

CAT BILL 2011

Second Reading

Resumed from 29 September.

HON ED DERMER (North Metropolitan) [3.14 pm]: I am pleased that my comments on this bill were interrupted when we last sat on 29 September, because in the intervening period I have had an opportunity to look through the *Hansard* and I noticed that I had made an error, which I would like to clarify; I apologise to the house for that error. I was commenting on the cost of complying with the provisions of the bill, and I referred to estimates that were given at the briefing I attended on 27 September. When I last spoke, I said that I had been given the figure of \$45 as the cost of microchipping a cat; the actual costs that were given at the briefing ranged from \$45 to \$70, rather than a figure of \$45. When I last spoke, I said that, in adding up the maximum figures within the ranges given, there was a range offered of \$45 plus \$130 plus \$20, and I said that that came to \$220. Obviously it does not; I should have said that the maximum offered was \$70 plus \$130 plus \$20, which does, in fact, come to \$220. I am glad I have had the opportunity to pick up on the error I made. It was suggested at the briefing that the cost of microchipping would range between \$45 and \$70, which means that the total, added to the other costs, was \$70 plus \$130 plus \$20 which, at the maximum level, comes to \$220.

I think that is very important, because one of the many concerns I raised about the bill when we last debated it was the very significant cost and the fact that people who have cats are often people on very limited incomes. It is quite common for people to have more than one cat, so that \$220 maximum, based on the briefing I received, could be a very significant cost for someone on a limited income who has two or three cats.

I remind members that I explained that I did not intend to oppose this bill, but that I wanted to highlight in the house, and seek the representative minister's comments on, a number of concerns, with a view to ensuring that these concerns are examined by the Minister for Local Government and the Department of Local Government, if the bill is enacted. I want to ensure that the provisions of the bill will be implemented with caution and careful monitoring. I also want to make sure that the review of the bill will take into account these concerns which, I feel, will become more than obvious once the bill is enacted.

I talked about the costs and my concerns about the capacity of local governments to set the maximum number of cats a household can have, and how it would be particularly unfair on people who may currently have a potentially greater number of cats than that maximum number, and will face a situation in which their local authority will set a maximum number of cats at a lower level.

I also talked about my concerns with the requirement for cats to wear collars, the possible dangers to the cat and the fact that collars can come off. It may be that even in the brief duration of time between a cat losing its collar and its owner replacing the collar, a local government authority ranger may think that the cat is not owned or registered, and problems could flow from that as a consequence.

I would also like to share with the house my concerns about other aspects of the bill. I draw members' attention to clause 27, "Cats may be seized", on page 15 of the bill. It reads —

An authorised person may —

- (a) in any public place, seize any cat that the authorised person believes, or suspects, on reasonable grounds is the subject of an offence against this Act; or
- (b) in any premises lawfully entered by the authorised person, seize any cat —
 - (i) at the request, or with the consent, of the person who is, or appears to be, the owner or occupier of the premises; or
 - (ii) under a warrant issued under Part 4 Division 3 Subdivision 3.

It appears to me that under this clause, a local government ranger, who will probably be the authorised person, will be able to enter my house if he believes that I have a cat that somehow does not comply with the conditions of the legislation. I am looking to the minister as I say this, because obviously the minister will correct my understanding in any way if it is not accurate. I understood that if I, say, were operating a drug laboratory in my back room and a police officer, who is a sworn officer with all the authority and responsibility that goes with being a sworn officer, wanted to inspect my premises to see what nefarious activity I might be operating in the back room, the police officer would need a warrant. It seems to me that this particular clause of the bill entails an extraordinary power for a local government ranger to enter premises, yet a sworn police officer does not have parallel powers to investigate a far more serious offence than one that may be an offence under the provisions of this bill. It seems to be incredibly heavy-handed. I am reminded of the comments of the honourable Leader of the Opposition when addressing this bill. She talked about the provisions in the bill that give extraordinary power to authorised persons to enter premises and investigate, which power is parallel to the powers in other legislation

designed to protect endangered animals. This clause is of very serious concern and appears to provide extraordinary power for a local government ranger to intrude into the home of a Western Australian that is out of all proportion with the types of offences that could possibly be being investigated.

I want to raise another concern, and that is with clause 30, particularly clause 30(2). Clause 30 is part of division 3, “Dealing with cats at cat management facilities”. Clause 30, “Obligation to identify a cat’s owner”, states —

- (1) If the identity of the owner of a cat entering a cat management facility is unknown to the operator of the facility, then, as soon as practicable after the cat enters the facility the operator must make every reasonable attempt to identify the owner of the cat including, where possible, by scanning the cat.

It then refers to a penalty of a fine of \$5 000 for noncompliance. It continues —

- (2) 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; and
 - (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.

