

CAT BILL 2011

Second Reading

Resumed from 15 June.

MR P. PAPALIA (Warnbro) [4.08 pm]: Ostensibly, the Cat Bill 2011 might appear to be legislation that the opposition should wholeheartedly support. The justification given in the minister's second reading speech focuses, firstly, on reducing the impact on native fauna by stray cats, and then on encouraging responsible cat ownership and providing for better management of the unwanted impacts of cats on the community and the environment. The bill sounds as though it is reasonable. The minister's second reading speech also suggested that a great deal of consultation had been undertaken with the community, both cat owners and non-cat owners, around Western Australia. In the course of the briefing that we received from the minister's staff, we were informed that the department's discussion paper generated 590 responses, of which 52 were from local governments, 33 were from stakeholders, and 502 were from members of the public. Of the responses from members of the public, 234 were from cat owners and 131 were from non-cat owners. If nothing else, members can see that cats generate a lot of interest. The discussion of cats generates passion, and involvement and engagement with the community. As I said, this legislation, ostensibly, appears reasonable.

We undertook to take a closer look at the legislation and to listen to the concerns expressed to us, particularly by one section of the community with a great interest in cats. The Minister for Local Government mentioned those people earlier today in response to a question without notice—people who engage in the cat fancy. Some of those people are present in the gallery today. Once we talked to those people, it became evident that there had been a degree of consultation; questions had been asked of people, and people had responded and made submissions. However, it would appear that some concerns, particularly of the group that the minister mentioned earlier today, were not really fully engaged in by those conducting the consultation. The member for Jandakot may disagree, but I suggest that as we go through this legislation we will find that some quite responsible submissions on this legislation were made to the department and that they may have been dismissed. Those submissions may have been dismissed for quite valid reasons; I do not know. I am not privy to the discussions between those people and the minister's people undertaking the consultation. I would be interested to see what the minister has to say.

We will look very closely at this legislation because a particular group has quite reasonable concerns that centre on several points that I will make during the course of my contribution; those concerns were raised within our caucus before we even talked to those people. I might add that other concerns have also been expressed more widely in the community, particularly by members of Parliament who are in close contact with their constituencies, which are suffering. A large group of people in Western Australia are suffering as a result of the massive increases to the costs of utilities being imposed on them under this government. In the last three years, there have been incredible increases in costs to those people on fixed incomes who are not only pensioners but also people who do not have the capacity to increase their income because they are working for a living. The only way those people can get an increase is by working harder; if two parents are working, there is no real way that they can increase their incomes to match the huge increases in the cost of utilities, such as 57 per cent for electricity and 45 per cent for water, in the last three years. Those people will be impacted upon by the costs that this legislation will generate. The minister has conceded that. His staff briefed us on their expectations of the costs that would be generated by this legislation. I have to tell members that after that briefing, members who were present raised further questions about the accuracy of the projections of costs and whether they had captured all the types of costs that might be generated. We have a concern that a significant number of costs have not even been considered in imposing the legislation. We are also concerned about the nature of the legislation whereby it empowers local governments to do pretty much whatever they want. This legislation, in many respects, devolves responsibility from the state government.

I understand that part of the justification for the introduction of the legislation was to create a more universal approach. The Joint Standing Committee on Delegated Legislation has been knocking back legislation from local governments attempting to legislate piecemeal, and the idea was to create a more uniform approach. When we look at the legislation and work through some of the clauses, it appears as though an incredible amount of latitude is given to local governments to impose just about anything they want to impose, particularly with individuals being given authority and an incredible amount of power to look into whether people are complying with the laws and rules regarding breeding and the keeping of cats. A lot of questions are to be asked on what additional costs will be imposed on people as a result of local governments being given this additional power.

Plenty of questions will be asked—I will raise them as I go through the legislation and other members will raise them—about what this means for our average cat owners. The cost is not the only concern. Further concerns are the intrusiveness and almost authoritarian nature of the legislation. This legislation potentially enables local governments that do not act with goodwill or are motivated by a particular philosophical drive to focus on

reducing the number of cats within their local government areas to do whatever they want with very little oversight from the minister or his department. That is the concern I have. Too often the legislation refers to rules that will be prescribed in regulation. At the very least, in the course of this debate and during consideration in detail, we will need to investigate exactly what we are talking about. We will seek very clear guidance from the minister, to be recorded in *Hansard*, on what these powers really mean, what the minister expects them to mean and how they will be constrained, if at all.

As a means of considering the priority that has been given to this legislation, I need to raise the fact it seems a little strange that the Cat Bill has been introduced into Parliament at this stage. The member for Jandakot came to see me some time ago and he was told by the Premier that the Cat Bill has to have priority over any amendment to the Dog Act. That raised a lot of questions because I can tell members that numerous members of Parliament on this side of the house have received approaches from constituents regarding amendments to the Dog Act. People are demanding an amendment to the Dog Act. I know and I concede right up-front that we failed to make that amendment within a certain period, which I think was four years. There was an amendment to the Dog Act, but there was a requirement for a subsequent amendment to focus on things such as barking nuisance. Those are the sorts of things about which constituents are approaching us. Those are people's concerns. Those are the real drivers for any legislation relating to pets. Until the minister began his consultation period on this legislation, I had received no contact from anybody about cats. I had never received a constituent complaint about a neighbour's cat. I have not been here very long, I admit; I have been here since 2007. I will seek advice from other members who have been here a lot longer than I.

Mr M.P. Whitely: I have had them about ants.

Mr P. PAPALIA: The member for Bassendean says he has had complaints about ants.

Mr B.S. Wyatt: What about ibis birds? They are the bane of my life!

Mr P. PAPALIA: The member for Victoria Park has had complaints about ibis birds. They are a real concern out there in Victoria Park—flocks of aggressive ibis.

Mr A.J. Waddell interjected.

Mr P. PAPALIA: Magpies!

Several members interjected.

The ACTING SPEAKER (Mr P.B. Watson): Members, we will not be criticising magpies, please!

Mr P. PAPALIA: The member for Forrestfield has had complaints about magpies. We have had complaints about ants and ibis. We have had numerous dog complaints. No doubt members on the government side have had more dog complaints than we can poke a stick at. The question is: why is the Premier so intent on legislating about cats; and why has he introduced this legislation above legislation such as the prostitution bill —

Dr A.D. Buti: Yes, where's that gone?

Mr P. PAPALIA: Where did it go? As I understand, that was a promise given in the 100-day plan prior to the last election.

Mr A.J. Waddell: Perhaps he thought it was the cathouse!

Mr P. PAPALIA: Maybe he did; maybe the Premier got the cathouse mixed up with the cat house and as a consequence —

Mr J.J.M. Bowler: This is serious legislation.

Mr P. PAPALIA: It is a serious bit of legislation; it is a serious question. We have just seen the bumbling Leader of the House incapable of defending himself against charges of incompetence in relation to 70 houses being burnt down, and he is the person who is responsible for bringing this legislation into the house for debate now. There may be reasonable grounds for some degree of legislation with regard to cats. However, we have to question the priorities of this government when none of us here had a complaint. Has the member for Kalgoorlie ever had a complaint about cats?

Mr J.J.M. Bowler: When I was Minister for Local Government and Regional Development, I received —

Mr P. PAPALIA: As a member of Parliament, not as a minister, because as a member of Parliament I have not had any complaints about cats. I did a straw poll —

Mr J.J.M. Bowler: Not in this term; no.

Mr P. PAPALIA: I do not think the member for Kalgoorlie was in the chamber when I did a quick survey of the house. Members had received complaints about ants, ibis and dogs—there were many, many complaints about

dogs—but none about cats. The member for Bassendean probably knows of some other interesting creature that has been complained about.

Mr J.M. Francis: Member for Warnbro, have you been out to the Cat Haven?

Mr P. PAPALIA: I have been to the Cat Haven, but that is not the point. The point, which I am trying to make right now, is that I question the priority being given to this legislation, knowing full well that the member for Jandakot came to see me about the Dog Act, and I offered—I offered personally to the Minister for Local Government—support from our side of the house for an amendment to the Dog Act, particularly as it relates to barking nuisance from dogs. I said, “If you want to get something through, minister, and you want to take some action that will help a whole lot of people around the state”—people whom all of us have received complaints and concerns from—“then introduce an amendment to the Dog Act and you’ll have our support on that.” Instead, the government introduced this cat legislation. That leads one to question: why is the Cat Bill such a priority for the Premier? As I understand, the Premier has taken a personal interest in this legislation.

Does the Premier not like cats? That is a legitimate question because when we talk about cats, anyone, even people who like and love cats and engage in hobby breeding and show cats and whose entire lives in many respects revolve around cats, acknowledge that cats elicit two responses. If we go to the community, generally there are people who love cats and there are people at the other extreme of the spectrum who really dislike cats. The reason I raise this point in this fashion and have asked whether the Premier likes cats is that I think that is a legitimate question to ask of anyone concerned with this legislation. As we go through the bill, a legitimate question to ask about the people put in positions of authority by this legislation is: do they hate cats?

Mr M.P. Whitely interjected.

Mr P. PAPALIA: It is not a strong word. People have done horrible things to cats because they hate cats. It was not long ago that a horrific case was reported in *The West Australian* —

Mr G.M. Castrilli: Are you going to tell me that every local government officer hates cats?

Mr P. PAPALIA: No. There was a horrific case of cruelty to a kitten because that individual used the justification that cats are a danger to fauna. He engaged in an absolutely cruel act that was unjustifiable. I suggest that many people in this place, whether they like cats or not, should share the concern about whether this legislation will enable people who may have a natural dislike of cats and in some cases that are more extreme—there is a term for it—actually hate cats to engage in those acts. There is a fear of cats, which I wrote down somewhere —

Mr J.M. Francis: Catastrophic phobia!

