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**Submission by**  
**Rabbit Run-Away Orphanage Inc and the**  
**House Rabbit Society (Australian Chapter)**  
**Improving the Welfare of Animals in Victoria**

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Draft Action Plan 2016-2021



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## Summary of Expected Outcomes

We expect that this Action Plan will finally address the sale, breeding and abandonment of the pet rabbit through introduction of laws that will make owners accountable for their pet rabbits. As well as give authorities the power to act on cases of abuse, neglect and abandonment of pet rabbits.

If not managed, rabbits have the propensity to contribute to the feral rabbit problem.

Our expected outcomes of the review includes:

- Pet rabbits covered under the Animal Welfare Act
- Strict control over breeding, purchase and abandonment
- Enforcement of laws (to be developed) regarding the release and dumping of pet rabbits
- One way to achieve this is to re classify the pet rabbit as a restricted pet in order to prevent overbreeding and abandonment and subsequent damage to environment, similar to reptiles and exotic birds.



## **ACTION AREA 1: Victoria has Contemporary Animal Welfare Laws**

Animal Welfare reform is lagging behind in Australia whilst several countries embrace the rights of Animals and sentience in law, they are not even mentioned in the Australian Constitution and this is reflected by Federal Politicians attitudes towards Animal Welfare as it's not in their job description, making Australia internationally a poor performer in this area.

According to THE Animal Protection Index, an international animal welfare ratings body <http://api.worldanimalprotection.org/methodology#governance-structures-and-systems> Australia has a "C" ranking on a scale of "A" to "G", leaving much room for improvement. in areas outlined in **Appendix A**.

### **CASE: Seaford August- September 2016**

A woman brought two rabbits for her 5 year old son. The rabbits ran loose, dug under the fence and soon populated the neighbouring streets. Neighbours contacted council and the RSPCA. Neither of these organisations would help. Council will not catch rabbits and the RSPCA could not intervene. Rabbit Runaway Orphanage is the only rescue in Victoria that will go out and try to catch these stray rabbits. From 7 adult rabbits there are now 50 rabbits. All female rabbits were pregnant and had litters of 9 babies each. The adults were caught prior to giving birth and are now straining the financial and physical resources of the Orphanage. The neighbour who alerted us to the issue approached the owner, who could not care less about the rabbits and took no responsibility for them as they belonged to her 5yr old son.

### **Facts:**

- Rabbits are on demand ovulators: This means that they get pregnant the day they have babies.

- Rabbits have a 4 week gestation and will continue to have litters every month until death, usually by the third litter.
- Rabbits and their offspring have the ability to populate a suburb with hundreds of rabbits within 6 months
- The domestic problem is adding the already feral rabbit populations with no intervention by law makers.
- Rabbits are an exotic pet with the risk of becoming a feral pest when let loose.
- There are no laws in place to control the breeding and sale of pet rabbits.
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Rabbit Runaway Orphanage deals with this type of scenario weekly, hoarding, unexpected litters by unsuspecting and unknowledgeable owners. No information given at point of sale or with regard to the suitability of the rabbit as a pet; brought for a child; or impulse buy are just some very common reasons that rabbits are dumped, let go, let escape. No rabbit picked up from the streets by rescuers are ever found to be desexed by previous owners. Owners do not even know you can desex them. No rabbit ever leaves the Orphanage until it is desexed, vaccinated and microchipped.

**Part Solution:**

- Make them a restricted pet, where owners must demonstrate knowledge regarding their care.
- Compulsory desexing, microchipping, ban breeding in backyards by children and irresponsible or ignorant adults

A nation can be defined by economic activity but national identity is defined in attitudes towards areas that are not focussed on economics, such as arts, sport and treatment of animals, which is determined by a society's social structure.

Politicians have an anthropocentric view that human economic needs come before anything else, and this is in opposition to the ecocentric view, which considers nature (plants and animals) as having intrinsic worth within its own existence. Animal welfare advocates regard animals as having intrinsic worth therefore taking an ecocentric view. Politicians who support animal welfare issues are scarce and often are not taken seriously by their anthropocentric contemporaries who are focussing on economic governance. The anthropocentric thinking of many politicians often causes a misunderstanding of animal welfare issues. I had a personal

experience with James Merlino, before he became Deputy Leader of Victoria when he canvassed me for his vote. I asked him what he would do for animals; his response was to move away quickly as he had no idea of what I was asking, or how to respond.

Most politicians who advocate for change in animal welfare issues generally do so as a response to public outrage due to media reporting. Their solutions are often framed to pacify the public and are not well planned or thought through. Changes made are often simplistic without regard to the complexity of the problem or without thought of long term consequences.

**Example 1:** The Federal governments reaction to mainstream media reporting of inhumane killing methods used in Indonesia with the live export trade lead to a sudden total ban in 2011. This caused hurt and in some cases individual financial ruin in the farming economy. Many beef farmers lost their market and their income without any warning due to the collapse of their market and their livestock were killed needlessly. This also negatively affected trading relationships with Indonesia. The ban was quietly lifted after the media publicity had died down. It would have been more satisfactory to correct the cause of the underlying welfare issues, to maintain or increase trade with Indonesia and bring economic benefit to Australia.

One method which may have been investigated for viability would have been to provide Government assistance and encouragement to Australian industry to expand and build an abattoir in Indonesia, which operated to Australian standards. This would be acceptable to the public and to use this as a model for others in Indonesia. Trade would only be permitted to abattoirs using world best practice.

**Example 2:** The Yarra Ranges Council's reaction to the adverse publicity from two incidents, (a) The initial rejection of Rabbit Run-Away Orphanage permit application to operate and keep more than two rabbits and (2) media coverage about a child having one of her three guinea pigs confiscated. The adverse publicity led to councils announcement that they were not concerned with counting animals and the subsequent change to local animal law, that there were to be no restrictions on pet numbers other than dogs or cats.

This decision can lead to unrestricted backyard breeding, with pockets clustered around primary schools due to the perception amongst children that rabbit breeding is a great way to make pocket

money. The small amount of money made is not justified by the large amounts spent by council, shelters and others to address issues arising from overpopulation of unwanted pets. The kill rate for rabbits in shelters increases due to this type of activity.

Local laws in general have restrictions on the number of animals kept, but the irresponsible decision to allow numerous animals numbers (often 30) if they are less than 3 months of age.

Politicians who lobby for change to animal welfare issues are rare and are not taken seriously by their anthropocentric contemporaries who are focussing on economic governance.

**Example 1:** Jason Woods, Federal Member for La Trobe. Jason Woods presented an argument in Parliament to ban “Canned Hunting” the practice of raising animals in captivity for hunters to shoot (rare animals obtain a premium price). When viewing this speech it was apparent that there were no other politicians in attendance to hear it.

**Example 2:** Clover Moore, Lord Mayor of Sydney and Independent Elected State Representative 2004 – 2012. Clover Moore presented thought provoking changes to animal law, which would have made substantial impact on the welfare of animals, but were subsequently defeated. She donates her Mayoral salary to charities including animals. Clover Moore will probably be elected to her Mayoral position for as long as she desires, possibly this is something that other politicians should note.

An economic balance sheet showing a cost reduction, improved efficiency and economic gain is the most effective argument that can be used to support arguments regarding animal welfare.

In May 2015 Darebin Council (City of Preston) voted to subsidise \$20,000, over a three month period to small private shelters and individuals, for the spaying and neutering of cats. This overcame public concern that their contracted pound was under investigation for its high kill rates. This strategy also saved money as it was cheaper to subsidise the private rescues and shelters than to use the pound.

The speed of change and awareness in animal welfare has accelerating due to social media platforms. Whilst there is a clamour for improvement and sharing of ideas and causes on the internet, politicians seem to be unaware of the growing concern for the treatment of animals, and simply choose to ignore the increasing requests for change. When there is realisation, acceptance

and action by politicians to animal welfare issues, there will also be a human face bringing with them the influence needed to increase their votes.

The Animal Justice Party (AJP) is a relatively new political party solely campaigning for a single issue of animal welfare and rights. Our local representative Jennifer McAdams achieved 2.7% of the primary vote in her first (November 2014) Victorian election campaign. The AJP gained a seat in the NSW Parliament in the March 2015 election with Steve Garlic in the upper house. As a new emerging one issue political party with limited public awareness and advertising budget, this is a significant achievement and reflects the emergent importance people place on animals and welfare.

In Victoria we have the Catchment and Land Protection Act which governs feral pests administered under DEWLP. I am unaware of any prosecutions for the dumping of domestic rabbits by individuals into the environment thus increasing a feral problem. Dumping of domestic rabbits is prohibited by section 75A of CLPA incurring a fine of 480 penalty points (2015 value \$\$72,801.60). I am unaware of any enforcement in the last 15 years with this matter.