The calmest, most serene, well-looked after cat is unlikely to be overly impressed about being grabbed by a stranger and taken to a strange facility to be examined. What would concern me is a scenario in which a cat under those very stressful conditions were to give the person at the facility some impression that it may not be fully relaxed and compliant about being scanned. That could be interpreted by the person at the facility as behaving aggressively towards them and may give the person an excuse to claim that they did not take proper measures to identify the owner of the cat because they believed there was a danger to their health or safety, because a quite distressed and frightened cat is likely to behave in a mildly aggressive manner under those circumstances. I am not saying that most people in a facility would take unfair advantage of that clause to neglect their duty to identify the owner of a cat, but I believe it is possible that that could arise. When we try to consider the provisions of the bill and how they will apply in effect, we can understand that a cat that has been grabbed by a stranger and taken to a strange place is likely to be distressed. A normally placid and friendly animal could well behave in a manner that someone might interpret as aggressive. If that then became, in effect, an excuse for the person at the facility not to fulfil their obligation to do their best to identify the owner of a cat, that would be a cause of very serious concern.

The other clause of the bill that I would like to draw to the attention of the house is clause 34 on page 18 of the bill. To put that in context, clause 34, “Dealing with unidentified and unclaimed cats”, states —

- (2) Despite subsection (1), the operator of a cat management facility may cause any cat kept at the facility to be destroyed in a humane manner immediately —
 - (a) if the operator believes on reasonable grounds that the cat —
 - (i) is feral, diseased or dangerous; and
 - (ii) has caused or given, or is likely to cause or give, serious injury, or serious illness, to a person, another animal or itself; or
 - (b) in the circumstances, if any, prescribed.

I have a concern that these types of provisions in the bill open an opportunity for cats to be arbitrarily destroyed, because I do not believe it would be realistically possible for an aggrieved owner to claim that their animal had been destroyed without reasonable steps being taken or to demonstrate that the cat’s destruction had not been justified under subclause (2)(a). It would be very difficult for a cat owner to prove that the person making the decision to destroy the cat did not have reasonable grounds to do so. I can see all sorts of abuses arising, and then excuses for those abuses arising on the basis of reasonable grounds. I cannot imagine how it would be possible for an aggrieved owner whose cat had been euthanased to prove that there was no justification when clause 34(2)(a) could be used to justify the arbitrary destruction of the owner’s companion animal. I note the active interest of the minister representing the Minister for Local Government in my comments, and I look forward to hearing the representative minister’s response in due course. I hope that, in the likely event that the bill becomes an act and is implemented, all those concerned approach with the utmost care and caution the implementation of the provisions of the bill, and that when the bill is ultimately reviewed, the concerns that I have raised, which I think are likely to arise in practice once the bill is implemented, and other concerns, are very carefully considered. I also hope that the review has a serious intent to make changes when the need becomes apparent, rather than just the government going through the process of a review, which I think often happens when serious intent to change legislation is not part of the review process.

Since last I spoke on the Cat Bill 2011, I received two interesting emails from Ms Linda Horton explaining her interest in cats. I think I have time to share the essence of her emails with the house. In her email of 9 October, Ms Horton explains that she is —

... a member of Governing Council for the Feline Control Council of Western Australia (FCCWA) which is a registering body for pedigreed cats in WA and is focused on promoting excellence in the standard, breeding and exhibition of cats. The activities of the organisation can be described by the term “Cat Fancy” which is a hobby involving the appreciation, promotion of responsible pet ownership, and/or breeding of cats.

I do not know Ms Horton—I received one email from her, sent a reply, and then received a second—but I get the very clear impression that Ms Horton is a particularly enthusiastic cat owner who is into pedigree cats and appreciates the finer points of the different cat breeds. She goes on to explain that she has six cats, and I expect, from my reading of Ms Horton’s emails, that those six cats receive particular care and attention. She is particularly concerned that people who share her interest will be affected by this bill, and probably in a way that was the furthest thought from the minister’s mind when he framed and presented the bill. I will quote further from Ms Horton’s email. She states —

I am concerned about how I and my fellow members will be recognised so that we can continue with our hobby. I currently have 6 cats. They are desexed, microchipped, are confined to either the house or an outdoor enclosure and are registered with my governing body. One of my cats is quite elderly. The Minister for Local Government has advised that clause 36(5) will provide some protection, but this clause specifically relates to breeders. I am yet to see how I, as a non-breeding multiple cat owner will be protected. I will be at the mercy of my local government (City of Joondalup). Although local government always had the power to bring in restrictions on numbers I had hoped that this legislation would afford some protection. The Minister for Local Government has stated in parliament that Councils will not be able to force people to get rid of existing cats.

I was very pleased to see that. I had not spotted that, but Ms Horton’s email states that it appears at page 7287 of the Legislative Assembly *Hansard* of 20 September 2011. Her email continues —

However, if my elderly cat passes on and I want to get another show cat, will I be recognised as a registered cat enthusiast, or will I be simply be seen as someone who has too many cats and so prevented from continuing my hobby?

That is a very important question. Having stated that she is a registered cat enthusiast, elsewhere in her email she explains —

Organisations such as the Feline Control of Council WA already have a code of ethics which governs the behaviour of breeders and show enthusiasts.

Obviously, given that Ms Horton’s cats are desexed, she regards herself as a show enthusiast, I think, rather than a breeder. Her email continues —

Most breeders advocate early desexing, microchipping and will ask kitten buyers to ensure that the cats they purchase are kept as indoor cats ...

Ms Horton’s email goes on to state —

... in general, members of the Cat Fancy community are already complying with the aims of the Cat Bill. However, if the Cat Bill does not have flexibility for members of registering organisations to be able to continue their hobby, the number of registered breeders will drop and as will the availability of pedigree kittens.