Mr P. PAPALIA: No, there are a number of different terminologies for cat phobias. It is ailurophobia. There are people who are afraid of cats, people who are allergic to cats and people who hate cats. Should this legislation empower any of those people to invade the privacy of a cat owner, who may very well be a responsible individual who is harming nobody, who confines their cats—I suggest that the people we are talking about are more inclined to confine their cats than the average cat owner is—in a secure area so that they are not roaming the neighbourhood, and who cares for an animal that is in many cases their companion? By virtue of this legislation, we may be empowering a vexatious neighbour to cause cat owners angst and disruption and we may empower an autocratic bureaucrat in a local government authority to enact his own philosophical view of the world and pursue cat owners unnecessarily and unfairly, all because we have engaged in the quite reasonable pursuit of trying to protect native fauna and control stray cats. If we do not look closely at the legislation and consider all the possible implications, people can be hurt. Some of these people who fear for their privacy and their ability to continue with their hobby, who fear for their lifestyle, have come to see us. My concern is that I think they have been dismissed to some extent through the consultation process. I understand that they may have been spoken to, may have met with government representatives and made submissions and met with the member for Jandakot, but that does not necessarily mean that their concerns have been given a fair airing. I think that in the course of this debate as we go through the bill clause by clause—that was not a joke!—we may identify that these people have legitimate concerns. I am hopeful that at least in some of those instances, we may encourage the government to consider amending the legislation. As I said at the outset, on the face of it, the government’s objective is legitimate. However, whether the Cat Bill is the legislation to achieve that is open to question, and I think that is the appropriate process. I do not think we should be dismissive of our questions, or anyone else’s, in that regard.

I was particularly drawn to an observation in the minister’s second reading speech, bearing in mind that the first paragraph states —

This legislation has been developed with a view to reducing the number of stray cats being euthanased each year, to encourage responsible cat ownership, and to provide for better management of the unwanted impacts of cats on the community and environment.

Further in the speech the minister states —

When it comes to sterilisation, most cat owners act responsibly, with approximately 93 per cent of owned cats already sterilised.

When we take into account that observation, it raises the question: what are we really doing with this legislation if 93 per cent of the cats owned by somebody in the community are already sterilised? I understand that the emotional and powerful justification is to say that we want to defend and prevent damage to native fauna. I understand the idea that the government is trying to reduce the number of available cats to add to the stray cat pool and that there is an extensive number of feral cats. The estimation in the minister's second reading speech is 650 000 feral cats. I do not know how that is calculated, but that is a frightening figure. I kind of understand the logic behind the suggestion that by reducing overall cat breeding capacity or the number of cats out there in society, we will ultimately have a reduction in the feral cat population, except for the 93 per cent sterilisation rate. That concerns me a little. It is inconsistent to suggest, on the one hand, that there are 650 000 feral cats out there and we have to reduce the number so we are going to impose all these rules on cat owners because they are not being responsible when 93 per cent of cat owners already sterilise their cats. That sounds pretty responsible.

Mr J.M. Francis: The Cat Haven—depending on which year it is—destroys about 10 000 healthy kittens a year. It is genocide. They have no choice because there is a massive oversupply of healthy kittens in Perth. Every single year 93 per cent of people do the right thing—I congratulate them for it, and good on them for doing it—but seven per cent of people who do not desex their cats create a massive problem. The rate at which cats breed is phenomenal. Cats are generally old enough to breed by the age of five to seven months. They can have two litters a year from that point on. Within the first three years they have pumped out five or six kittens a litter, which is 30 to 40 kittens. It is the seven per cent of people who do not desex their cats and do not do the right thing who create a massive problem. It is a huge animal welfare issue.

Mr P. PAPALIA: Thanks, member. I welcome the interjection; and further, as we go, I welcome others. Noting the member's observations and the points he is making, what, in this legislation, will target the seven per cent? Is this legislation not targeting the 93 per cent who already obey the law? Will this legislation not impose additional costs on people who have already been smashed by the Barnett government with its 57 per cent electricity tariff increases and 45 per cent water increases? Is the government targeting pensioners and grandmothers, such as my mother-in-law at home with her dog and cat, who are her constant companions? She already has had her cat sterilised. Is she going to be hit? She will be told she has to register the cat now. Her cat is microchipped and sterilised but she will be told she has to register it with the council. I raise that concern because there are a large number of people in Western Australia who are hurting right now. They are suffering as a result of this government imposing additional costs on their lifestyle over the past three years. That is undeniable. This is potentially another cost. But beyond that, there is a cost associated with preventing otherwise lonely people having a pet. There are a number of studies that acknowledge owning a pet is a wonderful thing for quality of life —

Mr J.M. Francis: It comes with responsibilities.

Mr P. PAPALIA: It does, indeed; and 93 per cent of the people comply with those responsibilities. The point is that the people who this government will hurt are probably already complying. The government says it is trying to target the seven per cent. We will look at, as we go through consideration in detail, exactly what part of this legislation targets the seven per cent. We will ask the question: how much of an interest is the government taking? How much skin in the game does the state government have in relation to targeting that seven per cent? Is there any money associated with this passing of responsibilities, which will yet again devolve responsibilities to local government and yet again load up local government with the blame and the negativity associated with a state government-initiated outcome, such as massive increases in rates as a result of street lighting bills going up, which local governments will have no choice but to pass on to their ratepayers? Those are the sorts of things that we will be asking. How much is this state government interested in protecting people on fixed incomes and pensions from the pain that will be inflicted on them? Exactly how much will that pain be?

When we received a briefing from the minister's staff it was indicated that they had kind of done a projection. The minister's staff will correct me if I am wrong, but I thought I asked if I could have the document in which they had compiled a projection of the cost. If I got that wrong, so be it. I will be looking, through the course of consideration in detail, for as much information as I can get to get a very clear picture of how much cost is associated with this legislation. What will the cost be to the average cat owner, which they do not currently confront if they are one of the 93 per cent who already have their cats sterilised and microchipped?

Mr J.M. Francis: Not 93 per cent are microchipped.

Mr P. PAPALIA: Okay. Understanding of course that sterilisation was the initial concern, but microchipping for monitoring and for recording —

Mr J.M. Francis: It is a no-brainer; the member agrees with compulsory microchipping.

Mr P. PAPALIA: I think microchipping is a good idea, but I start to wonder whether we need registration and microchipping. Microchipping may be linked to a database. As I said before, we have received some very good submissions; I am sure the member for Jandakot has received them too. I have a copy of a submission to the member for Jandakot from the Feline Control Council of Western Australia. Sandy Baraiolo—excuse me if I said that incorrectly—is in the public gallery. She has made an interesting observation; that is, if microchipping is employed by councils, all councils could subscribe to various microchip registries. If they utilised an appropriate scanner—she has even provided the international standard number for the scanner—we have to wonder whether councils will have the ability to access the registries held by the microchipping companies. People will be compelled to operate with them anyway. We will be passing legislation that compels people to microchip their cats. If microchipping operators maintain registries, and if local governments can scan a cat and access the data from the registry, why do they need to keep their own registry, other than it being a revenue-generating scheme? Is that the only reason?

Mr J.M. Francis: In that case, if we had compulsory microchipping of dogs, would the member say that councils should not have to register dogs as well?

Mr P. PAPALIA: I would love to talk about dogs, but the member will not introduce the bill! We are on cats right now. Let us stick with the Cat Bill.

Mr J.M. Francis: I am happy to quickly talk about the costs. My desexed dog costs \$15 a year to register with the council. If it is not desexed, I think it is about \$60 or \$80—it is substantially higher. You take in the vet certificate and they cut it down. If registration for cats was free, do you still think it would have any benefit?

Mr P. PAPALIA: I do not know. That is what I am seeking to find from this legislation. I have had the question raised with me. It has been suggested by the Feline Control Council of WA that registration is superfluous. If we have microchipping and it is appropriately managed through the companies that manage those microchipping organisations, we already have registries in their organisations. All of their members already have another registry. What we will potentially impose on them is a requirement to have three or more registrations. The question is: what are we achieving by doing so, other than providing local governments with the opportunity to harass people and demand more money? If the member is saying it is because they will have a collar with a tag, I think cats are different to dogs in that respect. Cats can slip collars pretty easily.

Mr J.M. Francis: Dogs generally come when called. Dogs and cats act differently. Cats do not necessarily come when they are called, like a dog. Cats are harder to catch; cats jump fences.

Mr P. PAPALIA: Although my mother-in-law's cat, Sheba, follows her around to walk.

The ACTING SPEAKER (Mr P.B. Watson): Member, when you talk, can you address the Chair instead of the other side of the house.

Mr P. PAPALIA: Through you, Mr Chair; I beg your pardon.

My mother-in-law's cat, Sheba, goes for a walk with the dog, and I think she comes sometimes! Cats are independent in many respects. It is a concern. As evidenced by Sheba's behaviour, my mother-in-law tried numerous times to place a collar with a tag on her cat because she did not want to lose her. Even though the cat is microchipped, she did not want to lose her. She feared that if the cat was caught by somebody, or grabbed or found somewhere, perhaps trapped accidentally somewhere, she would like to have a contact phone number on her. The cat kept slipping the collar. It is a constant problem trying to get the cat to wear a collar. There was a bell on the collar, too, in the hope of protecting native fauna. In the end, it proved hopeless. Short of strangling it with something that would be very unhealthy, it was capable of escaping or slipping its collar every single time.

I have had a similar comment forwarded to me via the member for Kwinana's office. He received a letter from Mrs S. Dally, and she articulated the concern that I think will be shared by a large number of people out there—namely, that this legislation may be imposing an unwarranted, unnecessary and quite hefty cost on a lot of people who just cannot afford it in light of the current economic climate. With what the government has done to them already in the last three years, they will not be able to afford what will be done to them.

Mr J.M. Francis: What are the costs she outlined?

Mr P. PAPALIA: She is concerned about —

The ACTING SPEAKER (Mr P.B. Watson): Members!

Mr P. PAPALIA: I am sorry, Mr Acting Speaker—through you.