An example occurred recently, Christopher Pyne, Liberal MP was a guest on the national TV show "The Project" on Thursday 10 March. About halfway thru the show he talked about his pet rabbit. His statements indicated that he is an irresponsible pet owner, failing to provide adequate shelter endangering the health and safety of an animal in his care and has damaged the educational efforts of shelters and animal welfare organisations in regard to keeping pet rabbits.

it is very clear from the video that his un-desexed rabbit Phoebe has been able to free roam the area in the suburb of Wattle Park SA., Pyne stated that he let her out of her hutch to become a free range rabbit and that his yard is not secure enough to keep her in nor secure enough to keep dogs and foxes out (which Pyne stated that he fully expected would kill her before long). Later Phoebe became pregnant to a wild rabbit and delivered a litter. He was laughing as he told his tale.

The Natural Resources Management Act 2004 in SA covers the control of rabbits and I believe that Pyne's statements show breaches under section 8 of this Act which has maximum penalties of \$100,000 and 12 months imprisonment. Also under the Animal Welfare Act 1985, Pyne may

be in breach of part 3:13:b in his duty toward animals. This Act has penalties of \$50,000 and 4 years imprisonment.

If an argument for change is to be made to animal law, it must be framed in such a way that it considers anthropocentrism in its argument for change, such as improving the economy in a human centred world. This enables politicians to understand the need for change.

### **Current Trends in Animal Law**

In the last decade progress has been made which has resulted in worldwide campaigns in various areas such as:

1. **United Kingdom's** ban on using animals for testing products.
2. In **Switzerland** and other **European countries**, the classification of vertebrates as non objects, have passed into law. This recognises that animals are sentient beings and have intrinsic value. It also confers protection by the state rather than private bodies.
3. In **America** there is movement towards banning the selling pets in pet shops unless they are sourced from animal shelters due to the overburdening numbers of animals within animal welfare agencies.
4. The **Swiss** were the first to recognise that animals are sentient beings and this has been followed by countries such as the **UK, Germany** and other **European nations**. Sentience recognises that animals are feeling, thinking creatures that have an ordered existence within their own species.
5. The Animal Welfare Bill passed in **New Zealand** last year recognising sentience. This bill allows law enforcement officials to prosecute people in animal cruelty cases and ban animal research and testing. All hunting and capture of wild animals will be illegal.

*“To say that animals are sentient is to state explicitly that they can experience both positive and negative emotions, including pain and distress,”* said Dr Virginia Williams, chair of the National Animal Ethics Advisory Committee NZ. *“The explicitness is what is new and marks another step along the animal welfare journey.”*

*“Expectations on animal welfare have been rapidly changing, and practices that were once commonplace for pets and farm stock are no longer acceptable or tolerated,”* said Dr. Steve

Merchant, President of the New Zealand Veterinary Association. *“The bill brings legislation in line with our nation’s changing attitude on the status of animals in society.”*

### **Effects of Legal Change**

- New Zealand has recognised the sentience of animals, and has joined with other countries such as the UK, Germany and other European nations to declassify animals as property, which starts the process that animals have rights to protection in law.
- Countries that recognise sentience of animals also influence change to the definition of animal ownership, with humans viewed as their guardians and not their owners.
- Recognition of the sentience of animals is a starting point for governments to recognise that animals have rights to protection in law and also are responsible for paying for the cost of prosecutions. In Switzerland this has resulted in trebling the rate of prosecutions.

A little over 100 years ago women were considered property without the right to a voice or to vote to determine their future. The current view in Australia is that animals are property and can be treated accordingly as a possession.

The last social adjustment movement, the change of women’s status from owned by males without a choice, with no right to complain or vote took over a hundred years to mature. This was due to a fear of change and loss of male dominance. The recognition of animal sentience will occur with a faster timescale due to the dissemination and exposure of causes in the current Information Technology Age.

Animal Welfare is viewed by many as the next great social justice issue. As such activism and acceptance of this cause is accelerating worldwide. The improvements in the status and welfare of animals in the last decade have been immense; this trend seems to be growing and has reached a stage where traditionalists are starting to notice.

The speed of change in animal welfare is accelerated due to social media platforms. Reactions to all aspects of animal welfare are disclosed quickly from all over the world. Issues that are seen to be detrimental to animals or offensive to humans can be exposed to millions within a short time frame.

The inquiry by the WA Government is an example of a fear of change. The reality is that markets of any type are under constant change and need to respond and adapt, the market adjusts to new situations as they arise. Those that adapt to change grow economically whilst those who continue making horseshoes using traditional technologies go out of business.

The British Veterinary Association took until the 1970's to recognise that animals felt pain, pet owners, veterinary professionals and others knew that long before. This is an analogy with the current views of politicians.

Arguments in the past leading to legal change have been successful when based on anthropocentric reasoning. A valuable resource for those using alternative argument to bring change is "Using Human-Environment Theory to Investigate Human Valuing in Protected Area Management." Dr Judi Inglis, Victoria University, 2008.

An economic balance sheet showing a cost reduction, improved efficiency and economic gain is the most effective argument that can be used by politicians seeking changes to animal welfare issues.

## **ACTION AREA 2: Collaborative Approaches**

### **THE PET RABBIT CYCLE**

**Point of Sale:** The cycle begins at point of sale of the cute baby rabbit where the wrong pet is sold to the wrong owner, the wrong sex is established by inexperienced sales people, who are there to make a sale, and are not working in the interest of the animal or the new owner.

**Owner Dilemma:** The new owner now has the dilemma of dealing with an animal that grew up, had babies, and became frightened of children. The rabbit bit the kids, ran away from the kids, we don't want it etc... This is not what they wanted. The kids aren't interested, what do we do with babies? Can't afford to desex.

**Owner Solution:** Let them run loose, dump them, they have more babies, they spill onto the streets or a hoarding situations develops. A call is made to the rescues by neighbours. The rescues try to collect the rabbits, or a good Samaritan picks them up and calls the rescue.

**A short Life a certain Death:** So many rabbits going to one rescue at the one time. The rescue operates within limited permit numbers. The rabbits have to be put somewhere, but no room here so the only solution is ... to Kill them... these are often healthy, young animals.

We recognise that there are many challenges to introducing Animal Law. Those who work within the animal welfare area, work collaboratively, and even with divergent views, recognise that we have a common goal and that is to stem the flow that leads to dumping and killing of once loved pets. The stumbling blocks that are preventing this lies with a lack of will within our Government.

So, why take the animal cause into the court room (beyond existing cases of modest enforcement)? First, unlike politicians, judges will dispassionately hear and determine a case brought before them, provided there is a justiciable issue. Second, success in litigation confers the imprimatur of a court. Sometimes this will be reported in the media and so confer a wider appreciation of the principle sanctioned by the litigation. Third, it moves the cause beyond reliance upon public education campaigns. Sometimes, in particular instances proactive steps can be taken to protect particular animals by recourse to the courts, rather than simply by way of a legal 'post-mortem' vindicating the cause of their fate as ill-treatment at the hands of a defendant. Here, the mainspring is a striving for justice.

Graeme McEwen LL.M. (Melb) **Animal Law: Principles and Frontiers**

The first evidence for what over the next quarter century would harden into my only unshakable belief; namely that it is to the law and the courts, rather than to politicians and parliament, that we have no alternative to turn if civil liberties are to be protected.

Geoffrey Robertson QC **The Justice Game: Vintage publication ,1998**

Many Politicians can be considered to have extreme views and their focus is the economy, some Animal Activists have the opposite extreme view. This causes both sides to consider the other evil or crazy. When a proposal from either side is advocated it therefore will be extreme and likely to be impractical or unsuitable. Neither will work as the correct action is one that satisfies both sides by taking the middle ground. If an improvement to welfare can be shown to have economic benefits then it will be passed into law.

Whilst we have shown a few examples of political attitudes let us look at other sectors.

The People for the Ethical Treatment of Animals (PETA) can be considered as an extreme activist group and have the right and entitlement in a demographic society to their views. Their theoretical view can be at odds with the practical.

The American Kennel Club (AKC) issued a statement this summer expressing “vehement disapproval” of the euthanasia policy at the shelter run by People for the Ethical Treatment of Animals (PETA) in Norfolk, Va. Joined by the Virginia Veterinary Medical Association (VVMA), the AKC called for PETA to take steps to balance its adoption and euthanasia rates. “While most shelters strive for a 90% re-homing rate, PETA is apparently proud of their 99% killing rate and callously boasts that the animals it rescues are ‘better off dead.’ That is an alarming ratio that should be fully investigated. PETA’s track record is absolutely unacceptable,” AKC Chairman Alan Kalter says in a release.

Laws should not be considered on a theoretical base without regard to practical implications and effects.

The following is an extract from a submission written by Bryce Inglis, Vice President, Rabbit Runaway Orphanage to The Select Committee into the operation of the RSPCA, WA and illustrates commercial interest’s and attitudes to welfare.

Argument for the RSPCA to drop the principle of 5 Freedoms in favour of a proposal from a commercial animal industry.

The inquiry has questioned the RSPCA for using the principal of 5 Freedoms. This is not a philosophy of the RSPCA and originated from a separate body in the UK. It has been adopted internationally as the standard of welfare for all animal welfare organisations including the RSPCA.