I would ask the minister to look very seriously at the issue raised by Ms Horton. If I have not had an opportunity to quote sufficiently from her email, I will be happy to provide that at the minister’s request.

Hon Norman Moore: You can have an extension if you like!

Hon ED DERMER: No, I think I have covered everything, but it is very kind of Hon Norman Moore to offer!

HON HELEN BULLOCK (Mining and Pastoral) [3.35 pm]: How can I not support the Cat Bill 2011 after all these passionate speeches on cats? I am truly surprised at the passion this bill has evoked in members; I would have thought it was a simple bill. Its essence is to ensure that cat owners take responsibility for caring for their cats. After listening to all these passionate speeches, I thought I might have missed something—something of great importance to our society or something of great importance to this state—so on the Friday of the last sitting week I found myself in a coffee shop with two pink copies of *Hansard*, the bill and the explanatory memorandum, trying to understand the origin of this passion for cats.

Hon Robyn McSweeney: Have you got a cat?

Hon HELEN BULLOCK: I will come to that.

Hon Robyn McSweeney: Oh, right! Oh, you have got a cat. I was just wondering.

Hon Ken Travers: Just wait!

Hon Robyn McSweeney: I can't—it's the Cat Bill!

Hon HELEN BULLOCK: I have told the minister that so many times—she just never listens!

Hon Robyn McSweeney: What; that you've got a cat? You've never told me you've got a pussy!

Hon Sue Ellery: All right; let's not go down this path again.

Hon Robyn McSweeney: Well, a cat.

Hon HELEN BULLOCK: From reading Hon Giz Watson's speech, during which she enlightened us on the history of this bill and her long association with it, I can understand her excitement about this bill. Her feeling of "I told you so" should not be suppressed, and she should be allowed to say that. Once again, Hon Lynn MacLaren spoke of her deep passion for animals in her speech, so much so that she made me feel that life as a human is not really worth living.

I was surprised by Hon Michael Mischin's contribution; I did not think this was his type of topic.

Hon Helen Morton: Yes, he's a softie at heart!

Hon HELEN BULLOCK: Ah!

Nevertheless, I enjoyed his speech—as always—but not necessarily for its content; it was the style of his speech. It reminded me of the style of *Gulliver's Travels*, which I am reading to my nephew as a bedtime story. It is a sort of autobiographical novel of a heavy-hearted and lonely bachelor who is very well educated and very intelligent, but not very well understood. He has gone through so much in his life and borne so many burdens that he has lost his enthusiasm and passion for life, and is faced with the prospect of going through the rest of his life without any excitement.

My close scrutiny of this bill and the explanatory memorandum has reinforced my view that this is a simple bill. The first speaker on this bill, Hon Ljiljana Ravlich, quite eloquently covered most of the concerns that a reasonable person ought to have. Some of those points have been regurgitated during the debate and some new points have been added. This is a true example of exhaustive and extensive debate. In this case, it happens to be on cat-related issues. Having said that, I would like to emphasise and focus on one aspect of this bill. I am sure that the point has been mentioned and has been regurgitated, but I feel that this point is so important that it cannot be emphasised enough; that is, the bill is designed to force cat owners to meet all the responsibilities that are involved in owning a cat. These days "responsibility" is a foreign word to some and the concept of it is overshadowed by "right". It is good to see that this bill tries to restore some of the balance, but I must say that it is sad to see that we have to legislate commonsense to force people to take responsibility.

The Minister for Child Protection asked me whether I have ever owned a cat. I must confess that I never felt any urge to own a cat. However, I have owned other animals, including birds, fish, chicks, and a dog. The experience of owning those animals made me very aware that from the minute that I assume the ownership of any kind of animal I also assume a great responsibility and incur any associated costs. I remember that many years ago I was given four little budgies. They were very beautiful and very colourful creatures. I accepted the budgies because I had romantic thoughts that they would wake me up in the morning with their beautiful songs and would keep me relaxed just by looking at them when I was under stress. However, the budgies sang to me only when they were hungry and I had to clean their cage two or three times a week.

Hon Robyn McSweeney: It is more responsibility.

Hon HELEN BULLOCK: That is exactly my point. I am talking about cleaning the huge steel cage that was put outside our door for those four birds. At one stage I was very busy with my work and I neglected the budgies a bit. I was told by the lady who helped me out domestically that she saw mice and a snake around the cage. However, that did not trigger my decision to give away those birds, because, as I said, I understood that when I took on those birds I also assumed a great responsibility for those four tiny creatures. Later, one of the budgies got sick and I had to book an appointment with a vet, take a half-day off from work and then spend \$120 on an injection and a further \$40 to \$50 on some kind of tablets that the vet told me to get. Only then did I realise that the responsibility was far, far beyond the level that I was prepared to take. I am very ashamed to admit that in the end I shied away from those responsibilities and decided to give away the budgies. I suppose I could, like some, push for the government to take some of the responsibilities off my shoulders and ask the government to provide some kind of subsidy for the medical costs for my pets or, perhaps, for registration or caring costs. You see, Mr President, luckily, I still have my commonsense.

I have been on my feet for almost 10 minutes. I start to feel a sense of uneasiness creeping up on me. I start to feel that by continuing to talk on this bill, I will display my insensitivity and lack of judgement on what is important. I feel that I am far away from the reality. The reality is that the world outside this chamber is facing great uncertainty right at this moment. The sky is falling on the ancient countries of Greece and Italy.

