per cent of irresponsible cat owners who create a massive animal welfare problem. This bill really is designed to target those people. I am sorry that there will be existing cat owners who generally do the right thing who may be slightly impacted by this bill, but that is the sacrifice that some people have to make to address the issue. If people are serious about their concerns for cats, they would realise that the only way to solve the problem is for them to make that little sacrifice. That is what I want to talk about.

If a cat is already desexed, the only additional requirement this bill would impose is for cats to be microchipped, if it is not already, at its next visit to the vet. If an owner takes the cat to the vet every year for its vaccinations, an additional consultation fee is not involved; it is a fairly cheap cost to implant a microchip. There will be no big additional cost to register a cat with the local council. The opposition has made this point: why do we need to register a cat with the local council? It is because, frankly, somebody has to administer this, somebody has to enforce it, and somebody has to make sure people are doing the right thing by their companion animals. The local government already does that, and does it well in most circumstances, with dogs. It will cost councils a tiny bit to administer cats as well. I will refer to what it costs right now to register a desexed dog. I have a four-year-old german shepherd named Rex. He costs me \$10 a year to register now that he is desexed. A pensioner receives a 50 per cent discount, so the cost would be \$5 per year. That is less than 10c a week.

Mr A.J. Waddell: How many local governments say that that is an adequate amount of money?

Mr J.M. FRANCIS: That is a good question.

Mr A.J. Waddell interjected.

Mr J.M. FRANCIS: Hang on; I will take the interjection. I think that is a fair cop. Obviously, there are no guarantees the cost will not go up, but when the City of Joondalup tried to bring in local cat laws—all credit to that council, but it did not have the legislative authority to do it, and that is what this bill also addresses—its economic modelling indicated that in order to administer this cost to register cats in the City of Joondalup, a registration fee of \$10 a year a cat would have to be charged. Ballpark, the best assumption anyone can make, the best guesstimate is 10 bucks a year, and five bucks for pensioners. As I said, for pensioners that is less than 10c a week to register a cat. If a person is already doing the right thing by their cat, that is the only additional cost. To run around the press gallery and speak on talkback radio to say it will cost cat owners an extra \$200 a year is absolutely irresponsible. The Labor Party should be ashamed because it is fearmongering amongst pensioners and the people who can least afford it. It is terrible politics.

As I said, it is a small cost to register a cat. Some people ask why councils should not absorb the cost. I have to pay to register my dog. Why should I pay rates or taxes to subsidise the registration of cats? Nobody helps me with my dog registration, and I would not expect it. If people want to enjoy the benefits of owning cats, less than 10c a week for registration in order to address the issue of animal welfare is a very small price to pay. As I said,

if people cannot afford to take proper care of their animals, they probably do not have any business owning a cat or dog in the first place.

The other great thing this bill does—I have addressed this through interjections and I thank the members for taking them—is to make it necessary for a cat buyer to pay for the cost of desexing at the time of purchase. Depending on which vet people go to, the general card rate from a vet for a female cat is about \$150 and for a male cat it is about \$100. I know that if people are really hard done by and cannot afford it, Cat Haven can help out with that. A young lady called Clair at the City of Bunbury—I feel bad that I have forgotten her surname—did a brilliant job with “Desex in the City”, which was a highly subsidised desexing drive for people who own cats in the City of Bunbury but who could not quite afford it. Organisations do this for people who genuinely struggle to get their cats desexed and I want to commend the work that they do.

Cats should not be impulse purchases. Kittens are not disposable assets. When someone buys a cat, they make a commitment to care for it for its natural life. If desexing adds \$100 or \$150 at the time of purchase to the cost of a kitten, maybe people will think twice about it. Nobody ever values anything that they get for free. If people have to fork out that bit more and pay for the desexing up-front, it may make people think about whether they can afford the financial commitment associated with responsible pet ownership. I have heard a lot of excuses from a lot of people. Generally, the reason people do not desex their cats is that they are too busy. I know a mate whose kittens I have been kind of looking after for a few months; he is not a poor man, but he is just too busy to get it done. I have had words with him and he knows what my views are on that. One of the other excuses I often hear is, “I will get it desexed after it has its first litter of kittens. I want my children to experience the miracle of birth and to watch these little kittens grow up.” That is all very noble, but I would say to those people that they are adding to the problem of unwanted kittens. It is okay for someone to say they want their kids to see the miracle of birth, but I would suggest that those people take their kids to Cat Haven and watch them destroy 80 kittens in summer and experience the tragedy of death. Those people might think twice about not getting their cat desexed. There is a pretty good argument for why compulsory desexing is necessary. It sends a very clear message to society and to the seven to 10 per cent of people who think it is okay not to desex their cats. I am pretty disappointed that both sides of the house have not happily sent that message to those noncompliant cat owners.