To denigrate the 5 Freedoms in favour of an industry based proposal is a joke. It reminds me of industry based proposals touted by the tobacco lobby extolling the health benefits of smoking last century.

The Egg industry (the originators of this alternate proposal) has shown its true colours by redefining the definition of free range chickens by reducing the area from a CSIRO voluntary code of practice definition of one chicken per 6.67 square metres to one chicken per one square meter.

This change goes against the wishes of the public who are willing to pay a

premium for their perception of free range and is not in the interest of animal welfare or satisfying the desires of the consumers. It is in the interest of maximising profit by the egg industry, to capitalise on an emerging market, even though it undermines the wishes of the consumers.

Why this committee even considered this industry biased proposal for welfare change shows a lack of regard and understanding of animal welfare.

Due to current drought conditions livestock numbers are very low with record prices being obtained for meat. This has led to an increase in egg consumption with egg producers wishing to make more profit; their proposal was passed by Government without any science regarding welfare of hens being evident.

An approach using middle of the road techniques could have been made by creating a new category with a market brand such as happier chooks or whatever between Barn and Free Range. This would effectively create a value added market as being a choice for those concerned about welfare issues with cage eggs but unable to afford free range and would lead to market expansion.

Another aspect of introducing law is that politicians seem afraid of introducing something new, they will not vote for change due to fear that it will cause a loss of their position. An example of this is that they are unwilling to a simple vote on gay marriage needing an expensive commission or plebiscite to come to a decision and thus offer someone else to blame if needed. The truth is that if they do the right thing they will be applauded.

Some consider a nation can be defined by economic activity but a national identity is defined to its attitudes to areas that are not focussed on economics such as the arts, sport and treatment of animals which determine its social structure.

### **ACTION AREA 3: Compliance and Enforcement**

In Australia there is debate as to the best method and organisation to carry out compliance and enforcement and there are three choices being advocated.

- The Department of Agriculture or an equivalent Government Body such as DEDJTR.

- The creation of an independent Body for Animal Welfare.
- The RSPCA.

Each has its advantages and disadvantages which should be examined. No matter which organisation is used it will fail if there is insufficiently funding.

Some of the following researched information is taken from a submission by Bryce Inglis, Vice President Rabbit Runaway Orphanage, to the recent Western Australian Government enquiry the “Select Committee into the operations of The Royal Society for The Prevention of Cruelty to Animals Western Australia (Inc)”. The inquiry was instigated by the Member for the Hunters and Shooters party with two of the four committee members being involved with the export of live cattle. WA is a large producer for the live export market. The RSPCA has a world policy of opposition to live export.

Some statements contained in this submission are thus directed to WA but are comparable Australia wide.

### **Department of Agriculture or equivalent such as DEDJTR**

The WA enquiry showed that there is a perceived conflict of interest by the Department of Agriculture and Food. WA., between commercial operations involving animals and non commercial animals such as wildlife and those kept for pets.. Whilst there is a working relationship with the RSPCA there are differences in policy and definitions regarding prosecution of Animal Cruelty.

DEFWA quoted 2 prosecutions (both failed) in comparison to 27 successful prosecutions by the RSPCA in the same period. This indicates a lack of experience or reluctance to prosecute.

The proceedings can be viewed at the following link.

[http://www.parliament.wa.gov.au/Parliament/commit.nsf/\(Evidence+Lookup+by+Com+ID\)/69BCD0EAADFE8B4948257ECA00120C23/\\$file/ra.rpa.150914.002.tro.rd.pdf](http://www.parliament.wa.gov.au/Parliament/commit.nsf/(Evidence+Lookup+by+Com+ID)/69BCD0EAADFE8B4948257ECA00120C23/$file/ra.rpa.150914.002.tro.rd.pdf)

What is the legal justice issue? According to McEwen, it is the manipulation of an animal welfare legal regime to advance producer self- interest where it materially conflicts with even the most rudimentary welfare, so that animal suffering and cruelty on an enormous scale is thus institutionalised and perpetuated by the very laws supposed to protect them. Those who are responsible for the maintenance of this legal regime in its enforcement and formulation view

themselves as the ‘friend of industry’ or, they are indifferent to the moral norms such a legal regime is supposed to reflect and nurture. The conflict of interest which taints federal and state departments of agriculture in this respect is self evident. Yet they control the legal regime, and it shows.

*Animal Law: Principles and Frontiers, Graeme McEwen LL.M. (Melb) Member of the Victorian Bar*

### **The Creation of an independent Body for Animal Welfare**

This is suggested by people and organisations who are dissatisfied with the perceived conflict of interest by the present Department of Agriculture as well as the perceived lack of action by the RSPCA. Both of these issues can be resolved by either shifting the Bureau of Animal Welfare together with AWAC to another department and/ or fixing the problems of the RSPCA and its Inspectorate.

The proponents of the creation of a new department do not address details of how this will be achieved; their opinion that the present system is unworkable and is fixable by independence does not address all the underlying problems and difficulties causing the system to break down. It does not address the underlying difficulty of having proposed changes to animal welfare laws passed by parliament or the majority of politician’s lack of interest in Animal law.

It will not work unless it is fully funded, causing a significant increase in cost to the Government in comparison to the existing system. An independent body is partly reinventing the wheel and will also only work if it is made up experienced people such as those from AWAC and the Inspectorate. State Government policy seems to be one of amalgamating departments rather than splitting them into separate smaller entities. The Act to create an independent body was defeated.

### **The RSPCA**

In common with other charities the RSPCA is under resourced with funds and human resources.

It is obvious that the RSPCA inspectorate’s performance is affected by the sheer costs of prosecution and quite simply they cannot afford to lose a case as the RSPCA perform this service at around 10 to 20% of the actual costs needed to provide this service. Table 1 below shows that

in Tasmania, where the cost of prosecution is fully funded, that the prosecution rate is the highest and the rate of prosecution decreases according to Government funding per head of population.

In Tasmania the state pays the RSPCA \$1.13 per head of population each year resulting in a prosecution rate of one person in approximately 17,645 persons, at the other end of the scale in Queensland the state pays a token \$0.05 per head of population each year resulting in a prosecution rate of one in 225,150 persons.

**Table 1:** Presents information on funding from evidence presented to this enquiry (WA) by DAFWA and prosecutions numbers from the RSPCA.

RSPCA Prosecution rates showing the relationship with Government funding affecting prosecutions per head of population.				
State	Population	Real Prosecutions	Gov funding per head Population	Prosecutions per head Population
QLD	4,503,000	20	\$0.05	1 in 225,150 persons
NSW	7,247,700	67	\$0.07	1 in 108,175 persons
VIC	5,574,500	69	\$0.18	1 in 80,790 persons
WA	2,387,200	27	\$0.21	1 in 88,415 persons
SA	1,645,000	53	\$0.48	1 in 31,038 persons
TAS	511,700	29	\$1.13	1 in 17,645 persons

Unfortunately this table is only indicative, as the costs and prosecutions were from different years in 2011 and 2014, as I have limited resources to RSPCA and Government. Data for the above was obtained through evidence presented to the WA enquiry. To get a true picture I feel that 5 years of data would need to be averaged.

I feel that no matter which agency (private or government) is used for the prosecution of Animal Welfare issues, it needs to be fully funded. The most experience organisation in animal prosecution is the RSPCA yet it is inhibited by lack of funds.

If a body is funded at a cut rate price then this obviously can lead to mistakes in the management of cases. The lack of resources can lead to actioning cases that are easily won at the expense of harder cases being ignored or the investigation of less serious issues.

Simply put the RSPCA cannot afford to lose a case and this leads to perception issues with others regarding their handling of animal welfare prosecutions. To carry out its duties under a Memorandum of Understanding in Western Australia the RSPCA spends around \$5 million with the government contributing half a million.

One cannot expect that a private body can operate to the best of their ability when a token amount of 10% of cost is all that is allocated to achieve this.

Fines for animal welfare abuse are not as effective with a private body. For example the RSPCA needs to find funds for prosecution, and as a result there is reluctance to act on matters that would be expensive to litigate or be considered minor. Most cases prosecuted are high profile or there is an open and shut case. This can be rectified with Government providing funding for legal matters, taking over prosecution with the RSPCA providing technical support. This is the system used in Switzerland and resulted in a tripling of prosecutions.

## **ISSUES CONCERNING RABBIT RUN-AWAY ORPHANAGE AND OTHER SHELTERS**

### **Introduction to Rabbit Runaway Orphanage**

Rabbit Run-Away Orphanage is the first permitted dedicated pet rabbit rescue in Victoria. This opened the way for other small rabbit rescues to become permitted and thus operate legally. The VCAT court ruling as part of the Orphanage's struggle to become permitted has set precedence for rabbits and made the way easier for breeders and other sectors of industry to operate in a legal manner in accordance with government and industry codes once they are created.