Hon Robyn McSweeney: There are cats in Greece and Italy, but I do not know where you are going.

Hon HELEN BULLOCK: I do not expect Hon Robyn McSweeney to understand.

Hon Robyn McSweeney: It is difficult for me to understand where you are coming from at the moment, but I will listen.

Hon Sue Ellery: She is saying that broader economic issues happening in the world make this bill seem a little less, perhaps, relevant than it otherwise might be. That is why she is talking about the economic circumstances in Italy and Greece.

Hon Robyn McSweeney: Thank you. Well, you are sitting closer.

Hon HELEN BULLOCK: I thank the Leader of the Opposition very much. Some people just do not understand!

Hon Robyn McSweeney: No, I am having trouble —

The PRESIDENT: Order! Members know a relevance aspect has to be adhered to. I am carefully listening to the member to allow her to draw those threads of relevance back to the Cat Bill.

Hon HELEN BULLOCK: Thank you, Mr President. You can rely on me to do that; I never stand in this place and talk nonsense.

The reality is that while we talk on the Cat Bill, the world outside this chamber faces great uncertainty. The sky is falling on the ancient countries of Greece and Italy. Major banks in those two countries need to be bailed out. In those two countries, big financial institutions have had their credit ratings downgraded and unemployment has reached more than 10 per cent. The governments of Italy and Greece are facing bankruptcy. The political unrest and uncertainty in North Africa has reached a historical peak. In some African countries millions of children, men and women are starving to death. The world's biggest economy shows no sign of recovery. Domestically, we face soft but aggressive financial economic invasion. The manufacturing sector is dying out and jobs are going overseas. Agricultural land has the potential to be sold for short-term financial benefit without people realising that we are not self-sufficient and we are facing a food shortage. Population growth in this country has reached an unsustainable level, yet we sell our energy resources without any long-term plan for future energy supply. I have longed for an opportunity to discuss all these topics, but, strangely, I find that I am stuck with talking about cats. Moments like this, involving exhaustive and extensive debate on the Cat Bill, cast doubt in my mind over our governing system. Coming from a country that has a completely different political and social system, subconsciously I cannot help but constantly compare the two systems, especially in the past two years. As members know, I am a great defender of the Westminster system. I believe it is a very well-structured political system. I also believe it is the best system our civilisation has ever created. Democracy works better, or perhaps only works, under the Westminster system. However, such extensive debate on cats can only happen in democratic countries. That is because we give cats and dogs, and birds and bees, equal rights as a human being—well, almost! We devote so many resources to make people aware of their responsibilities. In other societies, under different political structures, to assume one's responsibility is just commonsense and natural instinct—no-one needs to be told what to do.

HON KEN TRAVERS (North Metropolitan) [3.51 pm]: When I arrived in this place I remember talking to Hon Kim Chance. He noted that one of the great debates he had been involved in in the Legislative Council, in which everyone got involved, was the Dog Act. I think it is appropriate, now that we have moved on after all of those years, that we are now dealing with the Cat Bill. Clearly, as one looks around the chamber, there is as much interest in the Cat Bill as there was in the Dog Act. Interestingly, one of the things Hon Kim Chance used to talk about when dealing with the Dog Act was that everyone wanted to get up and tell stories about their various dogs. Members may recall that Kim's dog story became quite renowned. It was about how Kim's dog was not particularly keen about his future wife and proceeded to continually try to push her out of the car, often when the car was being driven at high speed! That is as I recall the story.

Hon Michael Mischin: That is his alibi!

Hon KEN TRAVERS: That is right. Anyone who has met Sue would realise that ultimately it was a case of the dog getting to know her. The dog would have realised it could love Sue even more than it could love Kim Chance! The issue obviously is that a bill such as the Cat Bill provokes great passion in our community. According to the short title of the bill, it states that it is —

An Act to —

- **provide for the control and management of cats; and**
- **promote and encourage the responsible ownership of cats, and for related matters.**

I do not think anybody in this place would doubt for a second that they are very noble causes. In fact the Minister for Child Protection, when she was giving her second reading speech on the bill, reiterated those same points in the opening paragraph of her speech but also went a bit further to say —

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.

Again, I do not think anybody would disagree with that issue.

I want to get on the record very early on that I have had dogs and cats live with me during my life. I do not know that one can ever own pets. In fact they often own you, is probably a better way to put it! I have had many dogs and I have also had a number of cats in my life. At the moment I do not have any cats in my life other than the one that comes into our backyard on a fairly regular basis. It lives on our property but has no relationship to our family in any way, shape or form. That cat has since disappeared from the backyard in recent times as my partner's daughter brought home a puppy that is progressively growing into something a little bit larger than a puppy. It is very hard to say no when one arrives home from Parliament at 10 o'clock at night and your partner's daughter is standing at the front door, on her twenty-first birthday, holding a very cute looking puppy, and asking, "Is it all right if I have a dog?" As I say, that dog has proceeded to keep the cat that used to patrol our backyard out of our backyard to some degree. When I was a young fellow growing up the family cat was a Siamese that had been rescued. It was born with a full pedigree but it did not meet the criteria. It had little mittens on its paws which meant that it was not able to be given the papers, and so it was to be put down. We thought that was cruel and unfair, so we took that cat. It certainly impressed us the very first day when it managed to get trapped under the seat of the car. We got it home from having picked it up and then proceeded to spend the next three hours trying to extract it from underneath the seat of the car! But Jellico, as its name was, went on to be a wonderful Siamese cat, as most Siamese are—very aloof. When those cats want affection is when you get affection, and you have to wait in the meantime! That was a longstanding cat from my childhood.