A few points were mentioned by members opposite; obviously, it is not my job to go through every comment that opposition members made, but I want to touch on a few things. Opposition members said that this bill will encourage people to act cruelly to cats. Absolutely nothing in this bill dilutes the Animal Welfare Act and the offences of cruelty to animals under that act—absolutely nothing. Nothing in this bill mentions curfews, but if we listen to the member for Warnbro, we will hear him say, “This is bad and will add to the cost; it has curfews and it costs thousands of dollars for cat runs.” If we listen to the member for Maylands, we will hear her say that the bill does not go far enough because it does not provide for curfews. The bill does not mention “curfews” anywhere. If we were to ask the Greens, they would be very disappointed that the bill does not provide for compulsory curfews. As I said, there is a vast divide between the people who want it and the people who do not want it. This bill is a very sensible balance down the middle on a number of these issues. It is easy to criticise, but it is not a perfect world and it is the best solution that we can come up with. I am pretty keen to look at the opposition’s proposed amendments to the bill. I am sure that if the amendments have merit, the minister will take them on board.

I know that 90 per cent of people already desex their cats and do the right thing. If this bill gets passed, we will not have 100 per cent compliance. Law is meant to be a deterrent in general anyway. I will give members an example. Three or four years ago I would drive south down the freeway and people doing 200 kilometres an hour would go past me like I was standing still. Since the government—I will not get into the politics of which government brought it in—has finally cracked down with the anti-hoon legislation, I still see people go past me like I am standing still, but the number of them has dropped dramatically. Drink-driving is illegal in Western Australia. If it was not, would more people drink-drive? Absolutely. Do people still drink-drive? Of course they do. If this bill took the number of desexed cats from 93 per cent to 97 or 98 per cent, we would halve the number of unwanted domestically born kittens in Perth every year because it would halve the breeding stock. When people who are so willy-nilly with their cats do not want them anymore, they dump them out in the bush and then they trickle-feed into the feral cat stock. If that is the expected outcome, we would halve the number of kittens into the feral cat stock, and that is also a good thing.

Some people are just too lazy or too busy to desex their cats. I say, “Shame on them.” They are pretty irresponsible citizens. I hate government red tape as much as everyone, but this bill is necessary to address the issue of animal welfare.

Mr M.P. Whitely: You said that having an extra council register is not a huge impost, but you just made the case that it is necessary. If we have the microchip, why do we need two ways of registering?

Mr J.M. FRANCIS: People pay to get their cats microchipped and on the database—I think there are five different database companies that do this, but they are working on amalgamating—but someone still has to pay to administer the act. Someone still has to go out there and check whether a cat is registered. Someone still has to respond to complaints of cats screaming or mating in the middle of the night. The body that has to administer that will be the local council. That will have a cost on it.

Mr M.P. Whitely: You will double the need to register.

Mr J.M. FRANCIS: It happens with dogs right now. Western Australia is the only jurisdiction left in the commonwealth that does not have compulsory microchipping. The benefits of microchipping are indisputable. I know that the opposite side supports compulsory microchipping, as I do, and it is a great thing. It allows the easy return of lost pets, identification of pets and information on histories, registration details and whether they are desexed. This legislation will bring us into line with other states. Microchipping is an absolute no-brainer. While we are on microchipping, I will touch on one of the other issues that the Labor Party raised. They asked, “How can people sell a cat with a voucher for desexing but not for microchipping?”

Mr M.P. Whitely: I am not arguing about microchipping; I am arguing about the registration of the cats. You cannot say you are anti-red tape and then introduce red tape.

Mr J.M. FRANCIS: The small cost that will be imposed to register cats is much like me registering my dog.

Mr M.P. Whitely: It is an inconvenience.

Mr J.M. FRANCIS: Mate, you just do not get it. If the member does not support council registration of cats, he must be saying, “Let us also get rid of council registration of dogs.” Is the member saying that? If we amended the Dog Act and brought in compulsory microchipping, would the member say that people should not have to register their dogs with their local councils? Who is going to administer this? The member is living in la-la land! He wants the taxpayers, especially the ones who are not pet owners, to subsidise the costs for people who own animals. Is that what the member is saying? That is the only other option.

Mr M.P. Whitely: You want two different systems. You have not raised the case for why you want to do that.

