

✓  
33 (451)

Out of Scope

**From:** Leanne Macdonald <§ 9(2)(a)>  
**Sent:** Wednesday, 18 May 2016 3:43 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations

My submission on Proposed Animal Welfare Regulations (Care & Conduct and Surgical & Painful Procedures)

Leanne Macdonald

§ 9(2)(a)

I wish to submit on Animal Welfare Regulations

I am concerned that MPI have not gone far enough in their proposal to protect our animals, particularly our goats. I believe that MPI has ignored the people that have spoken and raised their concerns about the way we treat our animals and in particular our goats. Please reconsider your starting point of animal welfare standards.

Allowing goats to be tethered their whole life alone and on roadsides is a cruel practice to such an intelligent and social animal. Furthermore, tethered goats are at risk of not being able to protect themselves from people passing by and choosing to inflict intentional cruelty.

I believe that we need to go further in NZ to protect all of our animals that are tethered, or are allowed to be tethered for their entire life. This is a cruel and unacceptable practice that should not be allowed. Sheep and cows are left to be free range within a paddock and goats should be afforded the same rights.

A fine is not sufficient to guarantee the protection of these animals. The fact that a petition was taken to parliament signed by over 7000 people supports the belief by the everyday New Zealander that allowing goats to be tethered is a cruel and unacceptable practice.

Instructing the owners to supply the basics of shelter, food and water is not sufficient. That is the basics that every living animal deserves. That is simply enforcing the barest of standards and is not going far enough to ensure their protection and well-being. The standard of food is not sufficiently defined; they deserve more than just grass and water. The same can be said about their shelter; it needs to be stated to a certain level.

Furthermore, goats should have company as well as shelter, water and food. They are not designed to simply exist on the side of the road with no other contacts, including animals. Like dogs, they are a pack animal, and need company.

I do not agree with any long term tethering of animals, including horses, donkeys, goats and dogs. The welfare of dogs has a tough enough life without being condoned to being allowed to be chained in backyards full time. Other countries have repealed condoning animals to be tethered 24/7; it is time NZ, a country with a reputation for humanity, stood up and was counted for setting high animal welfare standards, as opposed to the bare minimum.

There is much that MPI could do to improve our animal welfare including, but not limited to, opposing rodeo as they are nothing but cruelty, banning factory farming and raising the standards on the treatment of all animals, farmed or domestic.

New Zealand could and should become a "world leader" in animal welfare. Sadly the proposals in this document do not achieve any meaningful change.

It is truly disappointing to read and I feel that we as New Zealanders are letting our animals down. Furthermore, the people who worked hard to gain the signatures petitioning for change have also been let down and ignored. Really disappointed in this set of proposed Animal Welfare Regulations.

Please reconsider, warmest regards Leanne

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35V (452)

Out of Scope

**From:** Tattoo Territory s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 3:36 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal welfare proposed regulations feedback submission  
**Attachments:** Animal\_Welfare\_proposed\_regulations\_feedback\_submission\_SandyIrlam.pdf

**From:** Sandy Irlam s 9(2)(a)  
**Sent:** Wednesday, May 18, 2016 12:46 PM  
**To:** animal.welfaresubmissions@mpi.govtnz  
**Cc:** s 9(2)(a)  
**Subject:** Animal welfare proposed regulations feedback submission

To whom it may concern,

Please find attached, my submission of feedback regarding regulation proposals 61 & 62.

Kind Regards,

Sandra Irlam.

s 9(2)(a)

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Animal Welfare proposed regulations feedback submission form

Name: SANDRA IRLAM

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the Australian National Kennel Control (ANKC) and am a registered breeder of pedigree dogs.

The NZCDB as an organisation was established in 2004 and their membership is focussed on the welfare of tail shortened breeds. They operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never heard of a complaint or issue arise from any litter that have completed banding on and to the best of my knowledge I understand that as an accredited group, they have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and that accredited banders only perform the tail banding procedure under the Animal Welfare Act (No2) 2015; this is not a surgical procedure.

The breeds that I am associated with and that are banded by accredited banders are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.



I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, this process is completed in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

In my profession as a Groomer and qualified Veterinary Nurse I have witnessed many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

In conclusion, in the past 37 years of being involved in the dog world, I have never witnessed nor heard of an issue arising from tail banding or dew claw removal that has been carried out by accredited persons and experienced pedigree dog breeders. However, both as an experienced pedigree dog breeder and a vet nurse I have seen countless complications and injuries as a result of leaving particular breeds undocked or dew claws un-removed. These injuries range in severity from minor breaks or fractures of the tail to adult dogs with dew claws completely torn off and tails being completely broken in half. Therefore, I do not agree with either of these proposals.

**From:** Lynette Smith § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 3:34 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare Submission  
**Attachments:** Animal Welfare proposed regulations feedback submission form FINAL.docx

Hi

Please find attached my submission seeking status quo.

Regards  
Lynette

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Animal Welfare proposed regulations feedback submission form

Lynette Smith

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I am a member of the New Zealand Council of Docked Breeds (NZCDB) and have witnessed multiple neonate puppies being banded by a number of accredited members and all adhere to the policy and procedures set out by the NZCDB

The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as a member of the NZCDB I have only witnessed the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer

such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

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Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I have witnessed this process on neonate puppies 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

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I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I



also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

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459

**From:** Lesley s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 3:16 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal welfare submissions

To the Ministry of Primary Industries,

This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

Thank you.