At a later stage in my life we had a lovely cat called Muffins. She had a litter of cats. I must say I suspect that, unfortunately, my then partner and I were there to see the conception of that litter as we came home one night and found our cat being marauded in the front yard by a big Burmese cat! The litter the cat produced was an interesting one. As I was researching this bill one thing I found out is that often with cats, the litters can come from different fathers within the one litter. We ended up with very much a fluffy cat that was not dissimilar to a Burmese —

Hon Robyn McSweeney: Too much information!

Hon KEN TRAVERS: As I go through this, the minister will understand the reason I am making these points is not just to be frivolous but there are some very serious issues about how we manage and deal with cats. I am putting it in an entertaining way, hopefully to maintain the minister's attention and enjoyment, and, with a bit of luck, might even be able to encourage the Leader of the House to give me an extension if I need it!

Muffins had the litter. It was clear that Bruiser, as we called him, was a kitten of the big, fluffy Burmese that we encountered one night in our front yard with our lovely young Muffins. It also produced a number of other kittens that we gave away. I have always felt sorry for this cat. We could never even give it a name so it became Gray One, which, in modern terms, gave it an odd spelling. Gray One was not just "Grey 1", we changed the name to be modern in its spelling. Gray One never really fitted in and, unfortunately, it disappeared one day and we never found it. We are not sure what happened. That was a beautiful grey cat, as members can imagine from the name.

Over the years cats have cost us a vast sum of money. Bruiser in fact became our bionic cat. On a number of occasions we had to take that cat to the vet. We made some vets very wealthy! Cats, if given the right treatment, are amazingly resilient animals. Bruiser's hip was broken in a traffic accident. The hip was reinserted and it regrew. They do not put in an artificial hip. Because of what happened, it enabled it to regrow. It managed to get itself run over yet another time. At one point we considered whether to have the cat euthanased but, again, my then partner, whilst sitting in the vet's rooms and trying to make that decision, felt Bruiser's little paw wrap around her finger and squeeze it tightly. At that point my wallet came out, the cat was saved and \$1 000 and a couple of weeks later the cat came home to us—all to much relief.

Several members interjected.

Hon KEN TRAVERS: I can say it gave us more than \$1 000 worth of enjoyment; it was a beautiful cat. Ultimately, Bruiser did not get nine lives. The third time he ran in front of a car, it was too late and we lost Bruiser, but we did have many years with him. Again, when we shifted to a new house, as much as we tried to get Muffins to stay for a while—I think the big tom cat out the back had a lot to do with it—we never saw Muffins again. I tell those stories because they go clearly to the issue in the bill; that is, the problem of stray cats in our community. I suspect—it saddens me to think about it—that most of our cats probably had a sad ending and not a beautiful ending as I would have liked for each of them, unlike the dogs I have had whose lives I was able to see through until natural causes took them from us.

Hon Michael Mischin: Generally, though, natural causes are the end of events, because out of nature of course they get too old to feed themselves or they come to some misadventure or they are the prey of something else. We expect our pets to live longer than animals would normally.

Hon KEN TRAVERS: The member is absolutely right. In fact, one issue I will get onto is what happens to feral cats in the wild. I have talked about the lives of domesticated cats in my life. As I said, Jellico lived for probably 15 or 20 years—I cannot remember—but I remember that cat being around for the whole of my childhood. Unfortunate circumstances occurred to the others. However, the member is right: all those cats, including the mysterious grey one that always had a complex because we never gave him a proper name, lived far longer than the expected life for a cat in a feral colony. That is one of the points I will make in my speech this afternoon.

Before I do that, I want to say that this is a longstanding issue that our community has sought to grapple with. Although attempts have been made to deal with this issue—Hon Giz Watson and others have tried to deal with it in the past—it is one issue that Parliament has been slow to deal with, but it is an issue that the community was ready to deal with some considerable time ago. For a range of reasons, it has taken us a lot longer than it should have, but that is unfortunately often the case with legislation and this is not the only piece of legislation for which one could argue that.

Members may remember a debate in this chamber about a decision of the City of Joondalup in my electorate. The City of Joondalup went through an extensive consultation period and created an enormous amount of angst within the Joondalup community on what to do about cats. It ultimately came down with a local law to deal with cats. We in this place disallowed it on the basis that it was beyond the powers in the Local Government Act for the City of Joondalup to deal with legislation of that nature. The City of Joondalup tried to take leadership on the issue and we as a Parliament took that away—correctly so because at the time we took that power away from the city, it was not about the substance of the debate but about whether a local government had the power to take leadership. I agree that a local government should not be allowed to do that, although we think it is a noble thing for it to do. It is fair to say that it was a good example of very good information provided by the Joint Standing Committee on Delegated Legislation, as it allowed us to be informed on those issues to make the determination on the local laws that the City of Joondalup had made. The committee provided a very comprehensive report that outlined the issues in detail. Members may remember that the report then led to an issue about privileges, which I think led to a slight change in the making of local laws. I do not believe the City of Joondalup had done anything wrong. It was asked by us to remove that local law and it went back and told the local community that that was what it had been told, although it had in effect breached the act. I understand now that the process has been changed so that that will not occur in the future. I understand that a lot of other local government authorities have attempted to make a similar local law. However, I give credit to the City of Joondalup, as it is probably the local government which took leadership on this issue and which caused this bill to finally arrive in this place some considerable time after the community was ready to deal with it.