Rabbit Run-Away Orphanage is a no kill organisation and was set up to be a model for other shelters and to improve operational practice of rabbit husbandry in shelters. The Orphanage is also the first and only Chapter of the House Rabbit Society (HRS) in Australia. HRS is the oldest and most respected rabbit welfare organisation in the world.

Due to the Australian environment which sees rabbits as feral pests, one of the goals of Rabbit Run-Away Orphanage is to encourage law makers to make pet rabbits a restricted pet. This will insure that sale and breeding is controlled and they are not released into the environment, causing further economic damage.

A restricted pet, like snakes and exotic birds would ensure that the rabbit as a pet is an informed decision and will advocate:

- There is a level of control over sale, purchase, breeding and dumping of pet rabbits.
- Some control mechanism to ensure the pet rabbit is not contributing to the wild rabbit population and destruction to the environment
- An understanding of the rabbit's nature, needs and requirements prior to purchase.
- To discourage impulse buying, purchased as a child's toy, uncontrolled backyard breeding
- Compulsory desexing to control oversupply.
- Compulsory microchipping to identify owners so that proposed laws in the future can be effective in preventing abandonment of rabbits by making prosecution easier.
- The development of a series of codes for rabbits
  - The Private Keeping of Rabbits which can define areas of cruelty specific to rabbits
  - The Breeding of Rabbits to address overpopulation
  - Operation of Shelters and Pounds to set minimum standards
  - Boarding of Rabbits

Animal welfare covers a wide range of issues and species so that one organisation cannot cover all issues and species. Rabbit Run-Away Orphanage can only play a small part in bringing change leaving other areas to other groups. The Orphanage and HRS are dedicated to bringing education to all levels of government, the public, leading to improved welfare and legal change for domestic pet rabbits.

Rabbits come to the Orphanage from a number of sources such as council pounds, vets, other shelters and rescues. Often council workers will contact the Orphanage rather than use their own pound, and many pounds do not take rabbits or will transfer them to us as they do not have the facilities or expertise to care for or rehome them.

Other shelters have transferred rabbits to the Orphanage such as Save a Dog Scheme, the Lost Dogs Home, Save Darabin Pets, Australian Animal Protection Society , Lort Smith, RSPCA, Geelong Animal Welfare Society, Animal Aid, Western Suburbs Cat and Kitten Rescue and other private rescues. Many of these rabbits are facing death due to stress or behavioural related conditions (which are resolved once in the care of the Orphanage), unpopular breeds, health matters (most are minor and treatable) or due to a lack of expertise or facilities at the shelters, to house rabbits appropriately.

Routinely vets will transfer rabbits to the Orphanage that are lost or presented for unnecessary euthanasia often for trivial reasons, as the child does not want them anymore. One example of this is that three weeks after Easter 2015, two baby rabbits were handed into a vet to be killed because the children had lost interest in the “Easter bunny”.

### **Challenges of no kill**

Under the Constitution of Rabbit Run-Away Orphanage, rabbits can only be euthanized under the direction of a Vet when nothing further can be done and pain is uncontrollable.

- The Orphanage has a death rate of around 10% attributed to hand rearing of babies caused by the death of the mother usually due to consecutive breeding as the main cause (over 50% of babies will die).
- We also have a 1% euthanasia rate for age related or severe health conditions. Some of the rabbits coming into the orphanage are also victims of predator attack and can die from delayed shock, infection or severe neglect or cruelty with the inability of a vet to repair damage.
- We have also had a few stray rabbits coming into the orphanage with diseases caused by Bio-control such as Myxomatosis and the newer forms of Calivirus.

The Orphanage has 97 special needs rabbits off site in individual foster care, where vet costs, for the life span of the rabbit are covered by the Orphanage.

The main cost to the Orphanage is for veterinary services, other limitations are that intake is dependent on spaces available as we will not kill a healthy rabbit. Intake is also dependant on availability of on volunteers to maintain high standards of husbandry and fundraising to keep the

funds available for surgeries and other vet work. Each rabbit that we take in costs around \$250 for basic desexing, microchipping and vaccination.

Rabbit Run-Away is the third largest re-homer of rabbits in Victoria but turns away around 50 rabbits each week referring them to other shelters due to the above limitations. We are also aware that if a placement is not found within our network then the rabbit has a 90% risk of being killed, which places a deep emotional burden on us.

High kill rates in main stream shelters are showing that the welfare structure is overburdened and is in systemic breakdown often due to lack of law to prevent overpopulation, impulse buying and dumping. The high kill rates in pounds and some shelters is not the fault of these establishments who are victims of an unworkable system caused by the apathy of politicians to address issues such as uncontrolled breeding and overpopulation. To break the cycle from breeder to pet shop, to impulse buyer to rabbit surrender and dumping and then death, requires legislative changes to be introduced at both the retail and breeder level. The blame lies squarely with the government and lack of laws to control this.

Most shelters are reluctant to disclose kill rates due to the fear that their donation base would be affected; Figures are sometimes fudged to show adoption rates are higher such as quoting intake after health and personality tests rather than the real figure of total intake versus total adoptions.

The shelters that have the highest kill rates have the least imaginative and conservative management. The kill rate is influenced by factors such as less popular breeds, age, unattractive colouring, aggressiveness, and cost of medicines.

Shelters are looking to lower these rates due to innovation with foster and adoption programs. Progressive committees look at new ways to adopt or foster animals to reduce the necessity of killing animals that due to one reason or another fill up the system and take a longer period to be re homed.

### **Growth in popularity of the rabbit as a pet**

The number of rabbits being kept as pets in Australia is poorly documented however antidotal evidence shows that numbers are increasing. Rabbit owners fall into two distinct categories; those that consider the animal to be a cheap, child's pet, and will not spend any money on the animal to desex and vaccinate. The animal is discarded when the child has lost interest. The

second category of ownership sees the animal for its intrinsic value and intelligence, it is part of the family and is protected and loved, is desexed and vaccinated and lives inside the home (with supervised time outdoors) as a free range house rabbit. The issues faced by rescues are due to the first category listed above.

Pet rabbits are also being sold for snake food, back yard breeding, breed in back yards for human consumption, patting zoos churn out more than 700 babies a year and give them away to anyone. Pets on the Move runs such a program in schools where a mother and 2 day old babies are put into primary schools then the children are pressured to take the babies home. This is irresponsible, encourages impulse buying and certainly is not in the best interest of the animal.

Animal studies courses are even worst encouraging breeding of the animals with disregard to the offspring. This is an irresponsible act where students are encouraged to breed as part of their course with no concern for the animals after the course is completed. The same knowledge and skill base can be achieved through other teaching methods such as video conference, research, lectures etc or visiting an animal shelter/rescue to experience the same.

### **The House Rabbit**

There is a growing trend for pets, including dogs and cats to be kept inside as free range animals with space outside for exercise. The main driving force for the increase in the phenomenal growth of numbers of rabbits kept as house rabbits and their selection as a pet of choice are single nesters. This is the largest growing demographic group in Australia. The number of is also augmented by an aging population who are downsizing their dwellings.

The shift of these demographic groups to smaller sized dwellings is one of the factors in rabbits becoming an alternative choice of pet as a companion and sometimes as a substitute child; other influences for this choice are the lack of space in small dwellings, Traditional pets are being rejected for reasons such as time to walk a dog due to the lifestyle led, or the inability to allow a cat outside.

The size of this group is indicated by the Town Planning for Melbourne which includes increasing the high rise district fivefold to accommodate for this needed demand.

In places such as Singapore and Hong Kong where high rise living in smaller apartments is normal, rabbits outnumber dogs and cats kept as pets.

Over the 17 years of involvement with rabbits there has been remarkable growth in the increasing numbers of vets who are dealing in the specialised medicine for rabbits, the emergence of boarding facilities and increase in foods marketed for rabbits. As an example in Melbourne there were two vets specialising in rabbits when we started 17 years ago and now there are over ten with another 30 or so showing some expertise.

The RSPCA when planning their new facility thought that the design of their rabbit area was too large, on completion 2 years later it is now thought to be too small with a capacity for housing 12 rabbits. The RSPCA fit out was completed after consultation with the Orphanage regarding specifics needed in this specialised area and the RSPCA is now keeping rabbits in their care utilising world best practice standards.

A few years ago Hugh Wirth, President of the RSPCA, referred to rabbits as pocket pets and now the RSPCA considers them to be an emerging serious pet, being kept indoors with a resultant increasing life span of over 10 years.

Pet services for rabbits such as boarding, grooming, specialised food and product have all come into being or increased in the last 10 years. When Rabbit Run started boarding rabbits it was the first in Victoria, possibly Australia to offer this service, now there are numerous organisations and individuals boarding.

The Australian Veterinary Association held a conference in May 2015 with 8 different streams of lectures in the afternoon session, one of these was for rabbits. The lecture was filled with the doors closed for safety reasons after the aisles were filled with over 150 vets sitting on the floor, and standing around walls. The location was in Queensland where it is illegal to keep rabbits.