Jan Robertson

s 9(2)(a)

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**From:** Gloria GERAGHTY<sup>s 9(2)(a)</sup>  
**Sent:** Wednesday, 18 May 2016 3:14 p.m.  
**To:** Animal Welfare Submissions  
**Attachments:** Animal Welfare proposed regulations feedback submission form1.docx

Please find attached submission. I would also like to add that I imported one of my dogs from the UK a few years ago with dew claws attached. This girl got caught in a fence by her dew claw and caused a nasty injury which required unnecessary surgery which would have been avoidable if they had been removed. I have been breeding terriers for more than twenty years now and always remove the dew claws for this reason and also for pet owners who do not always attend to trimming of them which can result in the claw growing into the skin.

Gloria Geraghty

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Animal Welfare proposed regulations feedback submission form

Name	Gloria Geraghty
s 9(2)(a)	s 9(2)(a)

My feedback:

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I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I am an accredited member of the New Zealand Council of Docked Breeds (NZCDB) and have had my animal husbandry skills signed off by a veterinarian, who must complete my application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable me to perform tail shortening.

The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have completed banding on and to the best of my knowledge I understand that as an accredited group, we have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded by me are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

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I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

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Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I complete this process in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

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I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

In my profession as a Groomer/Boarding Kennel facility I have witnessed many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

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JS 17 (456)

Out of Scope

**From:** Stefan Craddock [§ 9(2)(a)]  
**Sent:** Wednesday, 18 May 2016 3:06 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations  
**Attachments:** Submission welfare regulations.pdf

Hello

Please find attached my submission

Regards

Stefan

§ 9(2)(a)

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Sancra Farms Ltd

s 9(2)(a)

17<sup>th</sup> May 2016

Animal Welfare Policy  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Dear Sir/Madam

Submission on Animal Welfare Regulations

I represent Sancra Farms Ltd which is operating a Free Range Layer Hen farm in Hamurana, Bay of Plenty.

This submission primarily relates to Proposed Animal Welfare Regulations (Care & Conduct and Surgical & Pain Procedures) section 19. Layer Hens – Housing and equipment design subsection Barns (vii)

The above mentioned section is incorrect in my view due to the inclusion of the words “...at all times..” in relation to the provision of friable litter to allow the hens to scratch and forage.

The short point is that hens are non-nocturnal, they roost and sleep at night and therefore have no behavioural requirement to have access to litter outside daylight hours.

We as farmers know that the hen's behaviour is diurnal. After dark they are inactive and return to the barns to roost on the perches to sleep. This behaviour is indisputable and can be commonly witnessed in all wild bird species except nocturnal ones such as owls. In the wild trees provide security where birds will roost to sleep away from any perceived threats at ground level.

This fact is well known and recognised by leading behavioural scientists including Professor Christine Nicol, Professor in Animal Welfare from Bristol University and a leading global researcher in Layer Hen Welfare

“Feeding and foraging are activities performed by chickens during daylight hours”<sup>1</sup>

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1. <sup>1</sup> The Behavioural Biology of Chickens. C.J. Nicol 2015 Section 5 Behavioural Needs, Priorities and Preferences page 79 subheading Feeding and Foraging para 1

Additionally she states further that "Dustbathing appears to be a low-resilience behaviour that is forfeited when other needs are more pressing"<sup>2</sup>

Furthermore in providing hens with litter access farm managers need to balance this against other requirements of the hen's welfare. The Code of Welfare gives an obvious example of this in Minimum Standard No 10 – Litter Management in Barns specifically part (b) ***"Litter condition must be managed to avoid levels of dustiness or dampness that could cause leg, respiratory, or other health problems such as the build-up of parasites or diseases."***

Adverse weather, maintaining higher ambient temperature or the risk of predation may be other reasons why litter areas are closed off to hens during the night period.

The wording in section 19. Layer Hens – Housing and equipment design subsection Barns (vii) should be amended to remove ***"..at all times.."*** and replaced with ***"..during daylight hours.."***. This amendment would better represent the actual hen's behavioural needs whilst allowing the necessary flexibility for farmers to manage other aspects affecting the hen's welfare.

I have no further comments beyond this section and am in agreement with the other areas of the proposed regulations as they relate to Layer Hens.

Yours faithfully



Stefan Craddock

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2. <sup>2</sup> The Behavioural Biology of Chickens. C.J. Nicol 2015 Section 5 Behavioural Needs, Priorities and Preferences page 91 paragraph 5

35 ✓ (457)

**From:** Gillian Murdoch s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:47 p.m.  
**To:** Animal Welfare Submissions; nathan.guy@national.org.nz  
**Subject:** Animal Welfare Regulations  
**Attachments:** Tail Banding submission.docx

Please find attached my submission on the proposed animal welfare regulations.

Many thanks  
Gillian Murdoch

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Gillian Murdoch

s 9(2)(a)

animal.welfaresubmissions@mpi.govt.nz

Hon Nathan Guy, Minister for Primary Industries

[nathan.guy@national.org.nz](mailto:nathan.guy@national.org.nz)

Animal Welfare Policy  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

12<sup>th</sup> May 2016

#### **Submission on the Animal Welfare Act Review**

As a NZ Kennel Club and Waikato Gundog Club member, and owner of a working gundog; I would like to put forward my submission.