Mr J.M. FRANCIS: My dog, Rex, is microchipped. This is another system that opposition members raised. Members opposite said that if someone’s cat is registered with the Feline Control Council of Western Australia, they should not have to register it with the council. My dog is a pedigree German shepherd. Rex is microchipped; he is on a national database for his microchip—bang! He is registered with the Australian National Kennel Council, the breeders association—bang! And he is registered with the local council. That is the way it is. If he was not a pedigree, he would be microchipped and registered with the council. The simple fact that a dog is on a microchip database does not mean that the council does not have the cost of administering the Dog Act.

Mr A.P. Jacob interjected.

Mr J.M. FRANCIS: Absolutely; it will have a cost, but it is a minimal cost.

Mr M.P. Whitely: Have you done any cost-benefit analysis on whether you will recover the costs? It sounds like \$10 a year would not even cover the collection costs.

Mr J.M. FRANCIS: The City of Joondalup did it and came up with 10 bucks a year. Under the Dog Act it is about 10 bucks a year and five bucks for subsidised pensioners. I am guessing that this will be about 10 bucks a year and that is it.

[Member’s time extended.]

Mr J.M. FRANCIS: Anyway, I want to move on because I have a few other things to say. I touched on, through interjection, the negotiations, which were pretty painful, to try to set desexing at “by the age of six months”. As I said, the Cat Haven specialises in desexing little kittens. That is pretty much all it does. It will desex a cat at the age of eight weeks. I think the member for Maylands said that the Royal Society for the Prevention of Cruelty to Animals will desex a cat at the age of 12 weeks. The Australian Veterinary Association says that it has nothing to do with the age of the cat; it has to do with the weight of the cat, and generally it will not desex a kitten that weighs less than a kilogram. So we know that by the age of six months a cat will be big enough for a vet to desex. Unfortunately, cats may start breeding at five months; some of them may not start breeding for seven or eight months. This is not a one-size-fits-all issue, which is why the best compromise that everyone will agree on is that a cat be desexed by the age of six months. It is no good passing a law telling a vet that they will desex a cat when it is too small, when they are just not going to do it and take on the liability.

Another couple of issues were raised, such as how we will police this legislation. A few members of the Labor Party said that they think that pet shops should not be able to sell live stock. Part of me agrees with that; part of me does not agree with that. But I am just not sure, if this bill went so far as some people want it to go, that it

would ever get through Parliament. Adding the \$100, or \$150, to the cost of buying the kitten in the first place should, as I said, take away some of those impulse purchases, and I honestly believe that that is the best compromise. There are people who say that this bill does not go far enough. I have had hundreds of letters on it. I do not know what world the member for Warnbro lives in if no-one has raised it with him. I have had hundreds of letters, and I have had death threats. I have had dead birds sent to my electorate office for talking about this.

Mrs C.A. Martin: Really?

Mr J.M. FRANCIS: Yes.

Mr P. Papalia: Death threats?

Mr J.M. FRANCIS: Yes.

Ms L.L. Baker: Can you just explain something for me? When you say that the pet shop will put the price of the sterilisation onto the price of the kitten, how does that happen practically?

Mr J.M. FRANCIS: That is something that the member can ask the minister in consideration in detail, but my perception is that vets have fairly entrepreneurial kinds of businesses. They will just approach the local pet shop, or they will sell vouchers, similar to a Bunnings voucher. A person can then take it back to the vet with the kitten, and it is pre-paid.

Ms L.L. Baker: But there is nothing mandating that to happen.

Mr J.M. FRANCIS: It is not an insurmountable issue; it can be easily addressed.

As I said, this bill does not mention the word “curfews”, and that is why some people say that it does not go far enough. I would say to the people who complain about a cat screaming outside their window, that generally the reason why cats wander in the first place is to either mate, which is the polite word, or to feed. If people want cats desexed, and their cat is desexed and well fed—not all cats, but generally—it will be less inclined to go out at night, wander and fight with other cats. It is just the way the DNA works in a cat. If we take away the need for it to mate and feed, we will do a lot to stop it wandering. I would say to those people who are upset about cats in their backyard and their neighbours’ cat, “Go and take a cold shower. If you really have to put the hose on the cat, if you do it enough times, I’m sure it will stop jumping the fence and making a mess in your backyard.” However, I think that people need to calm down on this issue. A little old lady may have a 12-year-old cat that for the last 12 years has been jumping the fence and laying on the neighbours’ front yard. That cat has a built-in pattern of behaviour, and it is just not fair to that lady or to that cat to allow someone to turn around and say, “You’re breaking the law because you’re allowing your cat to do that.” That is why the bill does not address that issue. I know that there are a lot of views on this. A lot of people suggest that this bill should enforce compulsory curfews. I say to those people that it is just not feasible; it is just not fair; it is not in the interest of animal welfare and it is not in the interest of current cat owners.