### **Laws regarding Rabbits**

Whilst there is a marked increase in rabbits as house pets, there is also an increase in impulse buying and breeding and dumping of pet rabbits, which accelerates at all peak holiday periods. Authorities are also at a loss when presented with increasing issues regarding lost, dumped and neglected pet rabbits. When individuals or our organisations contacts authorities, there are no laws or limited protocols in place to deal with rabbit related problems other than to say we can't help you; we don't deal with rabbits; go elsewhere. This is the response from councils and local government.

The only laws pertaining to Rabbits are at a Federal level covering Intensive Farming, Research Laboratories, Pest Control at State level (CALP) and Local Law which varies between Councils and simply covers the numbers of rabbits allowed. Their Domestic Animal Management Plan excludes rabbits, and therefore the councils do not feel the need to act on backyard breeding which in turn causes a public nuisance as the animals spill onto the streets and impact on neighbour's lives and the environment.

Federal laws reflect economic concerns with little or minimal regard to welfare. The laws specific to rabbit's are in commercial areas such as intensive meat farming or laboratory experimentation and these are no longer satisfactory to modern thinking and humanitarian values. These are usually written by the industry involved and most are more concerned with productivity and economics at the expense of animal welfare.

State Law in Victoria administers the Domestic Animals Act 1994, Domestic Animals Regulations 2005, Prevention of Cruelty to Animals Act 1986 and Prevention of Cruelty to Animals Regulations (POCTA) 1997.

POCTA is so vague that it relies on Codes of Practice for clarification to define cruelty and other matters. Various Codes such as those covering Cruelty, Shelters, Breeding, and Boarding do not mention rabbits. The Code for Pet Shops covers rabbits but leaves a lot to be desired, and in our experience is not enforced.

Instruction to local government needs updating, The Domestic Animal Act does not mention rabbits and therefore councils have no idea of how to deal with a rabbit welfare issue. Councils feel no obligation to cover pet rabbits in their Domestic Animal Management Plan.

When individuals contact their council to report pet rabbits running loose in their street, the response is " we don't catch rabbits as it is not covered by our Domestic Animal Management Plan". The individual is then referred on to a private rescue or shelter, who are then charged with doing the council's job of removing and stopping the uncontrolled breeding of referral to a welfare organisation. The welfare organisation will say we don't have the resources to do that and to tell someone who cares with referral back to council. Clearly this is an unsatisfactory situation.

Rabbit Run-Away Orphanage through its state-wide volunteers is the only organisation in Victoria which responds to domestic rabbits running loose.

An assessment of local laws (Victorian councils) regarding rabbits was taken by RRO and the findings showed a lack of science and logic.

It is assumed that pet rabbits are kept outside, some councils classify rabbits incorrectly as rodents and not lagomorphs, one country based council states that the maximum number of domestic rabbits in residential zoning is zero but unlimited in farm zones indicating a willingness for farm activities and total ignorance that rabbits can be kept as pets.

In metropolitan councils, the maximum number of rabbits allowed varies from two to ten, in some cases rabbits are not mentioned and a special permit is needed.

It is common for council laws to place a limit on adult rabbits which varies from 2 up to 10, but anyone can have large numbers of animals, in the case of rabbits up to thirty under the age of three months, acting as an open invitation for backyard breeders to breed and sell rabbits and other animals including dogs or cats lawfully.

We would be appalled if a woman gave birth every nine months until she died from exhaustion or ill health but this practice is allowed with animals under the care of humans with rabbits having litters every 30 days.

At the time of writing it is the start of the breeding season and RRO has 7 abandoned litters of rabbit kittens handed in to vets and other shelters and transferred to RRO due to our expertise. This is a time of dread as we know that from the middle of the season to the end we expect to be hand rearing litters due to the death of the mothers caused by over breeding. Most are discovered dead on top of their babies.

We will experience over half of these motherless babies dying in spite of our efforts at hand rearing. This is caused by a lack of suitable antibodies or incorrect bacteria in the cecum which are normally supplied by the mother. Some will last for 10 weeks then suddenly die due to enterotoxins.

This happens so children can make \$5 or \$10 pocket money and is enabled by uncaring Councils who say that rabbits are not covered in the Act and back yard breeders or hoarders appear to be of no concern to them due to numbers of baby animals allowed without a permit.

The Orphanage is required to pay microchip transfer fees to new owners on adoption. Other shelters are exempt as dogs and cats are covered by the Act and as rabbits are not included. Our council declined a request for the fee exemptions to apply to a rabbit shelter.

Our local council permits a maximum of two rabbits but anyone can have up to thirty rabbits under the age of three months, which acts an open invitation for backyard breeders to breed and sell rabbits lawfully without registering as an Animal Business or permit.

The action of these backyard breeders (who are not legally permitted, registered as an Animal Business or with a breeders association) contributes to over population and sets in motion a cycle of breeding, abandonment, and high kill rates at shelters of our pet rabbits, many not surviving to see their first year of life.

A letter to the Shire of Yarra Ranges was sent to illustrate concerns regarding local law and its failings.

“We submit the following proposal for changes to Local Animal Law. The changes reflect our concerns with councils dealing and understanding of pet rabbits and problems caused by overpopulation of pets abandoned in the Shire and elsewhere as well as the high kill rates in shelters.

Rabbits are a problem in the Shire and this is likely to become worse over time unless measures are taken to address this. Restricting the number of pet rabbits in units is not addressing the problem at all.

The Domestic Animal Act focuses on Dogs and Cats leaving councils in a quandary to address the overpopulation of pet rabbits loose in the Shire and how to deal with any issues with rabbits in general”.

### **Examples of the failure of Councils to address issues**

The following examples are limited to our local Council, the Shire of Yarra Ranges and are illustrations covering the six month period prior to sending the above letter which accompanied the letter.

#### **Example 1**

In the month of November 2011 we have had six calls from people that have had unexpected litters of pet rabbits due to the fact that the rabbits are not desexed, inaccurate information has been given at the purchase of the rabbits and they have not been accurately sexed. This equates to a total of 66 unwanted pet rabbits in one month.

### **Example 2:**

During the first week in December 2011 we responded to a call from a distressed resident in Upwey, who noticed 9 baby pet rabbits running around her backyard. Council could not assist so the Orphanage went to her aid. We managed to catch 4 of these babies, the others had taken off to other properties or were taken by predators. We also caught the mother who had another litter of 11 babies the following day whilst contained at the Orphanage. If the mother was not caught then there was the potential for 22 rabbits propagating from this Upwey resident's property. The owner of the rabbit was identified and was reluctant to have the animal desexed or to take responsibility for the babies. The Orphanage has taken ownership of the animals, desexed, vaccinated and microchipped and now place into a good home. It is worth pointing out that the problem of feral rabbits in Australia began with the importation of 28 rabbits.

### **Example 3**

There is an employee at a local school who breeds rabbits, taking them to school to sell to the children for \$10.00. This impulse selling technique is likely to lead to abandonment or unwanted litters creating a problem which requires large expenditure to rectify.

### **Example 4**

During a conversation between one of our volunteers and a pet farm operator (from within the Shire) it was revealed that 700 rabbits were placed into schools by this one franchisee in one year. These farms operate by placing a mother with 2 day old babies into schools so children can witness the miracle of birth. The teachers are instructed to remove any dead babies each morning prior to classes. After 6 weeks the children are told that they will have to buy these baby rabbits or they will be disposed of. Children should not be subjected to these high pressure sales methods and families should not be burdened with an "unwanted" pet with no knowledge or experience regarding its care.

### **Example 5**

We have found a large number of "back yard breeders" are children or teenagers who are earning pocket money, often with the blessing of their parents who encourage their child to use their incentive without regard to the consequence of their actions.

This small example of problems presented to our local council was subsequently ignored and these 5 year old examples are still existing and present today. We could expand examples such as these to cover another 10 or so pages. The Domestic Animal Act needs updating to include rabbits.

## **ECONOMIC CONSIDERATIONS**

### **The Catchment and Land Protection Act**

The Catchment and Land Protection Act (CaLP) is Victorian Legislation. There is a multiplicity of legislation at the Federal, State and local government levels, and control programs involve a range of different agencies in each State and Territory. There are numerous non-government organisations with an interest in the methods or effects of control, representing environmental, animal welfare and industry concerns, as well as many individual landholders.

Vertebrate pest control is an issue that exists within a framework of great complexity.

Pest control is not normally included in a paper on animal welfare. The CaLP is an obscure Act for the majority of city dwellers as it more commonly related to rural management in the control of declared pests or invasive weed. However as ownerless pet rabbits have the potential to become feral pest, this needs to be addressed in an Animal Welfare paper.

Individuals are obliged by law to control flora and fauna on property they are responsible for and this includes their pet rabbits.

Most pests are introduced species, but some introduced species are a natural part of the flora and fauna, natives such as fruit bats or possums may be irritating to city dwellers and although regarded as unwanted they are not a declared pest and considered part of the natural environment.