I request that tail banding be allowed to continue for working gundog breeds, including hunt point retrieve breeds, spaniels and terriers, by accredited tail docking practitioner in NZ as is the current approved practice. The Accredited Banders Scheme is audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare.

This would follow on from the UK example brought in from 2007, where tail docking is banned with exemptions for working dogs and for medical treatment. In the UK, puppies are to be docked before they are five days old and have to be certified likely to work in specified areas, including law enforcement, the military, emergency rescue, pest control and the lawful shooting of animals (such as pheasant or duck shooting). The legislation provides clear protocols to ensure that this will not be abused for other purposes, and also includes the banning of showing dogs with docked tails, ensuring that dogs are not docked for cosmetic purposes.

In countries where tail docking has been banned for working gundog breeds, there is evidence that this has resulted in an increase in tail injuries for dogs involved in this sport. Working gundogs with long whipping tails commonly injure their tails whilst hunting through heavy vegetation and thick brambles, where their fast tail action often leads to tearing and bleeding which is painful and difficult to treat.

In Scotland, where tail docking across all breeds has been banned since 2007, a new consultation document has recently been released proposing to allow tail docking in spaniels and hunt point retrievers. The Scottish Government commissioned research in 2011 to look at the incidence of tail injuries into working breed dogs. A survey of 1000 owners of working dogs found that in one shooting season, 57% of spaniels and 39% of hunt point retrievers experienced a tail injury of some sort. They have established that docking the tails of these breeds could significantly decrease the risk of injury in these breeds.

As breeders of both working cocker spaniels and Deutsch Drahthaars, my partner, Jason Farrow, and I take pride in ensuring that our dogs and puppies are well taken care of and meet NZ Code of Welfare standards. All docking is undertaken when our puppies are two days old by Jason, who is an accredited tail docker. We have invested considerable money into importing new breeding bitches to improve the working lines in NZ, and to meet the growing demand for well-bred dogs with a high level of natural drive that are fit for purpose. As a result, our dogs are used for hunting across New Zealand, as well as being used by the police as drug dogs and the only mobile phone dog in NZ.

For the Deutsch Drahthaar breed, all of our dogs are now registered under the German system, which requires them to go through considerable health and natural ability tests to ensure that they meet the appropriate standard. In order to be registered on the German register, all dogs must be docked. Banning tail docking would mean we would no longer be able to breed Deutsch Drahthaars in NZ, resulting in less choice for the NZ hunter as well as a considerable loss of money for us.

The argument being put, that vets do not see many working gundogs with damaged tails, is flawed because most individuals of these breeds are currently docked thus preventing damage from happening. So for the welfare of working gundogs in NZ, I ask that you consider this practice to be allowed to continue.

Thank you for taking the time to read this submission.

Yours sincerely

**Gillian Murdoch**

**From:** Mary Clarke § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:45 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** re feed back submission  
**Attachments:** Animal Welfare proposed regulations feedback submission open form.doc

Please find attached a feedback submission on the proposed changes to the Animal Welfare regulations Parts 61 & 62

Mary Davis

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

## Animal Welfare proposed regulations feedback submission:

Name: Mary Davis

s 9(2)(a)

My Views and Responses as Below.

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC).

Within the NZKC is the NZ Council of Docked Breeds who operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC). There accredited Members carry out the Banding and Dew Claw removal under strict and Measured Standards.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and an accredited bander will only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

I believe the Shortening of a Dogs Tail has Absolutely no effect on their ability to Communicate, Swim or Run and is purely an emotive argument which is impossible to base on fact as the overwhelming evidence proves otherwise.

Currently Tail injuries are only a small percentage of why Dogs are presented to a Veterinary Clinic and this is because a lot are shortened and if they were left long there will be a huge increase in this issue which can be a very drawn out and painful experience for the Dog.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, The process is completed in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.



I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

There have been many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

Ironically both the Shortening of Tails and Removal of Dew Claws are done at Birth for the Dogs best interest and long term Health. WE care for our dogs more than any Vet or Government Agency and would never do anything to them we didn't believe was in there best interest.

Thank You,

**From:** shelly jones s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:34 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** animal welfare

To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

We say they are only animals, but i ask who are the ones behaving like animals. we have no right to subject any living creature to suffering and torment because of our self imposed higher status in this world and our wants and desires.

kind regards,  
Shelly Jones

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

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Out of Scope

**From:** Palmer, Nathan - FH Auckland s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:29 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on the Animal Welfare Act Review  
**Attachments:** Animal Welfare Act Review Submission NPALMER.pdf

Hi

Attached is my submission to the Animal Welfare Act review.

Kind regards

**Nathan Palmer** | s 9(2)(a) | s 9(2)(a) | s 9(2)(a)  
[Redacted signature block]

s 9(2)(a)

[Large redacted block of text]

RELEASE

ION ACT 1982

Animal Welfare Policy  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

13<sup>th</sup> May 2016

**Submission on the Animal Welfare Act Review**

To whom it may concern

As a NZ Kennel Club and Versatile Hunting Dog Assn member, and owner of a working gundog; I would like to put forward my submission.