The ACTING SPEAKER: Members should address the Chair if they are making a speech; this is not just a conversation between the members for Warnbro and Jandakot.

Mr P. PAPALIA: I concede that, but, in fairness, I welcomed interjections before; I beg your pardon.

Through you, Mr Acting Speaker, Mrs Dally made the point that she had two cats, which are both sterilised, which is consistent with what we understand is the case for most people who already obey the law or the law that the government is about to introduce and who already act in a responsible manner. Her concern—this will be a real concern—is not the concern of the cat fancy, because I think that predominantly the people in the cat fancy or who are engaged in cat fancy already contain their cats. They do it because they value their cats, they do not want to lose them and they do not want to risk them being damaged or hurt or lost. Those are not the people the bill targets. However, the concern for a lot of people out there is that if we give the power to local government to require that cats be confined, are we really comfortable about doing that to people? A whole lot of elderly people are pensioners, who currently potentially let their cats roam. I understand that there is a whole lot of justification for complaints about poor cat behaviour, and their invasion of other people's properties and all the angst that goes with that, but, as I said, I have not received a complaint in my office from someone about a neighbouring cat's behaviour in the four years that I have been in this place. I receive complaints about other types of animals, but not cats.

If we compel people right across Western Australia who want to keep “Moggy” or “Fluffy”—which I am told are standard cat's names—which has been allowed to roam free since it was a kitten, albeit sterilised and microchipped, to constrain their cat's movements 24/7, it will impose a big cost that we have not even contemplated. The people in the cat fancy have catwalks, netting and all sorts of things because they have made that commitment; they are responsible and they see it as valuable to keep their cats in a safe environment constrained from wandering, but there are a lot of people out there, my mother-in-law for one, whose cats to date have gone out the backdoor through the cat door, and where it goes, within reason, is up to it. I wonder what we would be doing to people who probably cannot afford the measures that we suggest they will have to take. If the legislation enables local government to pass the requirement for cats within their local government authority to be constrained in their movements within the owner's yard, and as I understand it, the legislation does this—I welcome corrections later if I am wrong—that is a big potential impost on everyone who already owns a cat. It probably has not been considered. This is beyond microchipping, sterilising and the additional registration. I ask that we think about that. I will look at these issues when we get to the relevant clauses, with a particular focus on the impact on people who can least afford additional expenses at this time. I refer to not just pensioners, but also families who are on fixed incomes. Many people just cannot afford to up the costs of running their households by whatever amount we impose on them with this legislation, in conjunction with all the additional massive increases in utility costs imposed in the last couple of years.

Moving through the legislation, I will try to highlight in advance some of the things that I have identified as concerns. I know that there is lot of interest in this legislation on this side of the house. There will be a lot of speakers on it and people have a lot of their own concerns and will no doubt raise them as we go, again, with a view to seeking advice from the minister, and potentially engaging in discussion about whether we can make amendments and change some of this legislation, and whether some of it is entirely necessary.

The first concern I referred to was the one in which I gave the example of my mother-in-law's cat regarding the practicality of requiring —

Mr J.R. Quigley: What was its name again, member?

Mr P. PAPALIA: Its name is Sheba! My mother-in-law will be chuffed! I can see it going into *Hansard* right now! She will be printing it off and putting it on the wall!

Several members interjected.

Mr P. PAPALIA: She would never do that!

I now refer to the practicality of collars and tags for cats. Unlike dogs, which tend to have bigger, boofier heads than cats in relation to the size of their necks, cats are notorious for their flexibility and their ability to slip in and out of things. There will be a lot of concern in the community among people who already own cats. If it is a bad habit that they have slipped their collars, they should be —

Mr A.P. Jacob: The legislation allows for that.

Mr P. PAPALIA: The legislation may allow for it. Saying that something is prescribed or that other circumstances are prescribed does not allow anything in my view. Until we have the debate in this place —

Mr A.P. Jacob: It specifically allows those circumstances.

Mr P. PAPALIA: It does not compel local governments to do anything. Members know that this legislation enables local governments to do a lot of things; it gives them a lot of flexibility.

Mr A.P. Jacob: It gives the defence of cats slipping their collars specifically.

Mr P. PAPALIA: This is what I was talking about before. I imagine it will be okay in the event that a cat lover is the authorised person or local government ranger corralling the cats that wander the streets. However, what if it is someone who hates cats? What if it is someone who is allergic to cats? What if it is someone who had some horrific experiences as a child and just cannot stand cats? What if the local government is subject to a campaign of vexatious complaints by a string of neighbours or one neighbour?

Mr J.M. Francis: What about noisy dogs then?

Mr P. PAPALIA: That is true, but we have to consider these things. If we introduce legislation, it needs to be scrutinised with a view to what the potential negative outcomes may be. That is one concern I raise.

The other concern I raise is on behalf of people in the gallery and in response to some of the submissions they have sent to us. I received two very good submissions—one from Sandy, and the other was from Kirsty Connell; I think the minister has received these. Cats that are shown can be negatively impacted by having to wear a collar; that is, it is damaging for the purposes of their being judged. The member for Ocean Reef has disappeared again.

Mr A.P. Jacob interjected.

Mr P. PAPALIA: I understand that we use the words “as exempt for registering tags when in a public place”, and we will prescribe those sorts of exemptions. Nevertheless, it might be worthwhile in the course of consideration in detail for us to investigate which cats the legislation covers and to ensure that we have as wide a description and an expansive a list of those specific types of cats as possible to ensure that what we convey to people in the future who may enact this legislation on the ground that it is not supposed to cover a constrained, small group of cats. Quite a large number of varieties of cats may need to be given an exemption from having to wear a collar.

Mr A.P. Jacob: I think that is already covered in the legislation.

Mr P. PAPALIA: Member, legislation gets debated for this reason. The member should not say it is all covered, because I suspect that it will not all be covered. What the member considers to be satisfactory and ironclad will not meet our requirements; it will not necessarily meet the requirements of the people who we represent. It is our job to go through and question and scrutinise everything that we may have some concern over.

The other thing I want to raise at this stage as I move through the legislation is the question I raised earlier: just how much skin has the government got in the game? A lot of people in Western Australia will be impacted upon by this increase in the cost of owning a pet provided for in this legislation introduced by the Barnett government. The government’s policies have already hurt people in Western Australia who are on fixed incomes: pensioners and families on fixed incomes who cannot demand a bigger pay increase, whose only way of generating more income is to work longer hours, often in two jobs, or more hours if a couple are working. Those are the people who will be hurt. During the consideration in detail stage we will be asking for some indication of what the government will do to compensate those people. Will the government take any action to ease the burden upon those people who do not have a spare \$20 let alone a spare \$200 or whatever it will cost? We will look to the minister to find out exactly how much it will cost in every instance. If the proposal for registration is passed, will it be an annual impost for hobby breeders? Will it just create the capacity to generate a large amount of revenue for the people who will impose those costs at local government level? Rather than introduce other pretty important legislation, the government has decided to make this bill a priority at this time, while we have not been inundated with complaints in our electorates about cats, as opposed to some other subjects. We will ask whether the government will look towards easing the pain of those people. That is a real consideration; not for the member for Ocean Reef because he has got plenty of money to throw around, but for people who do not have a lot of flexibility in their budgets.

As I have already indicated, I have concerns about the value-adding of registration to microchipping. I will look to the minister for good argument about why that should occur. We live in a far more technologically advanced world than was the case when the Dog Act was introduced. It is possible to see that a dog is registered—the registration number being kept at the local government—by the tag that is hanging from his neck. I know that that policy is in place today. Given this is a recent initiative relating to cats in particular and that we are living in a new environment where, God willing, we will have an NBN and technology will be available to enable local governments across the state to very easily connect into microchip databases, we must ask ourselves: what

benefit is there in imposing a registration and the necessary red tape and bureaucracy on cat owners in addition to asking them to sterilise and microchip their cats? I will be looking to the minister for some justification for that.

As I indicated earlier, I am concerned that this legislation will empower local governments, particularly individuals within local governments, to undertake considerably invasive measures to enforce the legislation. All manner of powers will be given to authorities to administer this legislation, not just around registration but also the breeding of cats. I will skip ahead to the part of the legislation I am concerned about. The provisions around being an approved cat breeder seem to allow for a considerable amount of interpretation for the local government authority. Clause 35(2)(a) states —

An application for the grant or renewal of an approval to breed cats is to —

- (a) be made in the manner and form prescribed; and
- (b) be accompanied by the fee, if any, prescribed; and
- (d) comply with such other requirements, if any, prescribed.

What additional requirements might we be considering? The bill refers further on to facilities, but it is not very specific about the facilities. The legislation seems to be very open-ended in a number of areas that could hurt people if a local government authority or an individual within that authority had some philosophical bent towards reducing the number of cats in their area or in response to vexatious complaints by other people. The provision in paragraph (c) “comply with such other requirements, if any, prescribed”, is open-ended. Further down clause 36(2) reads, in part —

A local government may refuse an application for the grant or renewal of an approval to breed cats only if the local government is satisfied that one or more of the following apply —

- ...
- (b) the applicant has no, or insufficient, facilities to breed cats in a safe and ethical way;

I have to ask the minister: what is a safe and ethical way to breed cats? I grew up in the country and to my knowledge, cats —

Mr J.R. Quigley: They breed on a picket fence.

Mr P. PAPALIA: Cats have been breeding for a long, long time without much in the way of safe and ethical procedures in place. I saw it when I was a kid. They breed under houses built on wooden stumps where it is nice and dry, warm and safe, and too low for dog access. On farms they breed in sheds and in the haystacks or they find themselves a dry patch under a bit of tin. That is safe and ethical for the cat’s purposes. What will we allow local governments to impose when it comes to safe and ethical requirements? That is a fair question, member for Ocean Reef and member for Jandakot, who have a keen and obvious interest in the matter! What might be considered a safe and ethical breeding facility within the City of Rockingham might be completely different from that in Collie or Broome, for instance. They might all be different. What if an individual employed by a local government decides to attach a draconian requirement to “safe and ethical breeding facilities”? What if they make up a safe and ethical breeding requirement that can be met only by commercial breeders, some of whom may not be complying with what the government is trying to impose?