**The Act classifies rabbits as introduced declared pests, it does not differentiate between domestic pet rabbits and wild rabbits or where they are located. Feral rabbits are the second highest cause of loss to the economy after canines. We would argue that pet rabbits also contribute to the growth of feral populations if not controlled.**

**In Australia domestic dogs are considered to be a different species to feral dogs by the public, this is not the case with rabbits with the majority of public and authorities regarding them all as feral pests.**

This is a strong case in itself to establish laws for pet rabbits to control sale, breeding, and dumping of these animals breed as pets.

### **Rabbits**

One of Australia's most destructive pest species was introduced to Australia during European settlement originally from Spain and southern France. The rabbit occupies all states and territories and off shore islands. They are responsible for over \$206 million damage annually and a threat to agriculture and biodiversity.

### **Brown hare / European hare**

Introduced to Australia during European settlement. Species is reportedly closely associated with modified pastures and croplands. Known to cause damage in horticulture and viticulture. Not a commonly reported species despite widespread distribution in Australia.

### **Wild dogs (including dingoes and hybrids)**

Introduced to Australia several thousand years ago. Currently responsible for significant livestock losses. May suppress other pest species, such as rabbits. Widespread across all states and territories, and a small area in Tasmania. A threat to agriculture and biodiversity. Production losses estimated at \$48 million annually.

### **Foxes**

Introduced to Australia from Europe in 1871 for sport hunting. Occupy all states and territories. A major predator of native wildlife and responsible for significant losses to sheep graziers costed at \$227 million annually. A threat to agriculture and biodiversity

[http://www.pestsmart.org.au/wpcontent/uploads/2015/05/PWest2011\\_Mapping\\_PEST\\_ANIM\\_ALS.pdf](http://www.pestsmart.org.au/wpcontent/uploads/2015/05/PWest2011_Mapping_PEST_ANIM_ALS.pdf)

### **Comparative Damage**

From the above data adding up foxes and dogs to give a total canine cost and belonging to the same family, foxes \$227 million plus dogs \$48 million equalling \$275 million (mainly to sheep graziers), this does not include a figure for ecological damage which can lead to extinction of wild species or include damage in metropolitan areas.

Rabbits cause damage of \$206 million. Cats are not mentioned in some statistics as they cause minimal economic damage but are also a declared pest.

Occasionally a well-intentioned individual will come across a seemingly abandoned baby rabbit. Mother rabbits keep some distance away from their babies so that predators are attracted to their scent and return to them for feeding when it is felt safe to do so.

If this individual picks up the baby and then puts it back down they have committed an offence that carries a penalty of around \$80,000.

As early as 1890 farmers were starting to leave land considered untenable due to increasing numbers of rabbits. By 1950, just prior to the introduction of Myxomatosis, it is hard to imagine the landscape.

### **The CaLP. Act in Relation to Domestic Pet Rabbits**

The Act does not differentiate between domestic pet rabbits and wild rabbits. Penalties are high for breaches of the Act. An offence is committed if;

- an individual allows a rabbit to wander about in an uncontained manner,
- or places it in another's property (private or public),
- Releases it into the wild
- Allows it to be ownerless.
- An ownerless rabbit handed into a vet who does not kill it, unless there are arrangements made for ownership.

Whilst the above breaches are common I am not aware of any prosecution under this Act and Councils seem to be unaware of its implications. If there were prosecutions it would act as a deterrent to these practices.

CaLP needs to be implemented as a deterrent to the illegal dumping of pets. We ask why this is not used as a deterrent?

### **Desexing and Micro chipping of Rabbits**

The RSPCA sought to bring new legislation regarding desexing and microchipping of animals, felt that they would be unsuccessful at state level and sought change to law at local level, which has resulted in a wide variance between councils.

In 2010 a proposal was sent to the Bureau of Animal Welfare presenting rationale for desexing rabbits. The proposal was favourably received by the Director and was passed for AWAC consideration who have still not replied.

As such I will now re- present why this is necessary on economic grounds alone.

1. The costs of children and others earning small amounts of money versus the larger costs associated with dealing with overpopulation
2. The cost of mental health to animal workers in dealing with overpopulation.
3. The cost of domestic rabbits breeding and contributing to feral populations in the wild.

### **Economics of Breeding Rabbits**

Unlike breeding animals with high monetary value such as dogs, where it is possible to make thousands of dollars from the sale, rabbits are sold for amounts that are attractive to children who wish to earn pocket money.

These children often breed rabbits in clusters centred on primary schools due to discussions amongst themselves, without guidance about the consequences of what happens to the rabbit over its 10 year lifespan. Most rabbits will be bought when cute and fluffy and disposed of when they become teenagers and will be dead within a year.

This practice can be encouraged by parents and teachers focussing their thoughts on short term ideas limited to human activity. Whilst awareness that this practice has been occurring for years, as late as last week my next door neighbour with children informed me of a local school where half of the class are breeding rabbits. A common way children and others sell rabbits is through internet sites such as gumtree. If the rabbits don't sell then pet shops are approached where they will only receive a few dollars or give them away.

It makes little sense that children are making small sums of money when the cost of dealing with overpopulation is much higher. It is very common for pet shops and casual or new breeders to sex rabbits incorrectly. Accidental litters are common when most people believing that their rabbits they purchased are the same sex.

The Australian Animal Protection Society(AAPS) has an overnight drop off area and a backyard breeder regularly dumps around 40 rabbits at a time every 6 to 9 months and has to my knowledge done so for the last 15 years. One or two may be saved with the remainder being killed due to disease, uncontrolled parasites or their poor condition. This person then obviously starts over with a fresh batch. If AAPS were to try and stop this person, then the alternative would be for this person to dump the rabbits in the bush.

Looking closely at advertisements for rabbits on gumtree and other internet sites show the appalling conditions that rabbits are kept in with small poorly maintained enclosures with centimetres of faecal matter underfoot which encourages disease, such as coccidia, and no provision to keep hay and food dry to prevent mould. Yet this is where most backyard breeders advertise their rabbits for sale.

Whilst money generated by breeding is minimal, the overpopulation of pets and other factors caused by overpopulation is a huge cost to rescues and causes both economic and environment damage. Backyard breeding of rabbits does not make economic sense and as such should cease.

If a pet is sold desexed or with a prepaid voucher it adds to the value of the sale. Purchasers are more likely to consider a purchase and less likely to impulse buy if the cost of a rabbit rises from \$45 -60 to around \$350. With a more valuable asset they will be more likely to protect this asset by investing in husbandry and the animals welfare.

### **Mental Health: The Fatal Epidemic of Animal Care Workers That No One Is Talking About**

For years veterinarians, shelters and others working with animals have pleaded with Governments to introduce laws to reduce overpopulation/killing of animals, usually meeting indifference from politicians. Experienced animal welfare staff and management feel that Government is not concerned with protecting their health and are often isolated from help as there is no point in complaining.

“The first ever [mental health survey](#) for veterinarians revealed that one in six of them have contemplated suicide. A [recent study](#) by the [American Journal of Preventive Medicine](#) reveals that animal rescue workers have a suicide rate of 5.3 in 1 million workers. This is the highest suicide rate among American workers; a rate shared only by [firefighters and police officers](#). The

national suicide average for American workers is 1.5 per 1 million”. Source: Humane Society United States.

Thousands of people charged with performing animal euthanasia in the United States are at risk for a variety of psychological, emotional, and physical ailments such as high blood pressure, ulcers, unresolved grief, depression, substance abuse, and suicide. According to researchers at Purdue and Bowling Green Universities, three out of four animal shelter workers exhibit signs of euthanasia-related stress.

The high suicide rate by itself should trigger alarm bells as an indication of mental health issues caused by stress though working in a toxic environment. Dealing with irresponsible owners, distressing situations involving animals, turning animals away and not knowing their future all play on the mental state of the worker. These situations occur on a daily basis and add to the pressure on the animal welfare worker. Stressors can be reduced with a tougher legal stance on desexing, breeding, impulse buying and providing public education. In the USA some 50 years ago a tougher legal stance to address overpopulation of animals caused kill rates in shelters to reduce by approximately 70%.

There are types of stress conditions; the “Killing Caring Paradox” where those that work in the industry do so because they care about animals and yet are killing them due to overpopulation and lack of funding. The second is “Compassion Fatigue”, also known as “Secondary-Traumatic Stress Disorder” ([STSD](#)). The symptoms of STSD are similar to Post Traumatic Stress Disorder. As with PTSD, compassion fatigue can lead to depression and thoughts of suicide.

In other industries such as Defence, Police, and Paramedics this is emerging as a serious Occupational Health Safety issue but is ignored when it concerns workers in the Animal Welfare Industry. This human factor of OHS can be addressed by government passing through adequate laws to reduce the overpopulation of animals, and breaking the present cycle of breeder to pet shop, to impulse buyer to animal surrender/dumping and then death.

### **Monetary Costs of Mental Health in Animal Workers**

The monetary cost of mental health issues to animal workers resulting in the inability to work, relationship and marital breakdowns, or suicide.