I request that **tail banding** and **dew claw removal** of working gundog puppies by accredited practitioners continues to be allowed in NZ as is the current approved practice. The Accredited Banders Scheme is audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare. Working gundogs with long whippy tails commonly injure their tails whilst hunting through heavy vegetation and thick brambles, where their fast tail action often leads to tearing and bleeding which is painful and extremely difficult to treat. This is a repetitive injury that worsens every time the dog works. The only resolution for an adult dog suffering from chronic tail damage is a painful and traumatic amputation. Shortening the tail humanely at a few days old eliminates a huge risk of injury.

The argument being put, that vets do not see many working gundogs with damaged tails, is flawed because most individuals of these breeds are currently docked thus preventing damage from happening. So for the welfare of working gundogs in NZ, I ask that you consider this practice to be allowed to continue.

When dew claw removal is performed correctly in the first week of life, there is no bone to cut through, there is no bleeding and only momentarily pain. Most breeders are scrupulously conscious of sterile conditions and there is no chance of infection. Many dogs are extremely fast runners and they do not have dew claws to provide support. I personally have not witnessed any foot injury by a dog without dew claws.

Thank you for taking the time to read this submission.

Yours sincerely



Nathan Palmer

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Out of Scope

**From:** s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:23 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** disbudding calvrs

Richard and Maree Gardner

s 9(2)(a)

No attachment?

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



**From:** Liz Clark § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:16 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission Animal Welfare Act Declawing of Cats  
**Attachments:** 15903006-MAF-Report-Zion-Declawing-Investigation-Feb-2009.pdf

Submission made by Elizabeth Clark

§ 9(2)(a)

To the Panel

I refer to Paragraph 56 Declawing of Cats.

I have serious concerns at the lack of forward thinking in regard to the declawing of cats.

Firstly "cats" should be extended to include **"all feline species including exotic (new organisms) felids "**

It is proposed:

- **"must be in the best interests of the animal"**

I would propose this should be amended to **"must be for medical purposes only"**

Declawing of cats of all species (including exotic species) involves the severing of the tendons, nerves and amputation of the claw bone. This is not a humane procedure, it should not be allowed unless it is for medical purposes viz infection of the bone or no other alternative to saving a claw and claw bone damaged as a result of injury and/or trauma or disease.

### **Declawing of Domestic Cats**

Dr Christine Schnelling explains the serious implications involved with the declawing of domestic cats in her article *"What you need to know about declawing"* paraphrased as follows:

*First, you should know that declawing is pretty much an American thing, it's something people do for their own convenience without realizing what actually happens to their beloved cat. In England declawing is termed "inhumane" and "unnecessary mutilation." I agree. In many European countries it is illegal. I applaud their attitude.*

*Before you make the decision to declaw your cat, there are some important facts you should know. Declawing is not like a manicure. It is serious surgery. Your cat's claw is not a toenail. It is actually closely adhered to the bone. So closely adhered that to remove the claw, the last bone of your the cat's claw has to be removed. Declawing is actually an amputation of the last joint of your cat's "toes". When you envision that, it becomes clear why declawing is not a humane act. It is a painful surgery, with a painful recovery period. And remember that during the time of recuperation from the surgery your cat would still have to use its feet to walk, jump, and scratch in its litter box regardless of the pain it is experiencing. Wheelchairs and bedpans are not an option for a cat.*



*Your cat's body is perfectly designed to give it the grace, agility and beauty that is unique to felines. Its claws are an important part of this design. Amputating the important part of their anatomy that contains the claws drastically alters the conformation of their feet. The cat is also deprived of its primary means of defense, leaving it prey to predators if it ever escapes to the outdoors.*

*I have also had people tell me that their cat's personality changed after being declawed. Although, the medical community does not recognize this as potential side effect.*

Source: <http://www.declawing.com/>

The American Veterinary Medical Association has also raised concerns about the implications to the animal's welfare in regard to declawing. <https://www.avma.org/KB/Policies/Pages/Declawing-of-Domestic-Cats.aspx>

The following points are the foundation for full understanding and disclosure regarding declawing:

*Surgical declawing is not a medically necessary procedure for the cat in most cases. While rare in occurrence, there are inherent risks and complications with any surgical procedure including, but not limited to, anesthetic complications, hemorrhage, infection and pain. If surgical onychectomy is performed, appropriate use of safe and effective anesthetics and perioperative analgesics for an appropriate length of time are imperative. Pain management is necessary (not elective) and required for this procedure. Multimodal pain management is recommended, and there should be a written aftercare plan. The surgical alternative of tendonectomy is not recommended.*

*Owners should provide suitable implements for normal scratching behavior. Examples are scratching posts, cardboard boxes, lumber or logs, and carpet or fabric remnants affixed to stationary objects. Implements should be tall or long enough to allow full stretching, and be firmly anchored to provide necessary resistance to scratching. Cats should be positively reinforced in the use of these implements.*

*Appropriate claw care (consisting of trimming the claws every 1 to 2 weeks) should be provided to prevent injury or damage to household items.*

*Temporary synthetic nail caps are available as an alternative to onychectomy to prevent human injury or damage to property. Plastic nail caps are usually applied every 4 to 6 weeks.*

*Declawed cats should be housed indoors and allowed outside only under direct supervision.*