Hobby breeders, who would probably breed only a small number of cats, might be breeding their cats in an environment that we would all consider to be safe and ethical. Those people would ensure that the cats are all sterilised and microchipped and will go to safe homes because they care about them. Their cats might breed in a basket containing blankets in a room in the back of the house. Why is that not a safe and ethical environment for a cat to breed its kittens? In this legislation the address of individuals who own cats will be publicly available. Mr Neighbour, who hates cats might think, “I’m going to get those people because I know they’ve got a cat and that the cat has had kittens because I’ve seen the kids playing with the kittens in the front yard.” He might then phone the local government authority and complain that the cat is breeding in an unsafe and unethical manner. The person in the local government authority who is responsible for making an investigation might hate cats. The legislation provides the local government authority with a degree of invasive powers, so the local government employee can demand things of the cat owner. They get to go in and demand things of the owner and even shut them down. The council can give the owners notice and stop them from keeping cats. The problem is that this would not be so outrageous if it had not, kind of, already occurred. Instances were reported in the course of our consultations in which a metropolitan local government has enacted its own legislation and that legislation has done little to tackle the feral cat problem. It has, however, empowered vexatious complaints and harassment of people who had hitherto gone about their business in a responsible and fair way—completely containing their cats so that they do not stray out of the yard, microchipping and sterilising the animals they are not breeding. Yet these people are being told that they have to shut down their facilities because they do not meet

that local government's standards. It can occur because it has occurred and it is a genuine and legitimate fear of those people who have come to see us to voice their concerns about what may potentially occur. I understand, and they concede, that out of an intention to do good, we could negatively impact and impose a great deal of pain on a group of people. I am talking about people the minister has received submissions from—members of the Feline Control Council of Western Australia, which include single pedigree or companion cat owners, multi-cat owners, registered hobby breeders, boarding cattery proprietors, cat rescue supporters and commercial cat breeders. They are concerned because in some cases they have invested a lot of money in their cats, and not necessarily for commercial purposes, although some members are commercial breeders. For a lot of these people, this is a big part of their lives and they invest a lot of money in their cats to the extent that they have DNA registers and they seek cats overseas to bring into the country. They take a great deal of care in providing their cats with a secure environment. They have established their houses as appropriate places. These people care more about cats than anyone I have ever met, and they easily meet the ethical and safety requirements that we might be trying to impose. I understand where the minister is coming from with the legislation, but these people may be told at very short notice by a local government imposing a new set of rules or laws established in response to this legislation that they have to shut down and move, or they may be told that they have to spend X more dollars to meet requirements that did not exist yesterday, when they had been okay to operate. The consequence of that is—it has happened in the metropolitan area in Western Australia already—that people have been compelled to sell their homes and move because of the cost and associated stress and anxiety of trying to meet council demands. They are now fearful that we are going to empower every local government in the state to do the same thing.

It only takes a little cabal of local government bureaucrats to make the determination to be a cat-free zone, and numerous people could be affected. According to evidence presented in Kirsty Connell and Sandy Boraiolo's papers—both presented the information in a table—the number of cats in the community is diminishing and has been consistently diminishing over recent years. In 1997, there were 13 cats per 100 people and in 2007 there were 11 cats per 100 people. The number is diminishing already. That again raises another lot of questions. It raises the question of whether this legislation will achieve the objective of tackling the feral cat challenge, which is the real problem that we are trying to address.

As I have said, I think that these people who have seen the opposition and the minister to make their concerns known have legitimate concerns. I have stated that registration in addition to microchipping strikes me as being, above all else, questionable. The opposition will be looking at that. The requirement for collars and tags strikes me as being, perhaps, unreasonable, and we will be looking at that. The costs associated with this legislation and the unintended costs associated with requiring every cat owner across the state to confine their cats to their premises 24 hours a day need to be looked at, because that cost will be considerable. However, there is one issue that we are concerned about and that we will definitely be looking to have the minister change. I will seek proposed amendments from all my colleagues, because there is a lot of interest in this legislation on this side of the house, and I welcome participation in the debate, and I think the minister will too. The one thing that we will be looking at very, very closely is the protection of the privacy of registered cat owners. If the minister, in pushing through this legislation, demands that every cat owner in the state be registered with their local government, the opposition will ask him to change the legislation to provide privacy and security to those people on the list. I understand that local government legislation generally requires that any lists of people or operators or businesses be available to any member of the public upon application. I understand that, but advocate the need for security for those individuals involved for the reasons stated at the outset of this debate. I am in the middle. I like cats and I like dogs. However, there are generally two types of people when it comes to the cat discussion: those who love cats and those who really do not like them. We do not want to empower those people who do not like cats or even those people who may just be nasty neighbours. There are a lot of them out there! We do not want to empower people to be able to access a list of cat owners in their street or neighbourhood and subsequently undertake a campaign to terrorise those people via the local government authority. We do not want them to be able to use the local government authority as the muscle to damage their lifestyle and torment them, and, as has been the experience in Western Australia and in Perth, to torment them to the extent they ultimately end up having to shift house, when that may not be an option available to them.

Mr G.M. Castrilli: Can I just ask: do you support this legislation or not? I mean, you haven't mentioned it yet.

Mr P. PAPALIA: I am glad the minister asked. As I said at the outset, ostensibly this legislation appears reasonable. It is our inclination to support most of it. We will investigate and demand information about all of it. And there are some clauses that we will oppose outright. I can tell the minister now that if he tries to force people to have their addresses and names made available to anyone in the community, we will fight him on that because that is wrong. It is unfair.

Mr G.M. Castrilli: Is that your number one thing? Is that your main concern?

Mr P. PAPALIA: That is our biggest concern. I have already articulated my other concerns. The minister heard those. I think they are reasonable and I think it will be worthwhile engaging in a discussion on those during consideration in detail.

Before I finish, I commend the people who made submissions, particularly the Feline Control Council of WA. We are very thankful for its input.

MR W.J. JOHNSTON (Cannington) [5.10 pm]: I want to make a few remarks on the Cat Bill 2011. The first thing I would say is that the provision the member for Warnbro particularly referred to could be called the Mars, Incorporated clause because it allows people to do direct marketing to people who have cats in the house. It will provide a list, in a single place, of everybody who has a cat in each local government area. Mars, Incorporated will now be allowed to find out the name of who owns the cats. There can be improper behaviour in respect of that provision. I join the member for Warnbro in saying we need to have a look at that, particularly now in contemporary society when it is much easier to process data than it was once upon a time. There is lots of information. When these laws were introduced 30 or 40 years ago, it was not easy to process data and aggregate information. It is much easier to do that now. I do not think that the provision is suitable.

I will refer to an interjection by the member for Ocean Reef, who said that there is a defence if a cat gets out of wearing a tag. It actually does not say that. Clause 6 states —

(3) It is a defence to a charge under subsection (1) if the accused establishes that —

It then goes on with the defences. The point here is that it is a reverse onus of proof. Under normal arrangements the prosecuting authority has to prove what happened, whereas in this provision, the person who is defending themselves must establish the circumstance. The allegation by the council of a contravention of the act —

Mr A.P. Jacob interjected.

Mr W.J. JOHNSTON: Let me make it clear to the member that this is a reverse onus of proof. What happens is that an allegation by the council is proved true unless a defence is established. That is the reverse of normal procedure. Normal procedure is that council has to prove that its allegation is true. The member clearly does not understand what the law says, because that is clearly what the provision says.

I want to make it clear that the regulation of cats is a very important topic. I think it is very important to have a provision to deal with providing appropriate arrangements for cats. I am a cat owner. There are a couple of things that I would point out. I always see my daughters as being the cat owners, but this legislation will make me the cat owner because a person under 18 years of age cannot be a registered cat owner. I understand what is being intended there—that the parents take proper responsibility for the animals; that is what we are doing. We are changing legislation so that when a seven-year-old gets their first pet the parents will take responsibility. They give their child the pet when they turn seven and try to teach them some responsibility. We are providing a power that a cat can be destroyed if a person believes that the cat has caused or is behaving in a manner that is likely to cause serious injury to a person, another animal or itself. A council officer can destroy a cat without any reference back to the owner, and then send a bill back to the owner. Imagine a parent turning up with their seven-year-old to explain that the moggie has not come home; but not only has the moggie not come home, the owner has a bill to pay for the cost of the destruction. The member for Victoria Park does not interject but whispers in my little ear that maybe that has to be deducted from the child's pocket money!

A member interjected.

Mr W.J. JOHNSTON: Send them out working; yes, that is right. I do not understand that provision. There are also provisions in the bill that, even when the council knows who owns the cat, there is no obligation on it to attempt to return the cat to its owner. I do not understand. In fact, the provision states that the cat will be held in the facility and, at the end of seven days, if the owner has not turned up, the cat gets destroyed, and then the owner gets the bill for the destruction of the cat and the cost of keeping the cat for the week. That is what these provisions state.

Mr A.P. Jacob interjected.

Mr W.J. JOHNSTON: I can find it for the member, if he does not know the provisions of the bill. I am happy to continue to educate him if he is not sure of what is contained in the bill that he is supporting. That is actually an existing provision. What happens is that there is some confusion. People in my electorate come to see me about cats that are wandering in the regional park and destroy native animals. That is a reasonable position for people to take. There are a lot of great environmental groups that work in the local community to make our local environment a better place. That is a reasonable position. A lot of people talk about feral cats. If people are desexing cats, properly looking after cats, then they should not be seen as being feral cats. Just like with dogs, there are people who see cats as being important companion animals.

I want to go on further. There is basically no provision in this bill to allow a transition process. I will give some examples of that. There is a provision that cats are to be desexed and receive a tattoo in their ear if they have been desexed. What about the cats that have already been sterilised?