The issue then became one of the community wanting to better deal with the cats in our society. As I mentioned earlier, the intention of the bill is to reduce the number of stray cats euthanased each year, to encourage responsible cat ownership and to provide for better management of the impact of unwanted cats on the community and on the environment. That is an absolutely noble cause. However, when dealing with legislation such as this, we must also be careful in seeking that noble cause that we do not create other adverse impacts that are not intended by the legislation. My colleagues have already spoken to the bill. I listened to Hon Ed Dermer in part of his contribution outline in clear detail the additional costs that this legislation could inflict on many members of the community. To many people their pets are a very important part of their life. There is no doubt that pets play a very important role in the health and wellbeing of the community. My parents have had dogs for the whole of my life and, as I said, at various times I have had cats. My father to this day goes daily for either a bike ride or a walk with his dog. I have no doubt that for a person of his age that plays a very important part in his health. I do not know whether he would go for those walks if he did not have his dog to go with. In fact, we recently bought him a fantastic new tricycle so that he can take the dog to run alongside his bike because at age 87 years he was finding it a bit harder to ride the bicycle and keep control of the dog. He now has a trike, which

also has an electric motor, so that if the dog wants to go further than he wants to go, he can come home using the electric motor.

A pet is therefore a very important part of people's health and wellbeing. Many people who rely on pets are senior members of the community. They are not necessarily on the highest of incomes and we therefore need to be very careful about implementing legislation that would impose another impost on them, considering the already extensive imposts that have been imposed upon members of the community in the current term of this government. When we get legislation such as this to consider, we need to ensure that the cost of implementing the legislation is minimised and that we do not impose excessive costs on people. One element of this legislation, of course, is the requirement on people to microchip their cats and to pay an annual registration fee. Why is that necessary? Why do both those imposts need to be put on people? Surely one or the other would suffice. I would argue that it would be sufficient to go down the path of microchipping as there would be a database. It has been put to me—it is not a view that I subscribe to—that, rather than a microchip, we could put a little bit of lead into the head of some of these cats.

Hon Robyn McSweeney: What did you say?

Hon KEN TRAVERS: I just wanted to see whether members opposite were awake! I said it is not a view that I subscribe to, but it has been put.

Hon Robyn McSweeney: Did you say you wanted to shoot pussy cats?

Hon KEN TRAVERS: No. If the minister was listening—this is her problem—she would know that it is not a view I subscribe to, but that the view has been put that that is the answer. If the minister had listened to what I said —

Hon Robyn McSweeney: I am very pleased to hear that.

Hon KEN TRAVERS: What?

Hon Robyn McSweeney: And I was listening, thank you very much.

Hon KEN TRAVERS: If the minister had been listening properly, she would not have misheard what I said.

Hon Robyn McSweeney: I wanted it in *Hansard*.

Hon KEN TRAVERS: It was very clear; it would have been in *Hansard* the first time.

Hon Robyn McSweeney: Now they've got my comment.

Hon KEN TRAVERS: It is not a view I subscribe to. It is a view that that is one way of dealing with it. But we are suggesting the microchipping path. That is the path that I support. The interesting thing about this is that it creates immense debate in our community. It is fascinating. I do not know whether my staff would want me to out them in this case—I will not say which ones. They have an agreement. When people who are pro the Cat Bill ring up, one staff member will talk to them and be very sympathetic to what they say. When people who are anti cats ring up, the other staff member will take those calls and be very sympathetic to what those people say. It is quite useful having the two quite different views in the office about the role of cats in our community. That little microcosm of my electorate office highlights the debate that is occurring in the community. However, as I said, if we are to put microchips under the skins of cats, I do not see why we need to put a further impost on the community, which is really about cost shifting by this government.

The other question that we also have to look at is: what will be the answer to the cat problem in our community? I think we all accept that cats can have a negative impact in our community. Again, interestingly, when I went away and did a bit of research on this issue, I found that often one of the areas that is regularly referred to is the role of cats in killing native bird life. Interestingly, cats have a very important role in maintaining and controlling the rodent population. In fact, as I understand from the research I have done—I am happy to be corrected; I do not profess to be an expert in this—cats are more likely to go for rodents than to go for bird life, if they get an opportunity. I do not know the exact statistics, but, as I understand it, it is one of those classic statistics to this effect: anywhere people are in Perth at any given time, they are only so many metres from a rat. Members in the other chamber know about that on a daily basis, but for those of us in this chamber, it may be in the kitchen or out in the garden, but rats will be living in very close proximity to us.