*Scientific data do indicate that cats that have destructive scratching behavior are more likely to be euthanatized, or more readily relinquished, released, or abandoned, thereby contributing to the homeless cat population. Where scratching behavior is an issue as to whether or not a particular cat can remain as an acceptable household pet in a particular home, surgical onychectomy may be considered.*

*There is no scientific evidence that declawing leads to behavioral abnormalities when the behavior of declawed cats is compared with that of cats in control groups. Scratching is a normal feline behavior, is a means for cats to mark their territory both visually and with scent, and is used for claw conditioning ("husk" removal) and stretching activity.*

## **Declawing of Captive Exotic Cats held in Containment Facilities and Circuses**

In 2008 MPI undertook an investigation into the declawing of 21 lions and 9 tigers at the former Zion Wildlife Gardens in Kamo Whangarei. The procedures were carried out between 1999 and May 2008 when the practice was ceased. The report produced dated 24 February 2009, noted the issue over the interpretation of "in the best interests of the animal" and whether or not under terms of the Animal Welfare Act 1999 that large felids were included and covered under the Restricted Surgical Procedures. The wording "Offences" had been used more than once in the report and noted the issues regarding the welfare of the Zion cats. However no prosecutions were forthcoming against either Craig Busch the (then) operator, the veterinary surgeons concerned, or the MPI veterinarians who had been present, but failed to question, when the procedures on the animals had been carried out. Such procedures were of no benefit to the 30 animals affected by these decisions. As a result those surviving animals remaining at the former Zion Wildlife Gardens facilities have had their natural behaviours curtailed by the Front Pad declawings. A copy of the report has been attached for your information.

The American Veterinary Medical Association in 2012 put out a policy statement condemning the declawing of exotic and wild (indigenous) cats.

*The AVMA has strengthened its opposition to declawing captive exotic and other wild indigenous cats for nonmedical reasons by condemning the practice.*

*Concerns that pain and suffering associated with declawing may be exacerbated in wild and exotic felines prompted the Executive Board to revise the Association's position on the matter from opposition to condemnation.*

*The Association's policy "Declawing Captive Exotic and Wild Indigenous Cats" was adopted in 2003 and stated: "The AVMA opposes declawing captive exotic and other wild indigenous cats for nonmedical reasons." The policy was reviewed and reaffirmed in 2008 and was reviewed by the Animal Welfare Committee in 2012, in accord with the directive that all policies be reviewed every five years.*

*The policy was discussed at length during the committee's fall 2012 meeting, and AVMA member input was considered, according to the AWC recommendation to the Executive Board. Although the AVMA backgrounder "Declawing of Domestic Cats" is not specific to captive exotic and wild cats, references reviewed in conjunction with developing the backgrounder suggest that welfare concerns associated with declawing are worsened for these populations, the recommendation stated.*

*Committee members unanimously agreed that changing "opposes" to "condemns" is warranted. Other than for medical reasons that would clearly benefit the animal, there appears to be no justification for performing the procedure in this population of cats. While the suggested revisions are strong, the recommendation noted that similar language is used elsewhere in AVMA policy, namely, in the policy condemning soring of gaited horses.*

Source: <https://www.avma.org/News/JAVMANews/Pages/1301151.aspx>

In conclusion, the declawing of cats both domestic and exotic is an outdated and inhumane practice. It should be banned completely unless it is for medical purposes only. The Ministry of Primary Industries and the Animal Welfare Committee need to be more progressive in this issue. The practice has been banned in Europe and the United Kingdom for some years. The same should now be applied in New Zealand

Yours sincerely  
Elizabeth Clark



## Enforcement Directorate

### INVESTIGATION SUMMARY

*Note: The template headings displayed in this document are the minimum planning requirement for any criminal investigation progressed. You may include additional information which would assist the investigation process or assist any subsequent reader.*

INCIDENT: ID 2713 Zion Wildlife Gardens, Whangarei, Northland

Date: 24 February 2009

Zion Wildlife Gardens Limited  
Gray Road,  
Kamo,  
Whangarei

OC File: [REDACTED]

Team Manager: Alan Wilson

#### 1. Outline the facts (CM1)

During the course of MAF ED AW inspections of large felids at Zion Wildlife Gardens Limited during the winter of 2008, MAF ED AW became aware that the routine front pad declawing of lions and tigers had occurred since early 2000. This routine front pad declawing had occurred both at the original Zoo location at Kerikeri and subsequently at the Grey Road, Kamo, Whangarei location where the Zoo is presently situated.

The front pad declawing of large felids constitutes a restricted surgical procedure as defined by the provisions of the Animal Welfare Act 1999. The Act requires that the responsible veterinarian must firstly satisfy himself or herself that the performance of the declawing procedure is in the best interests of the animal which is to be declawed.

After informal discussions with [REDACTED] the Zoo Owner and Operator both at the Kerikeri location and at Grey Road, Kamo, Whangarei, it appeared that the rationale behind the front pad declawing did not strictly comply with the requirements of the Act.

The reasons advanced by [REDACTED] included the following:

- protecting the trees in each enclosure,
- enhancing the animals' environment by permitting interaction with him,
- permitting interaction with the public in general on interactive tours,
- limiting the ability of the animals to do damage to each other in the enclosures
- limiting the ability of the animals to do damage to each other when travelling for promotional purposes.

On the face of it, the routine front pad declawing procedures adopted by Zion Wildlife Gardens Limited did not conform with the requirements of the Act which require that a net animal welfare benefit accrue to the animal on which the restricted surgical procedure is to be carried out, i.e. directly to the specific animal that is to be declawed.