Mr A.P. Jacob interjected.

Mr W.J. JOHNSTON: I will come to the issue of statutory declarations, but that is not the point I am making. I will just read the provision out to the member for Ocean Reef —

19. Sterilised cats to be identified by tattoo

- (1) A veterinarian must not, without reasonable excuse, sterilise a cat unless the veterinarian marks the ear of the cat with a tattoo as prescribed.
...
- (2) A person must not tattoo a cat, ...

That is a part of the other provision. Given that there is this unusual system that, even though the cat has a microchip in it, if it is found without a tag, even though the council knows who owns the cat, the cat can be destroyed and the bill for the destruction sent to the person who owns the cat. There is no process for transition. Why not have a provision that says, “If you want to microchip cats, this is the phased way we will introduce that process.” The environment of cat ownership today is very different to what it was 20 or 30 years ago. People are much more responsible about cat ownership. When I was a little kid and got my first cat at five or six years of age, we did not have it desexed. I am sure it roamed widely and caused all sorts of problems, but people learnt, and now, 40 years later, have a different attitude to cats. What is the system for progressing from the better system we have today to the system that we want to get to? Why not have some form of procedure to allow some transition over to that new arrangement? I do not think that is an unreasonable position to put.

On a very technical issue, clause 9(5) says —

A local government to which an application is made may require the applicant to give the local government, within a specified time of not more than 21 days, any document or information that it requires to determine the application and may require the applicant to verify the information by statutory declaration.

If we look up the previous clauses about registration, why not simply have a prescribed form? Why not simply say that there shall be a prescribed form to provide the information that is required, because then all the councils will be operating in the same way? The information will be available to everybody and we would have a much simpler system of registration.

I also ask, in respect of clause 12(2): why not prescribe a system for the form on the register? At the moment the subclause states —

- (2) The register is to be kept in such form as the local government thinks fit.

Why not just say “in a prescribed form”, because then there could be a simple system that everybody understands? Again I ask what the minister is going to do about transitional arrangements in respect of division 2, “Microchipping”.

I now want to go to clause 22, “Transfer of ownership of cats”. It states —

- (1) A person must not transfer a cat that is not microchipped unless, at the time of the transfer, the person is satisfied that a certificate ...

As I understand it, a cat that is under six months old does not have to be microchipped. In respect of sterilisation, there is a provision that states that a person can sell a cat that is under six months of age with a voucher that can be exchanged for the cost of the sterilisation. I am not quite sure, and it would be good to know, how that is intended to operate with microchipping. As I read the legislation, a cat does not have to be microchipped until it is six months of age, so what will be the arrangement for selling a kitten?

Mr J.M. Francis: On the issue of the age of six months, generally a cat will be old enough to breed by the age of five months, but that is not all cats. If you ask the RSPCA, it will say that a cat might be old enough to be desexed by the age of 12 months. If you ask the Cat Haven, which has vets that specialise in desexing kittens, it will say that it is six months. But the vet association will say that it has nothing to do with the age of the cat; it is the weight of the cat, and it will not desex an undersize cat. It is the best compromise.

Mr W.J. JOHNSTON: Yes, but that is not the issue I raised. There is a sensible provision for sterilisation. I understand the way the provision works for sterilisation. I am drawing attention to microchipping. I will address the minister who is responsible for the legislation. There is no similar transitional provision for microchipping a

cat. I am just asking whether the minister could perhaps address that issue when he makes his comments in reply to the second reading debate.

Again, I think clause 27 needs to be considered. Why would the bill not just provide that a seized cat needs to be returned to its owner? Why does the bill provide that the cat can instead be impounded, whereby the owner would then start racking up costs? I also make the point that there are a number of provisions in the bill similar to clause 29(2), which states —

Despite subsection (1), a person does not have to scan a cat if —

- (a) the cat behaves aggressively towards the person or any other person; or
- (b) the person believes on reasonable grounds that there is a danger to the health or safety of any person in attempting to scan the cat.

Mr G.M. Castrilli: Which clause are you reading?

Mr W.J. JOHNSTON: It is clause 29(2). There are other similar provisions in the bill. I just wonder why those particular words have been used. If a cat that has been microchipped is caught, surely there is a method of scanning it. What is the purpose of the saving provision? I can understand if a massive feral cat is caught out at Lorna Glen station. The chances of a big feral cat in the middle of nowhere being owned by somebody are pretty remote, whereas it is pretty clear that most moggies in the metropolitan area belong to somebody.

Mr J.M. Francis interjected.

Mr W.J. JOHNSTON: They are not in my suburb, member.

Ms R. Saffioti: In the wilderness of Jandakot!

Mr W.J. JOHNSTON: In the wilderness of Jandakot, they breed up.

Again, the minister needs to look at some of these provisions. There is a transition time in which people will have to get used to the legislation. I draw the minister's attention to clauses 31 and 33. I think there needs to be some opportunity for some transitional arrangements with these clauses so that we do not just go from the law today to the law as prescribed by this legislation.

There are a number of provisions in the bill in which a reasonableness test is applied to enforcement officers, but not for cat owners. As an example, clause 49(2) states —

A person from whom information is requested under subsection (1) must not refuse without lawful excuse to give the information.

Arguments can be caused over the use of the term “lawful excuse” about when a person has a right not to provide information. It would seem to me to be better to say “reasonable excuse” or something like that so that the same reasonableness test is applied to cat owners as is applied to the enforcement officers established under the legislation.

I support a form of regulation of cat ownership. I do not have a problem with that. But I am not quite sure that the form of this bill is the right way to go about it.

The final issue I raise is the cost shifting. It has been raised with me by both local councils in my electorate—the City of Gosnells and the City of Canning—that this is another example of costs being shifted on to local government. Both councils are concerned about how much they will have to spend on enforcement when there has been no reasonable discussion. The City of Canning in particular is strongly in favour of cat regulation. The City of Gosnells has a mixed view. But both councils say that the government is again shifting costs on to local government. I think that is a serious issue. This is the sort of bill that would probably benefit from a delayed process whereby there is an opportunity for a committee to look at it. If the minister does not want to do that in this chamber, there is a very established committee system in the upper house. The government perhaps could refer the bill for some sort of review. I know that the minister has had a long process of discussion with people to get to this point, and I appreciate that. But there is a difference between getting to the point of the principle of the regulation of cats—as an example, I am in principle in support of the regulation of cats—and examining the words in the bill. With all due respect, minister, nobody knows exactly what the effect of each individual word in a bill is. Without trying to inflame the Minister for Police, we have ended up with serious problems because of the drafting of a number of bills relating to policing in this state. I think that this is probably one occasion when having a bit of a pause during the process of parliamentary scrutiny is a good idea, so I encourage the minister to think about that.

MS L.L. BAKER (Maylands) [5.28 pm]: I rise to speak to the Cat Bill. I want to start by quoting a paragraph from the government's consultation paper “Proposal for Domestic Cat Control Legislation”, which was put out in June 2010. The paragraph I want to read is on page 12 of the consultation paper. It states —

The *Animal Welfare Act 2002* is intended to promote responsible animal care and protection, and to protect animals from cruelty. The existence of a large population of stray and feral cats, of poor health and living conditions and the high rate of death might be inconsistent with these objectives.

I agree that it is inconsistent with those objectives. We are discussing legislation under the Department of Local Government's control. I start my contribution to this debate by referring to the priorities that this government has chosen to place on animal welfare in this state. I will quote the World Organisation for Animal Health definition of "animal welfare" —

Animal welfare

means how an *animal* is coping with the conditions in which it lives. An *animal* is in a good state of *welfare* if (as indicated by scientific evidence) it is healthy, comfortable, well nourished, safe, able to express innate behaviour, and if it is not suffering from unpleasant states such as pain, fear and distress. Good *animal welfare* requires *disease* prevention and veterinary treatment, appropriate shelter, management, nutrition, humane handling and humane *slaughter/killing*. *Animal welfare* refers to the state of the *animal*; the treatment that an *animal* receives is covered by other terms such as animal care, animal husbandry, and humane treatment.

Our federal government applies that definition to animal cruelty and animal welfare. An addition was introduced as recently as last year by the United Kingdom when the UK's Farm Animal Welfare Council, which is now called the Farm Animal Welfare Committee, reported that the minimum standards of farm animal welfare should be moved beyond what is known as "the five freedoms" and be set at the test of whether an animal has, in fact, a life worth living from its own point of view. The Farm Animal Welfare Council stated, and it was accepted by the UK government, that —

This simple concept subsumes the Freedoms; indeed it would be a sad reflection on government policy and commercial practice if the intention was not to give each and every farm animal a life worth living.

I will quote what the council has stated as its premise on this —

"The question is not just, "Do they suffer?" nor, "Are their needs met?" but rather, "Do they have a life worth living?"

Under the Western Australian Animal Welfare Act 2002, our state law does not capture modern definitions of "animal cruelty" and neither does it express the five freedoms—for example, that a life is worth living. We define "cruelty" in a different, more old-fashioned way. Recent studies demonstrate that for the public, the welfare of animals, including farm animals, is no longer out of sight and out of mind. In 2009, Newspoll's Sydney survey found that —

- 86% per cent of Australians think that keeping laying hens in cages all of their lives is not acceptable;
- 74% of Australians think that castrating animals without anaesthetic, which often occurs in farm practices in Australia, is not acceptable; and
- 67% said that it was unacceptable to make cows pregnant every year and take their calves from them —

As early as four or five weeks —

to obtain milk.