Other symptoms include:

Increased use of alcohol and drugs, absenteeism (missing work), anger and irritability emotional exhaustion, distancing, negative self image, depression, reduced ability to feel sympathy and empathy, resentment, cynicism, dread of working with certain clients, feeling professional helplessness, diminished sense of enjoyment/career, depersonalization, disruption of world view/heightened anxiety or irrational fears, problems with intimacy, intrusive imagery, hypersensitivity to emotionally charged stimuli, insensitivity to emotional material, loss of hope, difficulty separating personal and professional lives, failure to nurture and develop non-work related aspects of life. **Sources:** Saakvitne (1995), Figley (1995), Gentry, Baranowsky & Dunning (1997).

[Molly Sumner](#), a [QPR trained Gatekeeper](#) who helps people during times of crisis, notes that those with a deep compassion for animals take a considerable amount of weight on their shoulders. . Because animals cannot speak for themselves, rescuers feel they must break their own personal limits to give a voice to those in need.

Psychotherapist J. Eric Gentry tells the [Sacramento Bee](#):

“Animal care professionals are some of the most pain-saturated people I have ever worked with. The very thing that makes them great at their work, their empathy and dedication and love for animals, makes them vulnerable.”

## **The Costs of Abandoned Pet Rabbits Breeding in the Wild**

### **The Pet Rabbit Trade**

The size and value of the pet rabbit trade in Australia is poorly documented. Although some states and territories require permits to keep pet rabbits, there is no evidence that pet rabbits pose a threat to the effective management of wild rabbits. There are few data to support the argument that escaped or released pets will add to the ‘fitness’ of wild rabbits. Escaped pets will quickly fall prey to predators or die from myxomatosis. Nonetheless, there is likely to be a strong case for excluding pet rabbits from areas where management has reduced rabbits

to very low densities, or where local eradication has been achieved. Domestic-type rabbits can sometimes establish in the wild (for example, Rolls 1969), but they eventually die out, except on some islands.

Increased popularity of pet rabbits may cause the general public to become more favourably disposed towards rabbits. This may make it more difficult to educate the community about the need for rabbit management. When a child's pet rabbit succumbs to myxomatosis, there is often a strong family reaction against the use of the disease in Australia. Greater community awareness and understanding of the impact of rabbits on natural environments and agriculture in Australia is needed to counteract these attitudes.

**Source:** Extract from *Managing Vertebrate Pests: Rabbits*, Kent Williams, Ian Parer, Brian Coman, John Burley and Mike Braysheer, Australian Government Publishing Service Canberra 1995

Although domestic rabbits are unlikely to survive in the wild they can establish colonies in areas where Government baiting and bio-control is unlikely in suburban areas and in areas where predators such as dogs are leashed such as parks and golf courses. Uncontrolled breeding can occur in backyard suburbs, where after eating the available grass in the property, the rabbits seek food outside the property with little or no accountability for the owners. When concerned neighbours seek help about this invasion into their property and entitlement to quiet living they find little or no support from Government, Councils or law enforcement agencies such as the RSPCA or Police.

Rabbit Run-away Orphanage has been involved with 3 major rescues this year capturing 20 to 30 rabbits from each property and surrounds.

This situation quickly happens when a second generation become mature enough to have litters at around 6 months of age. If this were to occur next to a park where they are not as noticeable and a 3<sup>rd</sup> generation were to mature then this could be more serious. Overseas the House Rabbit Society has reported large scale rescues of numbers in the order of 200. There would be difficulty in finding funding and room to house a number of this magnitude.

Australian governing bodies concern themselves much more with pest control and the productivity of the farming industry than they do with pets or humane welfare. Several means are employed for the purpose of wild rabbit population reduction, none of them particularly humane to rabbits or other affected non-

targets. Among those are: “lethal baiting, warren destruction and fumigation, shooting, trapping, exclusion fencing and biological control with [the release of viruses] RHDV and Myxomatosis.”

**Source:** (Sharp & Saunders, 2005, p. 6 in Chenery, C-A (2011) Lagomorphs in the U.S., Australia and Japan: A Comparison of Attitudes toward and Treatment of Rabbits

Traditional methods of eradication would be difficult to achieve in the suburbs and concerns of residents would include their children viewing or touching dead rabbits.

Methods used to trap or manually catch rabbits are very time consuming and expensive. One major rescue above took volunteers 5 months to capture all the rabbits.

### **The Effects of Compulsory Desexing of Pet Rabbits**

We hope to eliminate backyard breeders who operate for pure financial gain or reward without regard to the welfare of rabbits. Unlike some other species the largest majority of breeders are children and teenagers who breed to earn pocket money. Apart from the great distress and harm to animals this activity causes in the quest for a small amount of money it leads to an overall economic loss and the systemic breakdown of an overburdened welfare system caused by overpopulation.

One of the aims of compulsory desexing prior to sale is to drive backyard breeders out of the market. Breeders would not be allowed to sell animals unless they are desexed or have been issued with a pre-paid desexing voucher.

Owners would not be allowed to keep an intact pet rabbit, unless they are council permitted and registered as breeders, have a veterinarian certificate stating danger to the rabbit’s health or for religious belief.

Further any animal that is capable of becoming a feral pest and creating an economic burden on the country needs to be desexed and microchipped to establish prior ownership to enable prosecution of those who dump rabbits.

The fine asked for is \$1,000 for the first offence with subsequent fines of \$30,000.

We expect this to reduce overpopulation and subsequent kill rates in shelters by 50%

A proposal for the compulsory desexing of rabbits was submitted in 2010 to the Bureau of Animal Welfare (DPI Vic) and referred to the Animal Welfare Advisory Committee. This committee is mainly composed of people involved with cats and dogs.

Compulsory desexing of domestic rabbits would have the following benefits.

- The rabbit would cost more to purchase and be more valued in monetary terms so that it is less likely to be disposed of. It would reduce the purchase of a pet rabbit without thought.
- Desexing modifies the rabbit's behaviour reducing undesirable characteristics such as spraying, chewing, marking territory or roaming, so that some reasons for dumping are removed.
- Dumped rabbits do not have the ability to reproduce adding further offspring to wild populations,

Males can be castrated safely as soon as the testes drop at around 12 weeks and females later, around 6 months to give reproductive organs time to grow. Some shelters spay earlier but general vets advise 6 months to lessen risk.

### **Rabbits in Pet Shops**

The pet shop industry has internal concerns about the public perception of the sourcing of animals with some seeking liaison with shelters. This is partly due to the collapse of the Pets Paradise chain after a campaign from Oscars Law about their support of puppy mills.

Petsco was formed after the Pets Paradise collapse and use the same retail outlets. Being aware of the reasons for collapse they sought to source animals from shelters and worked for a while with the Geelong Animal Welfare Society for the supply of rabbits.

This arrangement ceased due to problems arising due to Petsco wanting complete control of the sales process, treating shelters as substitute breeders whilst carrying out business as normal.

Rabbit Run-Away Orphanage entered into an arrangement with Pet Barn having one store set up as an adoption centre. The Orphanage ceased placing rabbits there after a change of management became more sales focused. Lort Smith has similar concerns with their dogs and cats in this store but unlike the Orphanage is contracted to supply.

Independents and smaller business can depend on the large margins in pet sales to stay afloat. Puppies purchased for \$50 can be sold for \$1,000.

Pet Stock does not sell animals.

We have little knowledge and interaction in regard to management of other chains of stores.

The Orphanage is willing to work with pet shop chains but in its present form this can be impracticable.

Good salesmen take pride in their ability to turn a prospect into a sale leading to an animal sold by impulse or manipulation by the sales person. This philosophy is opposite to that of welfare organisations that put animal needs as the primary aim and encourages education and considered decision making prior to purchase.

The situation overseas is that the UK bans the sale of pets in pet shops. Los Angeles in the USA recently passed a law where pet shops are to source animals from shelters. This needs monitoring over time to see if the problems listed above are addressed and how the creation of a competitive level playing field makes a difference.

There is public perception that the age of rabbits sold is too young at five weeks as stated in the code of practice. Responsible rabbit breeders sell rabbits at 8 weeks and do not sell to pet shops. Rabbits are weaned at three and a half weeks and the mother reduces interaction with them shortly thereafter.

Whilst technically this is an argument for their sale at this age it creates problems in the future as there are difficulties in determining their sex correctly resulting in unplanned litters caused by the incorrect sexing of the animals, or territorial fighting between two males requiring separation.

Purchasers rely on information and expertise of sales people when making a purchase and do not question the sex of pair of bunnies or other advice (if any is given), the appearance of a litter is a surprise to those with a proposed pair of girls or a pair of boys. This apparent missexing occurs frequently and suggests that sexing is guesswork and the chances of getting it wrong are 50%.

The unwanted litters lead to “disposal” issues and perpetuate a cycle resulting in overpopulation and sometimes to abandonment in shelters or dumping the animals.

It is difficult for vets to determine sex accurately at this young age, so how can untrained staff or their suppliers who are usually backyard breeders or prior customers with accidental litters cope with this problem.