## Enforcement Directorate

When further questioned during the winter inspections, [REDACTED] stated that he was of the view that the declawing was permitted and appropriate. He specifically advised MAF ED AW that MAF veterinarians were present at the initial declawing operation at Kerikeri and subsequently at Grey Road, Kamo, Whangarei.

He stated that MAF veterinarians had never made any adverse comment as to the adoption of the procedure by Zion Wildlife Gardens Limited. He stated that MAF had always known of the declawing of felids at Zion from the very beginning when the Zoo was situated at Kerikeri and then subsequently at Grey Road, Kamo, Whangarei.

He stated that MAF veterinarians had never objected to the procedure nor had they attempted to stop Zion Wildlife Gardens Limited from carrying out the procedure. He noted in particular that inspections and audits were regularly carried out by MAF and at no time was declawing ever discussed with him by MAF staff completing the annual or other audits. Declawing was never mentioned in any audit reports compiled by MAF.

In a formal report to MAF ED AW following the 2008 winter inspections report, [REDACTED] (a previous MAF Animal Welfare Team leader) stated that he had in fact discussed declawing with Craig Busch in general terms some time during 2007.

[REDACTED] also advised that he had also contacted [REDACTED] and discussed their involvement in declawing of Zion lions but that no specific action had been taken as a result of that discussion.

[REDACTED] also advised that he had also discussed the declawing issue with someone in MAF AWA Policy or Head Office in Wellington, but had taken the view that there was little if any support for further action. No further action ever took place.

[REDACTED] a veterinarian with large cat experience was also present during the 2008 winter inspections and produced a report for MAF ED AW. Following research on declawing and declawing outcomes at the request of MAF ED AW, [REDACTED] confirmed his view that the procedure was unnecessary in the circumstances cited by [REDACTED] and should be immediately curtailed.

[REDACTED] was also of the view that this restricted surgical procedure would result in long term physiological damage to those large felids which had already been declawed at Zion citing gait issues and arthritic complications.

Following receipt of the [REDACTED] report, further enquiries at MAF's behest were made of the New Zealand Veterinary Association. [REDACTED] of the NZVA indicated their endorsement of the position taken in the [REDACTED] report that the declawing of large felids at Zion was not in the best interests of the large felids unless it could be clearly demonstrated by the veterinarian performing the procedure on behalf of Zion Wildlife Gardens Limited, that a net animal welfare benefit accrued to the particular animal being declawed.

In other words there was required to be a medically justified rationale for the declawing of the large felids at Zion Wildlife Gardens Limited, by contrast with the general operational and promotional reasons advanced by [REDACTED] in support of routine front pad declawing of the lions and tigers.

Whilst the Animal Welfare Act 1999 generally focuses on the obligations of owners and persons in charge of animals, the carrying out of a restricted surgical procedure may only be performed by a veterinarian.

The owner or person in charge may not be prosecuted as a principal where a restricted surgical procedure is inappropriately performed by a veterinarian but may be prosecuted as a





## Enforcement Directorate

party to offending against the restricted surgical procedures provisions by the veterinarian concerned.

The owner or person in charge and potentially the veterinarian inappropriately carrying out a restricted surgical procedure may also fall foul of the section 28 and 29 offence provisions of the Act where it could be proved that the owner or person in charge or veterinarian concerned wilfully ill-treated an animal or ill-treated an animal by declawing.

The Animal Welfare Act 1999 by virtue of section 130 provides that where an inspector under the Act forms a view that an owner or person in charge of an animal has failed to meet the obligations imposed by the Act, he or she may issue in writing a statutory Notice requiring the owner or person in charge of the animal to mitigate or prevent the unnecessary suffering of that animal.

Given that the veterinarian performing a surgical procedure is not the owner and is only able to be considered a person in charge of animal whilst the animal on which a restricted surgical procedure is to be performed is directly in his care or control, the ability to impose a statutory restriction on specific veterinarians utilising section 130 of the Act is limited.

The Act requires that the necessity of a restricted surgical procedure is solely up to the veterinarian who is to carry out the declawing procedure. The requisite belief could possibly comprise a subjective belief, an objective belief or a combination of both subjective and objective beliefs.

There appears however to be no substantive judicial determination to date as to the nature of the belief that is required to be held by the veterinarian who is to carry out the procedure.

It would also appear that the reasons or beliefs of the owner or person in charge of the animal responsible for commissioning or requesting a veterinarian to carry out the procedure are irrelevant to the belief held by the veterinarian and the ultimate decision made by the veterinarian as to the reasons supporting the declawing procedure. It is up to the individual veterinarian.

Obviously the views of the owner or person in charge of the animal may be persuasive and taken into account by the veterinarian, but the ultimate decision as to whether the restricted surgical procedure is carried out or not is that of the veterinarian not the owner or person in charge.

Although the offence provisions for carrying out a restricted surgical procedure are limited to the veterinarian concerned and do not apply to the owner or person in charge, there remains as set out above, the possibility that an owner or person in charge could be considered a party to inappropriate restricted surgical procedures or potentially fall foul of the ill treats provisions of the act as set out at sections 28 and 29 of the Act.