In addition, I suggest that this government's priorities around animal welfare need a dose of reality. I wonder where the minister will be tomorrow when 67 000 sheep land at Fremantle port on their way to the Middle East, after spending two weeks on a ship for live export and with 300 of them dying in appalling conditions. The Royal Society for the Prevention of Cruelty to Animals has quite clearly said, nationwide, that that is cruel. I wonder where the minister's morals and ethics around animal welfare and cruelty will be when that ship berths tomorrow. I challenge the government to take a position on live exports and other forms of animal cruelty that are absolutely self-evident. I challenge the minister to take a position that is stronger than saying, "Oh, it is part of the Department of Agriculture and Food. You guys are all greenies and loonies." I have heard that term so many times. I am here to tell the minister that the movement against animal cruelty is not restricted to lunatics! The movement has a number of members who sit in this Parliament—although some might apply that term to some of us—and in legal chambers, in accountancy firms and in marketing firms. The movement has more and more people all over this world. I wanted to start this debate by saying that the priorities of the members on the other side of the house are a little skewed. I agree that cats and feral cats are an enormous problem for this

country, but I challenge what the minister is doing and ask him to look in his backyard to see the way that he is letting animals, besides cats, be treated.

I will move now to the specifics of this bill as it is proposed. I am sorry to report that I have had problems with cat hoarding in my electorate. Cat hoarding is one of the things that we hope good cat legislation will tackle, and that it will reduce the possibility of its occurrence. As the Deputy Speaker would know, cat hoarding occurred on the border of our two electorates, so we have close, up-front and personal experience with cat hoarding. Although that is a psychological issue and requires treatment separate from the cats, this bill may go some way to helping address the need to sterilise and microchip cats and the need to bring in more stringent conditions.

I am absolutely convinced of the value of cats as companion animals. I have cats of my own; indeed, they would probably have liked to be here in the public gallery listening to this debate this afternoon if they could be! They are at home, but I am sure they have got the television on and are watching. Cats are of enormous companion value, particularly for the elderly and people in homes and in care. It is really important to look after those people who might not have the financial capabilities to stump up the costs of sterilisation, microchipping and building enclosures to fence in their cats. Members will hear my colleagues talk about the financial provisions and imposts in this bill; I will also make some comments about them a bit later.

It is a bit of a shame, because it would have been a prime opportunity to move on the issue; however, from my understanding, there is no mention in this bill of cats being contained or restricted.

Mr J.M. Francis: There is absolutely no mention; that is why what the member for Warnbro was saying was wrong. It does not even mention it.

Ms L.L. BAKER: I think the minister has missed a golden opportunity. Although I understand how controversial that would be —

Mr G.M. Castrilli: The member for Warnbro doesn't want it.

Ms L.L. BAKER: It is not the member for Warnbro who is speaking at the moment, minister. You will notice it is the member for Maylands speaking!

I acknowledge that this bill does not provide for the containment of cats. One has to ask the question: how will this bill impact feral cats and the number of cats fighting and creating nuisances if it does not address the containment of cats? I turn to some research that not only has been quoted to us by the Cat Owners' Association of Western Australia but also is contained in the minister's own consultation papers. Therefore, the minister is clearly aware of the problems with this. I refer members to a Victorian study released in 2006 that found that 79 per cent of cats that entered the state's three largest animal welfare shelters were un-owned —

This indicates that the major source of unwanted cats is from the unowned population and, as such, a requirement for owned cats to be sterilised may not make a significant contribution to reducing the number of stray cats.

Further to that is the Australian Capital Territory research of 2001. Again, that is quoted in the consultation paper, which states —

... the ACT Government made it compulsory for owned cats to be desexed by six months of age. The Australian Veterinary Association undertook a study into the effectiveness of the legislation in reducing the numbers of cats being surrendered to animal welfare shelters and subsequently euthanised. Statistics for the five years prior to 2001 and the six years after indicated that had been no positive impact from the introduction of desexing. The data showed that significantly more cats were euthanised in 2006 than in 2001.

The government has not explained how the Cat Bill will help solve this problem. There is an assumption that desexing cats will address the feral cat problem and that not so many cats will be euthanised in a five-year period. I know that the Cat Haven hopes that that will be the case. However, there is a logical disconnect in this argument and the government has not really been able to convince me that this bill will do what the government hopes it will. I think the government wants to achieve some very fine aims, but I am not at all convinced that the bill will do that. Further to that, Dr Peter Mawson, the principal zoologist with the Department of Environment and Conservation, states —

... cat confinement must become a requirement if unwanted breeding and the impact on native species is to be curbed.

“I have no problem with cats being owned as domestic pets but you have all these problems with unwanted pregnancy, fighting, diseases, accidents and visits to the vet,” he said.

“All that would go away if you confine them and eventually, over time, stop the trickle feed into the semi feral population.”

Dr Mawson also questioned how mandatory cat registration, microchipping and sterilisation will be enforced at local government level. Apart from the significant cost, how will local governments ensure compliance? At the moment, about 50 per cent of dogs are not registered, so how will we ensure that cats are registered? This legislation could be a straw man; it will never actually be enforced. There is also the problem that rangers can whizz out and catch a dog with a net or something, but it is a little trickier to catch a cat. I know that cats can be trapped in a cage, but the rangers will need to be paid overtime because they will have to set up the cages, check them and pick up the cats. Therefore, I think that the issue of containment is not managed particularly well in the proposed legislation.

It is thought that the Cat Bill will possibly stop people dumping unwanted cats because they know that the cat has been microchipped and therefore the owner can be identified. That is logical; it makes sense to me that we can expect that the owners will be able to be tracked. However, this bill insists only on six-month-old cats being microchipped.

Mr J.M. Francis: No; it applies to all cats, unless they're too old or there's some medical reason why they're exempt.

Ms L.L. BAKER: But the bill states that a cat must be sterilised and microchipped by six months.

Mr J.M. Francis: By the age of six months.

Ms L.L. BAKER: Therefore, the problem—as pointed out by members this afternoon, my vets and other contacts—is that cats will be actively breeding at the age of 12 weeks.

Mr J.M. Francis: But the problem is the Australian vet association is saying that not all cats by the age of—I know some cats can breed by five months, some by seven months, some even maybe by four months. But the problem is if you passed a law that said to a vet, “You will desex a cat by the age of four months”, if it's just too small, they won't desex the cat. So you'd have a conflict, which is why by the age of six months was the best option that was acceptable to everyone involved, including the vet association, which says all cats will be big enough to be desexed by the age of six months, otherwise it just becomes too great.

Ms L.L. BAKER: I understand that rationale and I recognise why the minister has taken this course. However, I think there is a problem in not only enforcing it at that level or the dumping of litters of kittens under six months of age, but also animals being sold through pet stores, *The Sunday Times* and other less formal environments. The regulations around that will really be open to abuse. We need legislation in this state that tightens up the laws around pets being sold in pet shops. My personal view is that animals under the age of six months should not be sold in pet shops. I am not sure what my party thinks of that, but I just thought I would mention it while we are talking about it! I do not think that should be possible in any state that cares about animal welfare because it is too easy for mums and dads walking by with a kid to make a decision on impulse to purchase —

Mr J.M. Francis: Member, what would be required now would be that when you buy that kitten—personally, I agree with you as well—you're going to have to pay for the desexing and the microchipping at the time. So if it makes it that little bit more expensive, it takes away the impulse purchase of it. Quite frankly, if you can't afford the desexing and the microchipping —

Ms L.L. BAKER: I ask for an extension for the member for Jandakot, please!

The DEPUTY SPEAKER: Extension granted, member for Maylands.

Mr J.M. Francis: Sorry, Mr Deputy Speaker, my view is that if you can't afford to desex and microchip a cat at the time of purchasing, then you shouldn't really be in the business of buying one in the first place.

Ms L.L. BAKER: I agree with that entirely, but the practicalities are that that will not happen because there are pet shops that, asked where they get their puppies from, swear blind that they always use a breeder who lives just down the road and the puppies are always looked after. The RSPCA, the authority on this, will tell people that is absolute rubbish. Puppies are brought in from puppy farms in the eastern states, they may not be properly immunised and they may be sick puppies. This goes on all the time. That is my concern.

Mr J.M. Francis: My quick response would be: look, I know it's not the silver bullet, but drink-driving is illegal in Western Australia, but people still drink-drive. If it wasn't illegal, the rate of drink-driving would be much higher.

Ms L.L. BAKER: In the minutes I have left, I state that this is a big issue that should have been regulated and addressed in some way. Although it is not necessarily under the jurisdiction of local government, I think there is a necessity to ensure that kittens are not sold unless they are sterilised. That would mean they would be sterilised and microchipped before they are put in the pet shops to be sold. The pet industry in its entirety—I know that it is a disparate industry and everyone has different opinions; it is famous for that—would, I think, have a lot of support for looking at how we can monitor and regulate animals sold through the less formal channels. The

RSPCA, I understand, recommends compulsory registration and licensing systems for all outlets selling companion animals, including shops, breeders, vet clinics and shelters. I cannot emphasise enough the importance for any government that pretends animal welfare is important to look at the RSPCA's recommendations. I suggest the government look strongly at that recommendation in particular; it will do an awful lot to address some of the animal cruelty problems. The RSPCA states that the most reported incidents of cruelty are to dogs, with cats next, then horses and other animals after that. Therefore, the conditions under which animals—cats—are being kept and presented for sale should be detailed in codes of practice, and compliance with the codes of practice should be made a condition of licensing.

Finally, we talked about the age of sterilisation and I talked about the link with cats being sold in pet shops. The member for Jandakot mentioned his position on that. The Cat Haven agrees that the sterilisation age should be lower than six months, notwithstanding what my friend the member for Joondalup and the Australian and New Zealand College of Veterinary Scientists may have said as well. Certainly, the vet who looks after my animals would agree with the Cat Haven that a sterilisation age lower than six months is acceptable. Vets are now advising that dogs can be sterilised from 12 weeks of age and that sterilisation at three months of age should be the aim of this legislation, not older. As members on the other side would know from their extensive knowledge of animal welfare, the RSPCA recommends early-age desexing from the age of eight weeks, when surgery is simple and recovery is rapid and straightforward. Early-age desexing is an effective way to reduce accidental pregnancy in young animals and ensures compliance with desexing requirements. I hope this legislation has some capacity to deal with the cat hoarding issue, which is a public nuisance issue. Given that there are actually no restrictions on the number of cats per household in this bill—I would completely understand why the government would not touch that with a ten-foot pole!—it is something that should be looked at and some attempt made to address the issue of cat hoarding.