The same goes for feral cats and, for that matter, foxes. I was at Lake Joondalup during the non-sitting period. Just recently, a trapping program has been done around Lake Joondalup and 13 foxes were found. I do not know that many people in our community would be aware that just around the Lake Joondalup area there were 13 foxes. There is a view, as we speak today, that foxes live throughout our urban communities, as do feral cats. The interesting thing is that in America, there is a very strong argument at the moment by a number of groups that, rather than euthanasing cats, people should go down a path of what they call track, neuter and release, and

that people should be encouraged to become caretakers of cat colonies. Part of their argument for this is that if people do not do that, the reason that a feral cat colony will establish itself is that there is plentiful food, water, shelter and the things that make life liveable. They say that if an attempt is made to remove that first cat colony and not every cat is removed, the remaining cats will very quickly repopulate, and the survival of those cats is very much dependent upon the number of other cats living in and around that area. If male cats are not neutered, they will fight, and it is as a result of that fighting that they die, but there is then a rapid reproduction of kittens that simply replace that cat population. From the research I have done, if anyone thinks that this bill will work miracles in addressing all the problems with cats, they are a bit fanciful. We will constantly find that the current generation of cats will be replaced by the next generation of cats. The best way of managing and containing the number of cats is to have people try to track, neuter and then return the cats to the area in which they were found, and then try to find people to maintain and look after those cats so that they live relatively comfortable and long lives in the areas in which they are located.

The life of a feral cat is not a particularly pleasant one. Obviously, they are subjected to all the weather extremes. Many of them die from diseases, parasites and exposure. In fact, I understand that the estimate is that about half of all kittens born into feral cat colonies die within the first year. That just gives us a bit of a perspective of the real nature of the problem with cats. There are no real, simplistic solutions. I do not believe for a moment that this bill will provide the panacea for solving all the problems with cats in our community. In 20 years, we will still have a problem with feral cats and stray cats in our society, no matter what we do with this legislation. Again, that is an argument for us to be careful and to moderate what we are seeking to achieve.

One of the other complaints of those on this side is about the excessive powers provided in this bill—excessive powers provided under the guise of saying that we have to do something about this horrendous cat problem, yet when we look at the facts, even with this bill, we are still not going to ultimately achieve the eradication of cats. I am not saying that the bill will not do some good things, but it will not result in the wholesale removal of stray and feral cats from our community. In any set time after the passage and the proclamation of this bill, it is not as though we will wake up one morning and see native birds tweeting in our front yards again because the cats have been removed from our community. Anyone who thinks that that is what this bill will do is kidding themselves. Although this bill may have some good measures in it, do we then need to start applying the most excessive of powers—powers that I suspect many people involved in protecting our national security would dream about? Certainly, many of our police would dream about the powers being prescribed for officers operating under this bill.

Even if this bill does not achieve the noble causes that we hope it will achieve, it will achieve something, but it will not fix the problem of feral and stray cats. So why are we imposing these massively excessive powers on our community for a problem that will not be solved by this bill? It will have appeal. It will start to bring about what the government calls responsible cat ownership. I guess the question that one has to ask in those circumstances is: at what point does a bill become legislation to encourage responsible cat ownership, and at what point does a bill become a nanny-state bill that commands and dictates what should happen with cats? I know that members on the other side have always railed against nanny-state legislation, and I would certainly love to hear their explanation of why they believe this legislation, and the excessive powers contained in it, is not nanny-state legislation, in light of their longstanding opposition to that and the longstanding comments that we used to hear on a daily basis from members of the then opposition and now government. There is an interesting analogy to be had in all that; that is, when feral cats are hungry, they will be out there and they will be ferocious and hunting, gathering and collecting; and when their tummies are full and they are contented, whether they are domesticated or looked after by a caretaker of the stray colonies, they will suddenly become less aggressive and far more compliant. It is not necessarily the case that a person can go up to and pat a stray cat, but it becomes far more compliant in its activities. Maybe that is what we are seeing from government members in the way they deal with legislation that comes through this place. One of the interesting things in all of that is that for the 12 years that I have sat in this place we have seen legislation subjected to scrutiny by the hungry cats, the stray and feral cats on this side of the chamber, as against the comfortable, well-contented, overfed cats on the other side of the chamber. As a result of that arrangement, to be honest, we often ended up with better legislation. Because legislation was subjected to scrutiny and rigorous analysis in this place, we got good outcomes. Now we see 20 members on the other side who are doing the same thing. They may be two separate colonies, but they are both fed in the same way. They are kept comfortable and given their feeds, so they are contented and as happy as Larry.

I was fascinated last week when I heard that the National Party still saw itself as an independent party and it expected to go to the next election in some way as an independent party separate from the rest of the government. Yet when we watch National Party members in this house—this bill will be an interesting test—what do we see? We see them as part of the contented mass on the other side. The government knows it has its 20 votes, and a bunch of well-fed, tame cats on the other side of the chamber who will not subject legislation to any real scrutiny. They will come in and they will be fed by the colony caretaker, and they will not go hunting to see whether this legislation actually needs to be addressed and controlled in any way. We have not seen National

Party members break out of the colony of cats on the other side of this chamber in legislation. We have not seen any attempt by the different components of this coalition government—I say coalition government because under the Westminster system, however they like to define it, they are a coalition government —

Hon Wendy Duncan: What about stop-and-search and retail tenancies?