Ms L.L. Baker: Member, it should be promoting it, though.

Mr P. Papalia: No, no.

Mr J.M. FRANCIS: The member for Warnbro was not in the chamber. I did make a point about that. The member for Warnbro sat in here yesterday and said that curfews are bad and that they will force people to have cat runs, and the member for Maylands got up and said that it was not in the bill. The member for Maylands needs to speak to the member for Warnbro, because they are saying different things on this issue—absolutely different things. It is just not a feasible thing to do. However, as I said, if people desex their cat and feed their cat, it will be less likely to wander. I think other people just have to be reasonable about the accepted practices of cats.

I also want to send a message to the cat haters. I know I have said it before in this place and I have heard other people say it. There are two types of people in the world: there are the cat lovers and there are the cat haters. The cat haters will probably say that this is a good bill because it goes some of the way to getting rid of some of the nuisance cats. If people really love cats, they should support this bill, because what is happening, as I mentioned before, is genocide. However, I want to send a message to the cat haters who think that they can become vigilantes. I have always been disgusted by some of the correspondence and some of the phone calls that I have received and by the messages on talkback radio that I have heard. I see some shocking comments on online forums saying that cat traps fit in wheelie bins, full of water. Some people on the lunatic fringe of this debate need to just calm down, be realistic about what can be achieved and realise that this bill is very balanced in its approach. It is not the be-all and end-all, but it is a necessary bill because it addresses some very important issues of animal welfare. That is why the RSPCA supports this bill in its current form. The Cat Haven is the largest organisation in Perth that deals with this issue. Roz Robinson, who runs the Cat Haven, does an outstanding job, and she also supports this bill in its current form. So it is a pretty important message that the overwhelming number of people in this industry, and a collection of cat fanciers, support this bill because they support what we

are trying to do and think it is the best way forward and the best compromise between the extremes of the argument.

A few people have asked why we are dealing with this bill so urgently and not dealing with the dog legislation. I can answer that, and I am not in cabinet. The answer is that we already have a Dog Act that deals with 95 per cent of the dog problems. We do not have a cat act, so no-one deals with any of the cat problems. Of course it is more urgent to deal with this bill than to amend the Dog Act because there is not a cat act. As I said, we already have a Dog Act that deals with most of these matters. Therefore, let us just get on and do it.

Everywhere I go, almost everyone supports this bill. We can listen to the callers on talkback radio. If we speak about this issue publicly, we will get correspondence from a lot of people. Generally, as I said, many people think the bill does not go far enough. That is why I would commend the bill to the house and say that it is a reasonable bill. It addresses the issues of animal welfare. As I said when I started, I am pretty disappointed that so many members opposite think that it is going to create a huge cost burden. It is pretty irresponsible of the shadow minister, the member for Warnbro, to go running up through the press gallery and speaking on talkback radio trying to fearmonger pensioners into thinking that this is going to cost hundreds of dollars a year. As I said, the registration will cost a pensioner less than 10c a week, and I think that is a small price to pay to try to make some kind of impact on the tragedy of the tens of thousands of kittens euthanased every week. If anyone in this place really cares about animal welfare, I encourage them to support this bill in its current form. If members have some small amendments that are reasonable, I am absolutely positive that the minister will look at them. However, as to the general thrust of the bill, it is a great bill. It has taken years of consultation to come up with a position that is acceptable to all the extremes in this debate, and be it on members' heads if they oppose it. That is what I would say.

MR J.J.M. BOWLER (Kalgoorlie) [3.58 pm]: I will speak briefly in support of the Cat Bill 2011. Because I have probably only two minutes, I will talk about one aspect that members of this house may not know about, and that is that the advent of the cat and the fox in Western Australia has resulted in the demise in many ways of the sandalwood trees in my electorate. How does that affect the bill? The fact of the matter is that the cats and the foxes have almost destroyed the woylie population in Western Australia. The only natural enemy of woylies really is cats and foxes—something that people do not think about. The woylie buries the sandalwood nut under, of course, a bush—the sandalwood does not grow on its own—and digs up those nuts three or four days later, but always forgets one or two; hence, we get sandalwood trees growing throughout regional Western Australia, particularly throughout my electorate. That is just one small aspect of this matter. As the member for Jandakot says, this bill will not stop every stray cat, but it will help to control the number of stray cats. Quite apart from damage to birds and all of the other damage that cats cause, this example shows that the cat problem also results in sandalwood trees not reproducing through regional Western Australia.

Debate adjourned, pursuant to standing orders.