It is easier to determine sex when older so the solution is simple, give in to the customers’ wishes and increase the minimum age at which rabbits are sold to eight weeks. At this age it is easier for

staff to be trained to determine sex accurately and the Orphanage is willing to develop and provide the information needed.

A mystery pet shop shopping survey conducted by the Orphanage showed that systemic breaking of the code of practice for pet shops in not providing information to new pet owners occurs all the time with rabbit sales. The results were reported to Department of Primary Industries (Vic).

When information is available it generally concentrates on the sale of product rather than the welfare and husbandry of the rabbit. The uninformed sales person does not know the first thing about a rabbit, as there job is to sell and sell.

The Orphanage is concerned with housing arrangements used within pet shops. Current size and placement of housing does not meet the rabbit's needs as a prey animal. The size is inadequate to allow the placement of hiding spots or tunnels necessary for their health and wellbeing. It would assist sales if the area was enlarged enough to accommodate saleable product for enrichment.

Staff knowledge is generally highly inadequate and inaccurate unless in a few instances the staff member keep rabbits indoors as a pet. As an example, we have been informed that shredded paper is a good diet for rabbits and other such nonsense. Basic dietary information is also incorrect often with a sign on the window that they are cheap to feed with scraps which can result in expensive dentistry to correct, gut stasis which can be lethal, or the promotion of manufactured junk food leading to obesity with resultant problems such as flystrike.

To ensure customer satisfaction and increase sales, staff knowledge and husbandry need addressing. Basic examples such as routine worming (unnecessary as rabbits normally have roundworm as part of their normal gut flora), incorrectly treating mites with bird spray (doesn't work), feeding rabbits with scraps, shredded paper or old bread (causing health and expensive dental issues) have been personally experienced.

There is pressure to stop pet shops from selling pets, The Orphanage are concerned that if this happened it would increase sales from unregulated sources and increase the proliferation of backyard breeding with sales through the internet operating outside of regulation and control.

The Code needs to be reviewed with the following points

- It would help immensely if the rabbit was a restricted pet. This would force businesses to train and upskill their knowledge of rabbits as pets.

- Staff knowledge needs to be at a level so that customers are given correct information.
- Information supplied is to focus on husbandry, to be educational about the nature of the animal purchased rather than a sales brochure about the products from the pet shop that they can buy (most of which are unsuitable).
- A prepaid voucher for desexing is included in the sale with high fines if not carried out in 6 months. The Orphanage only adopts out desexed animals, even babies come back for surgery when old enough before formal adoption takes place.
- A record needs to be kept and available for scrutiny covering the source and sale of animals.
- Animals are to be sold with a guarantee of sex to eliminate accidental litters.
- Rabbits are to be kept in 2 sq M enclosures in a quiet environment suitable for their nature as prey animals.

### **Rabbit Breeders**

Breeding of animals is part of the supply demand chain but in its present form leads to overpopulation and needs Government control as self regulation is either nonexistent or not working.

Conversation with breeders are difficult as they are very defensive, for instance I was called a welfare Nazi for asking a basic question, why do you breed. And yet show rabbit breeders concentrate on racial purity and regard cross breeds as inferior species. At the same time they are interested in the creation of a new super breed of rabbit. If their animals do not meet their requirements then they are killed.

There are no registered breeders in Australia and no provision to register with a lack of law to direct this. Some breeders elect to join a show breeding association or group and therefore call themselves breeders.

In Victoria alone there are four breeders associations or organisations that show rabbits and they seem to be fragmented which would make the adoption of a universal internal code of conduct difficult. Some adopt the existing UK code of conduct for show rabbits defining standards.

Breeders Associations that regard themselves as having a professional approach to husbandry would like to separate their image from backyard breeders due to the public's perception. This separation of image can be achieved by the writing and adoption of a code of practice for breeding rabbits. The code should at least address basic living conditions, good husbandry practice, the

minimum and maximum age of rabbits to be bred, and the amount of times a rabbit can breed per year, the recovery period in-between pregnancy and the maximum number of rabbits per attendant.

A code will also address the few registered breeders who bring their associates into disrepute. For example the two rescues over the last six months by Indiana HRS (USA) from separate breeders with approximately 400 and 200 rabbits in a terrible condition from American Rabbit Breeders Association registered breeders. The rabbits were being bred for show, sale and snake food.

The Orphanage and HRS Australian Chapter are experienced in writing codes and would offer assistance in creating one for breeders.

Unlike dogs and cats which have higher commercial value a high majority of rabbit breeding is due to children earning pocket money. These children often breed rabbits in clusters centred on primary schools due to discussions amongst themselves, without guidance about the consequences. An age appropriate educational program about rabbits has been developed which includes addressing this. This was developed by our Education Coordinator who is a House Rabbit Society Educator in training and Primary School Teacher. Delivery to primary schools will start after endorsement by the education department.

**Inexperienced backyard breeders** often cause accidental litters to occur by rabbits being sold at a young age when it is difficult to determine sex correctly. A pair of girls or boys purchased from a breeder will often be found with babies after a few months.

Usually backyard breeders sell via pet shops or online. Often people will rescue rabbits from the appalling conditions seen on internet sites and occasional pet shops by purchasing them; this should be resisted as it enables the continuance of their practices.

**Children's farms** like to show baby animals, one establishment breeds over 700 rabbits each year and one method used to make money is to present to primary schools a mother with babies to show children the "miracle of life". Teachers are instructed to inspect the litter daily prior to class so that school children will not be presented with the miracle of death. After the contracted period of a month or so the farm wishes to dispose of the litter by selling their rabbits cheaply to make room for cuter younger babies, often using high pressure sales tactics such as telling children that the animals will be killed if they don't buy them for a few dollars.

**Government Sanctioned Programs** like the educational subject “*ACMGAS304A - Carry out simple breeding procedures*” requires a student to breed an animal. This should be adapted so a student can foster a pregnant animal for a shelter or to volunteer with a registered breeder rather than add to the numbers of animals being bred.

Qualifications that include this unit are

- Diploma of Animal Technology
- Certificate III in Companion Animal Services
- Certificate III in Animal Technology
- Certificate III in Animal Studies

The Orphanage and HRS does not recommend the free to a good home style of advertisement as some people with snakes check internet sites for rabbits as cheap snake food.

Council permits are usually not needed to backyard breed as many have little restriction on the number of baby animals allowing 30 animals less than 3 months in their local laws.

Lack of codes enable practices to occur amongst breeders such as the feeding of old bread rolls even when it is established medical knowledge that teeth disease is caused by incorrect diet during the first five months of life and this will cause future dental issues costing over \$1,000 to rectify. Rabbits need a high fibre diet to wear down their teeth by eating grasses and hay. This is not provided with a diet of cheaper foods such as bread, pellets, human foods such as oat porridge or breakfast cereals which use a chomping action instead of a grinding action.

Some Breeders also administer vaccinations themselves to their rabbits for Calicivirus obtaining the vaccine through the internet. The vaccine is sold by an Australian Company to the public at about half the wholesale cost of Cylap vaccine which is distributed to vets as a licensed product by Zoetis. Cylap is classified as an S4 product and only available to be dispensed by veterinarians. Self vaccination raises many concerns as accidental needle stick is dangerous and can for instance cause the loss of a finger.

### **Rabbit Boarding**

This emerging industry has no legal basis and no guidelines for best husbandry. Examples by those offering boarding show a need for this.

- At one establishment a dog attacked and injured a rabbit, this was followed by a second attack a short time later resulting in the death of the rabbit.
- One establishment boards rabbits in banks of small hutches. The Orphanage has two sanctuary rabbits with spinal issues caused by close confinement in small hutches.
- Another individual shows signs of mental illness behaving irrationally at times and self medicates with marijuana. We feel this is a dangerous situation with animals needs as she sometimes confines herself to bed for long periods.

Dog kennels and catteries are also starting to board rabbits along with dogs and cats but usually do not have enough expertise or knowledge of rabbits to ensure their adequate care.

It is common to board rabbits outside without protection against mosquitoes, heat extremes, noise or predators. Some offer mixed boarding with other species. Rabbits have no control over adrenalin production and can die as a result of stress, fear or fright.

Most rabbit boarding establishments are not operating in correctly zoned areas and have not addressed issues such as waste management, traffic flow, insurance etc.

The Orphanage has developed a code of practice for boarding rabbits to set a minimum standard for boarding.

### **Vaccine update**

There is much concern amongst rabbit carers about the release of new strains of Calcivirus as part of Federal Government bio-control. A new type of vaccine that covers the newer forms of Calcivirus is currently being processed for importation and sale.

The importation of each shipment of Calcivirus vaccine is highly regulated by Customs and this is an expensive and complex process. Vaccine also requires regulation for use as a medical drug.

Myxomatosis virus was discontinued for use in 2009 although it is still endemic in the environment. After 70 years of use Myxomatosis is ineffective with most wild rabbits but is lethal to domestic rabbits due to their lack of immunity. It is harder to import vaccine as unlike Calici it is live vaccine and this presents additional issues.