We have talked a little about the cost to local government. I suggest that the cost to local government is probably the biggest problem in this legislation. Those of us interested in local government are very concerned about the cost to local government. The government is perhaps more concerned about that than it is about the animal welfare cost. My penchant is to focus on the cost to animal welfare and whether this legislation indeed does that—whether the government has the right priorities. I have mentioned my concerns about this government's attempt to prioritise cat legislation above live export and cruelty in intensive farming around this country. I reiterate my concerns and say that every time I hear one government member profess to be at all concerned about the welfare of animals, I, and most of the Western Australian community, shake our heads because we know better—we know the government will let 67 000 sheep come into Fremantle tomorrow and will not say a word against it. The government will not say a word against practices that involve pigs in sow stalls for 12 weeks during gestation. The Liberal Party did not encourage its National Party colleagues to come on side and fix that situation when the disallowance motion was in the upper house. It will not move to get away from the cage system for laying hens. It will not do things that it thinks will rock its boat and its National Party colleagues' boat. That is where the animal welfare concerns are. That is the pointy end of animal welfare. Although the Cat Bill may have a small impact in tackling feral cats—let us hope it eventually has a big impact over a five, 10 or 15-year period; I am not sure what that link is, and I have explained why—there are serious concerns about this government's animal welfare credentials.

MR A.J. WADDELL (Forrestfield) [5.53 pm]: Having closely read the Cat Bill 2011 and having spoken to many people, to some extent I form the view that this is the nanny state gone nazi. That is probably a little extreme —

Mr J.M. Francis: It is offensive.

Mr A.J. WADDELL: I will acknowledge that is a bit extreme, but let us ask ourselves: what is the objective of this bill? The Minister for Local Government said in his second reading speech that approximately 5 000 cats are euthanased each year in Western Australia and that most of these cats are stray or the result of unwanted pregnancies of owned cats. The member for Jandakot interjected earlier and said it was 10 000 cats. Presumably it is somewhere between 5 000 and 10 000, or maybe even more, cats. The second reading speech states it is arguable that stray cats feed into and sustain the estimated population of up to 650 000 feral cats.

The objective of the bill in front of us is to get rid of the unwanted impact of cats and to reduce the number of cats being euthanased to deal with the impacts of cats. There is no really great discussion about what the impacts of cats are. Members have made references that we are concerned about the impact of feral cats on the environment, but no-one has talked about what those impacts are. I will talk about that a little later—perhaps another time. In order for us to prevent 5 000 cats from being euthanased, we have to deal with 650 000 feral cats. Presumably, the only way we will deal with 650 000 feral cats and stop them breeding will of course be to catch them under this bill and implement its solutions. It is a somewhat final solution, because ultimately those feral cats that are not chipped or registered in any way will be euthanased. Our solution to stop 5 000 cats from

being euthanased is to try to euthanase 650 000 cats! Of course we want to achieve the overall objective. I think everyone would acknowledge that will never wipe out the feral cat population entirely. It is unfair to say that the objective of this bill is to reduce the number of cats by euthanasia. Any reading of this bill indicates that its objective is in fact to euthanase more cats. It is to euthanase cats that we call feral and nuisance, not cute, little, fluffy kittens. Perhaps the bill should be put in those terms because we fear that cute, little, fluffy kittens are in need of protection, including protection from coming into existence, and we will do that by implementing a final solution-type approach.

The Liberal Party talks to us about how it is the party of small government. It goes on about how it makes attempts to reduce red tape and so forth. This is an amazing bill in that context. This bill is probably one of the most bureaucratically constructed things I have ever seen. As I was reading it, the whole section on how to transfer ownership of a cat reminded me very much of what we do when selling a car—the person who sells it has to fill in a form and send it to the Department of Transport; the person who buys it has to fill in another form and send that to the Department of Transport, and that person is then sent a bill to register it. Seriously, a set of keys will be sent out with each cat! We have to ask ourselves: why do we need to implement that level of bureaucracy to deal with this problem? Why involve local government in our lives to this extent if our objective is to reduce the feral cat population? If our objective is to reduce the number of cats euthanased, there are far simpler solutions. I will not stand here and say I have a problem with microchipping because I think microchipping is the solution. Quite clearly, microchipping is the solution because, in one fell swoop, it allows people to identify a cat that is owned, cared for, loved, and registered to a person, versus a cat that is feral. It is a simple solution. With a swipe of the wand, we know what classification that cat is and we can deal with it. If it is owned by somebody, it can be returned to its owner; if it is not, it can be disposed of—full stop, end of story. Do we need a tag? No. We are chipped; therefore we have a database. Do we need to pay a registration fee to a local government? No, we do not. Do we need to ensure that we have all the paperwork flowing through all the various bureaucracies? No, we do not. We just need to simply ensure that cats are microchipped. We can do that at the point of sale, as is intended by this bill.

This bill has a lot of unintended consequences. I am afraid I will not get a lot of time to speak before we break for dinner —

Mr P. Papalia: I will come back to listen to you!

Mr A.J. WADDELL: I certainly will come back. Thank you, member.

I want to go through some of the amendments we intend to move. We need to recognise that some existing governing bodies care very much about cats. We want to see those bodies enshrined in this legislation and given the ability to become self-registering, particularly hobby breeders and show enthusiasts. I recently judged a show. I can tell members that those people care very deeply about their animals. We want to see clear and definite definitions of what is safe and ethical. We do not want to give local government the power to stop people carrying out their hobbies or businesses. We want to ensure grandfather clauses are in place to deal with existing cats. We do not want to empower local government to say, “We’re bringing in these rules; you now have a limit of two cats and that’s it.” A lot of people will be caught up in that; there will be a lot of hardship. We need to grandfather this bill in some way. We need to define some of the exemptions within the bill instead of saying, “There will be some exemption here, and there will be some exemption there for a particular class of cat,” and that is not particularly well defined within the bill.

As the member for Maylands said, there is a need for greater regulation of pet shops, the sellers, and Gumtree and things like that. We need to look at how we will capture the transfer of animals at that point in time. The opposition will certainly move a number of amendments. We are supportive of the idea of regulating cats and dealing with the feral cat problem. We certainly support the sterilisation of the majority of cats, but we do not believe that should come at the cost of hobbyist breeders. We do not believe that should come at the cost of those who simply want to breed their own moggy, which may have been in the family line for a number of years. We do not believe that should come at the cost of allowing local government to say, “We suspect you have too many cats in your house; therefore, we can get a warrant to come in.”

Sitting suspended from 6.00 to 7.00 pm

Mr A.J. WADDELL: Before the dinner break I was outlining a number of new amendments that the opposition intends to introduce to this bill. I would like to wind back a little and go back to basics. The member for Warnbro was pretty clear when he indicated that there were three types of people in our society: those who like cats, those who do not and those who do not care. It is fairly clear that I am in the category of those who like cats. I have been a long-time cat owner, which may explain some of the passion I feel towards this bill. I have seen the joy that they have brought to my life, but more importantly I have seen the joy that these pets have brought to the lives of other people. I reflect on my mother-in-law, who is currently in hospital. For the last year

or so she has had a cat that has given her constant company. She has often expressed how she has been feeling by writing via email to one of our cats from her cat. That is a way she has had of communicating, which might not have been available to her otherwise. A number of people in our community derive a considerable amount of joy from their pet ownership. My fear with the bill is that it will become an impediment to that pet ownership.

The member for Warnbro talked about the increasing cost pressures that many families are under right now with the unfortunate rises in electricity, water and gas prices. Families on low incomes and single pensioners doing it very tough are often the people who have adopted companion pets when they find themselves alone in their latter years. I suppose there is a bit of a stereotype of the old cat lady with half a dozen cats and so forth. I am not necessarily saying that I am worried about someone with 10 or 15 cats. However, often people select a companion for their companion cat so that their pet does not get lonely. Someone with two cats would be faced with considerable charges if they found themselves with a pet at this time that did not have a chip or was not sterilised, and could be faced with charges upwards of \$500 for those two cats. On top of that, they would face some sort of an annual fee from their local council. Given the current provisions of the Dog Act, that fee could be anywhere from \$15 a year to, I suspect, closer to \$50 a year on a cost-recovery basis. We need to keep in mind that the fees in the Dog Act have not been increased since 1996; that is, 15 years. If we add the cumulative effect of the consumer price index over 15 years and a desire by local governments to achieve cost recovery on registration, we would find that a registration fee of \$50 a year would not be unusual. In fact, one of the local governments in my seat very much expressed its concern that this bill is an attempt by the state government to be seen to be dealing with the problem of cats by delivering the problem to the doorstep of local governments without providing them with the adequate resources to deal with the problem.

Again, let us go back to basics. What is the objective of this bill? It is to reduce the feral stray cat problem. It is to reduce their effect on the environment, to reduce their ability to reproduce in an uncontrolled way and to get rid of the number of cute furry kittens that turn up at Cat Haven. If those are the objectives of this bill, obviously there will need to be a considerable enforcement exercise. Rangers will need to be out in the community catching and collecting cats off the streets; otherwise the feral population will never reduce if they do not collect them. I anticipate that local governments will invest in the resources to collect these cats and to humanely destroy them if the cats that this bill is trying to catch are of a feral nature. That will not come cheaply to local government. Local governments across the state, which have introduced a range of massive rate increases because they were forced to pass on some of the additional charges I outlined earlier, will be very reluctant to go through another round of rate increases to properly staff the enforcement arm of this bill to achieve its objective. If they are not prepared to go through a rate increase and if the government will not provide any funds—I have seen nothing in the forward estimates to indicate that provision has been made for additional money to go to local government for this bill—they will argue loudly and strongly for a full cost-recovery model for their activities. That, of course, will create an interesting environment whereby one local government such as the City of Gosnells might have a very different operation from another local government such as the City of Stirling; or even more different from local governments in the regions. One anticipates the effort required to capture the feral cat population in one of those massive country local government areas would be far greater than the effort required in the highly urbanised metropolitan environment. Who will bear the cost of that? Does nobody bear the cost? If nobody bears the cost, I come back yet again to the point that we will impose a great deal of regulation on the 93 per cent of people who do the right thing with their cats but with no actual outcome. It will not reduce the feral population. Therefore, on one hand either costs for ratepayers or the owners of cats will go up, or on the other hand the objectives of this bill will not be met. That is of considerable concern.