Hon KEN TRAVERS: Where has Hon Wendy Duncan been in those debates? That is an internal spat. I can talk about the Cat Bill, because one of the interesting things about cats is that neutered males do not fight as much.

Several members interjected.

Hon KEN TRAVERS: It is true! If members do not believe me, I can quote from the American Society for the Prevention of Cruelty to Animals or the Humane Society of the United States. I can provide members with all the quotes they want, if they do not believe me that that is what happens in colonies.

Hon Lynn MacLaren: What is the analogy you are making?

Hon KEN TRAVERS: The analogy I am trying to make that is pertinent to this bill we are dealing with today is that basically we see —

Hon Wendy Duncan: What you see is a commitment to stable government.

Hon KEN TRAVERS: That is exactly my point. I agree with Hon Wendy Duncan: it is a commitment to stable government in which members opposite have all come together as one big happy colony of cats. If we use the cat analogy I was talking about earlier, we have that one big colony of cats living in a stable community and they are not putting anyone within that community under any pressure.

It is an interesting issue. People say that cats are not sociable beings, yet when one looks into that, it is clear that it is now accepted that cats are sociable. Whether they are in the wild or in a domestic situation, cats are very much social beings and they do live in colonies and they do interact with each other. The perception that somehow cats are not sociable animals —

Hon Wendy Duncan: I can't see cats in mobs. You see dogs in mobs, but not cats! You don't see feral cats in mobs.

Hon KEN TRAVERS: If Hon Wendy Duncan goes into a house that has more than one cat, she will see them sleeping together in a bundle. Has the member ever been into a house with more than one or two cats?

Hon Wendy Duncan: Feral cats don't run in packs.

Hon KEN TRAVERS: They do, which is an interesting thing. They run in a pack. Hon Wendy Duncan probably cannot understand my analogy about what is happening to this government because she does not see the way in which cats operate as a colony in the real world.

Hon Michael Mischin interjected.

Hon KEN TRAVERS: No, I am not! I am more than happy to go through with members the articles I have sourced as part of my research. I may need to get the extension that the Leader of the House was offering to Hon Ed Dermer a littler earlier to talk about the way in which animals socialise; there were many articles that referred to this. The old way of looking at cats was that they were unsociable animals, yet the research now suggests that they do live in a community. I want to quote from this internet article, "The Unsociable Cat — Are Cats Really Unsociable?"

Hon Michael Mischin: That is different from hunting in packs.

Hon KEN TRAVERS: Let me just finish this. The article reads —

Are cats really as unsociable as we think? Studies over the last thirty years suggest that cats develop complex and fluid —

The Leader of the Opposition will like the next line —

matriarchal hierarchies —

Hon Sue Ellery: There are not enough of those matriarchal hierarchies!

Hon KEN TRAVERS: To continue —

and that they have preferred buddies.

I would have thought, in all of the circumstances of this house, if we were to get a matriarchal hierarchy we would have the Leader of the Opposition, the leader of the Greens and the Leader of the National Party forming

a hierarchical structure, which would put the Leader of the House at a great disadvantage to that complex and fluid matriarchal hierarchy. But, in fact, the second part of that article is the key statement —

and that they have preferred buddies.

That is referring, obviously, to the way in which they interact with males. We see that National Party members on the other side have now got their preferred buddies in the Liberal Party. They have made that very clear. To suggest that they are still part of a roaming pack and still part of that fluid matriarchal hierarchy is just nonsense. They have formed an arrangement with members on the other side, just as cats do. What we are seeing here today is that life in this chamber is an absolute reflection of what happens with cats in the wild.

Hon Norman Moore: If this is meant to be funny, you are not achieving your purpose, Mr Travers.

Hon KEN TRAVERS: No; it is not about being funny. I can assure Hon Norman Moore that never do I come into this chamber expecting to get a smile out of him!

Hon Norman Moore: If you were funny, we would be laughing our heads off; you are just pathetic.

Hon KEN TRAVERS: When Hon Kim Chance told me about the debate on the Dog Act, he told me about the Leader of the Opposition's renowned sense of humour—or lack thereof! I am a quick learner, and I learnt there was no point in trying to seek to amuse Hon Norman Moore. I am making serious political points, using cat analogies, about the way this bill, and legislation in general, is passed, and pointing to the fact that this bill needs to be modified; and that I do not think it will be modified, because we will see the government, with its weight of numbers—it knows it has its 20 votes and it can rely on that—bring in legislation and push it through this place. That is despite the fact that there are areas in this legislation that deal with imposts on pet owners in our community, particularly those who are on low incomes, and the excessive powers in this bill to try to deal with a problem that ultimately is going to be—pardon the pun—scratching the surface. This bill is not going to make wholesale changes. I have no doubt that it will reduce the number of stray cats—I hope that it will! I cannot make the claim that “I have no doubt”, but I certainly hope, based on what we have been told, that this bill will lead to a reduction in the number of stray cats being taken to places like the Cat Haven, and turning up around Perth. It is not going to make a wholesale change to the ways in which feral cats behave in the broader community or to the damage they are doing. I think there is a perception in this debate that somehow this bill will actually solve the problem of the feral cats in our community that are causing massive problems for native wildlife.

Debate interrupted, pursuant to temporary orders.

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