Although at the time of the MAF ED AW inspections carried out during 2008 the majority of the lions and tigers at Zion appeared to have previously been declawed, there remained a number of cubs including the adolescent tigers and the wild pride which at that time had yet to be declawed.

In an endeavour to impose future restrictions on what was considered by MAF ED AW and the NZVA to be unnecessary and potentially illegal declawing it was determined that the legislation facilitated the use of section 130 of the Animal Welfare Act 1999 by imposing a restriction on the owner or person in charge of the animal which might be declawed.

As already noted above section 130 of the Animal Welfare Act 1999 provides that an inspector may issue in writing a statutory instruction to an owner or person in charge of an animal (where the inspector has reasonable grounds to believe that an animal is likely to suffer unreasonable pain or distress) requiring that person to take such steps as the inspector considers necessary or desirable to prevent or mitigate the suffering of an animal.



## Enforcement Directorate

In order to limit the routine front pad declawing of felids at Zion Wildlife Gardens Limited a statutory AWS 130 instruction was drawn up by MAF ED AW which required the owners and operators of Zion Wildlife Gardens Limited (at that time [REDACTED]), when contemplating or seeking any future declawing, to provide their veterinarian's reasons and rationale for the declawing of any large felids, for review by two independent veterinarians nominated by the New Zealand Veterinary Association.

The provision of the AWS 130 instruction requiring the review of the veterinary opinion provided by Zion's veterinarian was discussed with and endorsed by the executive of New Zealand Veterinary Association.

To ensure that MAF records as to which felids had already been declawed and by whom, the AWS 130 Notice served on Zion Wildlife Gardens Limited also required the owners to provide to MAF ED AW, a list of all large felids held at Zion at the time of service, setting out the declawed, or not declawed status of each large felid held on the property.

The AWS 130 Notice was then served on [REDACTED] and Zion Wildlife Gardens Limited in accordance with the provisions of the Animal Welfare Act 1999.

Both [REDACTED] subsequently and separately provided lists of all large felids held at Zion Wildlife Gardens Limited and the status of each animal as regards declawing.

The lists identified four lions and three juvenile tigers which remained to be declawed, along with the leopards and cheetahs which were not considered by Zion Wildlife Gardens Limited as being appropriate or necessary for the declawing procedure.

The lists provided by Zion Wildlife Gardens Limited confirmed informal advice received by MAF ED AW that [REDACTED] of [REDACTED] had been the principal veterinarian practice which had carried out the declawing procedures on behalf of Zion Wildlife Gardens Limited.

An investigation was then commenced by the MAF ED AW Team to establish the background to, and justification for the Zion front pad declawing of its felids, and to ascertain possible offenders and instances of offending under the Animal Welfare Act 1999.

An informal interview was arranged with Messrs [REDACTED], principals and veterinarians of the [REDACTED] practice situated at [REDACTED] Auckland.

The principals confirmed that the veterinary practice had been involved in the declawing of Zion Wildlife Gardens Limited's lions and tigers at [REDACTED] request, in approximately 2000 when the first declawing of felids was instituted by Zion.

At that time the Zion Wildlife Gardens Limited Zoo operation and wildlife park was situated on the [REDACTED] property at Kerikeri. The land and building which comprised the Zoo were at that time being leased by [REDACTED] from the [REDACTED] family.

[REDACTED] Veterinarian principals advised that [REDACTED] had been a previous client of the practice before he purchased the Zoo facility and operation at Kerikeri. The first contact between [REDACTED] and the [REDACTED] Veterinarian practice occurred when [REDACTED] had formerly resided in Papakura and had been a client of the practice in a private capacity.

[REDACTED] Vets confirmed that at some time in 2000, [REDACTED] approached them to carry out the declawing. They advised that they did not need the work at that time as they were operating a very busy practice. They were however considered appropriate practitioners by [REDACTED], because he was aware that they had extensive large animal experience due to their veterinary practice involvement with horses.





## Enforcement Directorate

██████████ indicated at the time when ██████████ Vets were first approached, that his principal rationale for front pad declawing of the felids was:

- To protect them from damage by and to each other when travelling and when in close proximity with each other
- Protection of himself given a need to interact physically with the animals for a number of reasons such as veterinary intervention and enhancement of the environment
- The need to interact physically with the animals in order to fund the preservation of the endangered species as a group

██████████ Vets advised that they had undertaken a number of preliminary discussions with an unnamed veterinarian in Wellington in order to ascertain the appropriate procedures and processes involved in declawing. They believed he had carried out past declawing for the ██████████ Zoo some time previously.

They confirmed during the interview, that they had carried out front pad declawing of the three white tigers imported into the Zion facility at Kerikeri in 2000. At the time of that initial front pad declawing two MAF veterinarians were present.

These two MAF vets have been subsequently identified as ██████████ I and ██████████. ██████████ was the principal supervising MAF veterinarian at that time based in Auckland and ██████████ was a veterinarian contracted by MAF from Agriquality/Asurequality to supervise the importation and quarantine of the animals prior to subsequent release to ██████████ at Zion Wildlife Gardens Limited.

The three tigers subjected to the first declawing at Kerikeri were at that time under MAF Quarantine restrictions imposed on the importer ██████████ as a condition of importation.

The quarantine supervision by MAF veterinarians was understood to be a condition of the permit requirements imposed by MAF. The MAF veterinarians took blood and other samples whilst the animals were under sedation for declawing, for the purpose of satisfying quarantine monitoring and approvals.