Again, it takes me back to the point that if we were to adopt a purely microchipping model, we would reduce and keep down a number of costs associated with this bill. We should deal with a nuisance when a nuisance occurs. There seems to be a universal view that feral cats are a bad thing. I do not necessarily see any evidence of that. When there is evidence that feral cats are a nuisance, we should deal with the nuisance. We should not necessarily say that all feral cats are a nuisance. There is a view that they take out a great deal of the local fauna. I have had it put to me by senior people in the RSPCA that there is an alternative view to that; that is, domestic cats are largely taking out other introduced species of birds that are competing with native species of birds for habitat. Therefore, in that manner cats are in fact allowing native species to take on those habitats and to have a chance to thrive. It is a question of science, I suppose, and a question of looking at the science. Clearly if it could be demonstrated that cats—I am not sure what the collective noun is for a group of cats —

Mr M. McGowan: It's a pride.

Mr A.J. WADDELL: A pride, is it? A pride of kittens?

Ms L.L. Baker: No, it's a clowder.

Mr A.J. WADDELL: A clowder.

Ms L.L. Baker: I am sorry that it's not my quiz night!

Mr A.J. WADDELL: If a clowder of cats were attacking a particular habitat, clearly that would call for an attempt to deal with that problem at the source, rather than deal with it in a one-size-fits-all approach in which an 80-year-old constituent in my electorate living in a highly urbanised environment with a cat that essentially spends 98 per cent of its time indoors would have to pay these fees completely unnecessarily. If somebody needs to dispose of a cat, that cat will need to be transferred in the same way that a vehicle is transferred. That is completely unnecessary.

One concern that the cat fanciers and I have—it is a concern that has been communicated to me—is the fear that local government will use this bill to strengthen their viewpoint on the control of cats. Certain cities, such as the City of Joondalup, have attempted to impose pretty severe controls on cats. They have argued that they should be able to restrict cats from certain areas, which this bill allows for, and to capture cats and a range of other things. My biggest fear, of course, is that local governments will restrict the number of cats that a person may own. It may be a very irrational and unfair restriction, and one that will not consider a person's circumstances. I referred earlier to my mother-in-law's cat, whose name is Darwin. He now resides at my house, along with my two cats, Lucy and Tumnus, because my mother-in-law is in hospital. It is a fair chance that, given her circumstances, that cat will basically become my cat, so we will become a three-cat family. I am of the understanding, although I am too fearful to find out, that our local government has restrictions on the number of cats that a household can own. That becomes a real problem, because I am not going to tell my daughter that we have to get rid of her cat, I am not going to tell my wife that she has to get rid of her cat, and I certainly am not going to break my word to my mother-in-law that we would look after her cat. So we will either become lawbreakers or move. I am not prepared to spend \$100 000 or so to move house, so I suppose I will be forced to become a lawbreaker. That is the effect of increased regulation. Having three cats that are sterilised, indoors all the time and microchipped is going to turn us into lawbreakers. What is our alternative? What can we do? We fear the knock at the door. I go back to this bill, which states that when there is reasonable suspicion that an element of this legislation has been breached, the local government may obtain a warrant to enter my home. Members can imagine it: somebody knocking on my door and saying, "We have a suspicion that you are harbouring an illegal cat", and they will come in and search my house. I acknowledge that it sounds ridiculous, but that is effectively what this bill would allow. That is effectively what we would be passing down to local government.

[Member's time extended.]

Mr A.J. WADDELL: I think that is a step too far, because I do not think it deals with the feral cat problem or with the number of kittens that need to be disposed of.

I spoke earlier with the cat fanciers. I was recently invited to judge one of their cat shows in my electorate. It was an interesting day. There were cages and cages of cats. There were prizes for all sorts of things. I have to say that I am not particularly au fait with all the cat breeds. They had prizes for companion pets and for how the cages were decorated. It is a very interesting little subculture. They all share a common passion, which of course is their cats. Cat shows range from the local one I attended through to international events. Some people in Western Australia raise cats to compete in international competitions. Certain rules are associated with those competitions in terms of how cats need to be presented. This bill will require all cats to have a tattoo, which would disqualify them from international showing. I recall a cat that I had back in the early 1990s, which died of old age during the election campaign. When I had him sterilised, a little blue dot was tattooed on his ear to indicate that he had been sterilised. He was sterilised before microchipping was widely available. I think it was in its infancy at the time; there were problems with incompatible readers and other issues. It did not really seem to be worthwhile to have our cat microchipped at that time at a cost of about \$80, because if anyone caught the cat, it would be unlikely that anyone would be able to read the microchip. The little blue dot made sense at that stage. It indicated to anyone who caught the cat that it was a house cat, and that might lead them to make an extra attempt to locate its owner. My cat wore a collar with a little tag on it with my phone number. He was one of those cats that actually managed to keep his collar on. I did not have too many worries about him straying. I would not expect that we would need that little blue tattoo on his ear today. As I said, we now have the technology available—microchipping—to record the details of a cat; where it came from, who it belongs to and whether it has been sterilised. The act of scanning the cat, or a cat scan—my first pun—would be enough to determine whether it had been sterilised.

Mr T.R. Buswell: It is a shame we are all catatonic.

Mr A.J. WADDELL: I will not enter into debate with the minister.

The provision on tattooing is one of the unnecessary elements of this bill, as is the provision that owners maintain a collar on their cat. I can understand the need to have a collar on a cat for easy identification, but, honestly, my cats run so fast that I do not think anybody would be able to read the details on their collars. In the case of Tumnus, which is a big, beefy ragdoll cat, his fur hangs so low that no-one would see his collar. Again, it

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Mr Paul Papalia; Mr Bill Johnston; Ms Lisa Baker; Mr Andrew Waddell

becomes an entirely ridiculous thing to require him to wear one when it is going to serve no purpose. Again, under this bill, if I showed my cat at a cat show and I chose to groom him in such a way that I removed his collar, I would commit a \$5 000 offence. Please explain to me how this gets rid of feral cats and stops kittens from turning up at the Cat Haven. It does not. This is regulation for regulation's sake. That is why we will move a number of amendments to correct some of the problems in the bill. I have a number of issues with particular clauses of the bill. I shall not go through each one now on the basis that we will have ample opportunity during the consideration in detail stage.

The final point I would like to zero in on is the question of breeding cats. As I indicated before, groups like the Feline Control Council of Western Australia have their own standards and ethics on how to breed cats. They have a real culture of looking after their own. If somebody who is registered with one of these groups runs into a problem and ends up with unwanted cats because they can no longer house them or whatever, the council will come in and try to rehouse them and look after them. Other people breed cats for other reasons. Some people breed cats commercially. We would anticipate that they would try to fit in with this bill as closely as they could. Then there is the ordinary person who simply breeds a cat because it is a family cat. There are people who have had the same line of cat going back three or four generations. They choose to pass on that family line. Some people have told me that their children have a cat that is a relative of the cat they owned and so forth. They have a sentimental attachment to keeping that line going. Providing local government with the ability to set the standards on what a breeder can and cannot do, and what is ethical and what is the proper equipment may take breeding out of the hands of the ordinary person. Again, these are not the problem people. I guarantee that the majority of the kittens that are the offspring of these cats ultimately end up being sterilised. If we required them to be microchipped, they would be microchipped. We can bring up statistics that show that a single cat can breed at four months old and produce a litter of four to five kittens and can keep repeating that, providing 30 to 40 kittens over a couple of years. That is a theoretical possibility; the reality is that it does not happen with cats that are in a home situation. It may happen with cats that are running wild, but it is not happening with cats that are in a domestic situation. Anyone in the cat fancy will say that cats cannot produce litters at that rate and cat fancy members would not produce litters at that rate. They do not consider it ethical and again, it is a stretch to suggest that that is what will happen. If it was happening, we would have far more cats—5 000, 10 000 or 20 000 kittens—presenting at the Cat Haven in a single year.

I want to raise this final point: I am very concerned about the genetic diversity of cats. If we restrict breeding down to a select few people who can jump through the hoops and who can be in an area where cats can be bred, we will drastically reduce the gene pool for cats from which we are drawing. That means that in time, it will be found that there will be a movement towards pedigree-type cats. If I am going to have to pay several hundred dollars to buy a cat in order to have it sterilised and registered, I will probably go that little bit extra and get a designer cat. As I said, I have ragdoll cats. I would never go back to another breed because I think that they are terrific. Others may have their own preferences, but what happens to the plain old moggy? Are we essentially relegating the moggy down to the pages of history? Will we see what we have seen in the dog world, where the interbreeding that has occurred is leading to genetic defects and is causing massive health risks to these animals? That is the definite effect of reducing the number of people who can breed cats and of increasing the bar that has to be reached in order to breed cats. That is a real consideration and we need to ask ourselves whether we want to go down that path. I think the bill has good intents, but it goes way too far. It needs to be hollowed down; it needs to be brought back to the basics. We need to think about the actual community. We do not need to punish the people who are doing the right thing. We do not need to charge families to have a companion cat. We do not need to restrict hobbyist breeders. We need to go to the core of the problem. If the core of the problem is feral cats and their breeding, let us get enforcement and rangers out there. Let us fund those rangers and catch those cats. Catching and destroying feral cats is the only proven way to get rid of large populations. Overregulation will not achieve that.

Debate adjourned, on motion by **Mr A.J. Simpson**.