██████████ stated at no time was there any objection raised by other veterinarians they consulted, as regards the possible illegality or otherwise of the front pad declawing of Zion felids. Moreover no objection was raised nor the issue of restricted surgical procedures discussed with them by either of ██████████ or ██████████.

No animal welfare inspectors appeared to be aware of the procedure or present at Zion Wildlife Garden's Limited during the implementation of this procedure by ██████████ at Zion through ██████████.

Given the presence of MAF and MAF contracted veterinarians' at the initial declawing, ██████████ advised that they had assumed that MAF either directly or indirectly approved of the declawing process requested by ██████████ on Zion felids, and accordingly MAF held no specific objections to it being carried out by them on behalf of ██████████ and Zion Wildlife Garden's Limited.

██████████ Vets advised that they had subsequently carried out similar declawing on several felids during 2004 when the Zoo had relocated from Kerikeri to Kamo Whangarei.

They stated that once again, as was the case at Kerikeri, a MAF contracted veterinarian was present when they carried out the declawing and at that time, took the opportunity to sample bloods.

The MAF contracted veterinarian was also believed to have inoculated the animals whilst they



## Enforcement Directorate

were under sedation for declawing. These MAF initiated activities and the declawing also took place whilst the animals were in MAF quarantine supervision after shipment to New Zealand.

██████████ Vets advised that as at Kerikeri they were firmly of the view that MAF, either approved of or accepted that declawing was accepted as appropriate and that as a consequence, there were no reasons not to carry out the declawing procedure for ██████████

In further explanation they advised that their practice does not declaw animals routinely and has not declawed small companion animals unless the procedure is medically justified. At the time of the Zion Wildlife Gardens Limited declawings however, they did not consider the large felids to be covered by the same restrictions.

They advised that although there was at that time a practice note on the NZVA website discouraging the declawing of small companion animals, there was none as regards large felids. They did not see or consider any correlation between the restrictions on the declawing of small companion animals and that of the lions and tiger kept by the Zion Wildlife Gardens Limited Zoo for public interaction and display.

They confirmed that they had carried out a considerable amount of research into the declawing process before performing the declawing operations. Once the first procedure had been completed and went well, ██████████ thereafter continued to use their practice for veterinary procedures on other felids owned by Zion.

██████████ in their view, was convinced the practice was acceptable and assured them that as MAF audited the zoo annually there must be no problem and also endorsed the practice of front pad declawing by reference to the fact that the practice was both common and accepted overseas.

██████████ Vets advised that the process of declawing had been discussed on a number of occasions with other veterinarians. These discussions took place following the first declawing procedure and no objections or adverse concerns had been raised by those veterinarians consulted.

██████████ Vets did concede that ██████████ was quite careful to ensure the process did not become common knowledge and that he wanted the fact that the declawing procedure had been carried out, kept confidential. In the circumstances they understood the confidentiality requirements of ██████████ as constituting a sensible precaution, especially given the high public profile of the Zoo.

They advised that another veterinarian(s) had since contacted them to discuss the process and techniques of front pad declawing following the first operations at Kerikeri and that they assumed that these other veterinarian(s) may have carried out similar declawings at Zion Wildlife Gardens Limited or elsewhere. The specific veterinarian(s) was not named.

In summary the practice principals of ██████████ Vets considered that the Zion Wildlife Gardens Limited front pad declawing constituted a benefit for the animals both individually and for the species' survival overall. The presence of MAF veterinarians without objection or criticism had confirmed their belief that the declawing was legal and supported by MAF.

They stated that in accepting the request by ██████████ to declaw the Zion felids, they relied in part on his advice and assurances. Additionally they noted that there was (and still is) no directive or practice note from NZVA as regards the declawing of large felids and the practice note appeared to them to be relevant to small companion animal rather than large felids.

A formal written statement was provided by ██████████ Vets subsequent to the discussion with the MAF ED AW Team. It was asserted in that statement, that at all times, the ██████████ veterinary practice acted in good faith and that in each instance of front



## Enforcement Directorate

pad declawing of Zion Wildlife Gardens Limited's felids, the practice believed it was acting lawfully.

Investigations by MAF ED AW revealed that one of the MAF veterinarians present at Zion declawing was a Dr [REDACTED]. Dr [REDACTED] was originally employed by MAF and after a MAF restructuring by Agriquality and then, Asurequality. He is presently employed by Asurequality.

Dr [REDACTED] was interviewed by MA ED AW, as the local veterinarian utilised by MAF to supervise the Zion tiger and lion importations during the quarantine of these animals before eventual release to Zion Wildlife Gardens Limited.

When interviewed, Dr [REDACTED] confirmed that he was present at two declawings of Zion lions both at Kerikeri in 2000 and subsequently at Grey Road Kamo, Whangarei.

He advised MAF that Dr [REDACTED], a full time MAF employed veterinarian based in Auckland was also present at the Kerikeri declawing in 2000.

He confirmed that in addition to [REDACTED] Veterinarians, a local veterinarian, [REDACTED] of [REDACTED] Veterinarians, also carried out limited front pad declawing of Zion Wildlife Gardens Limited's lions.

Dr [REDACTED] confirmed that declawing occurred when large felids (ie, tigers and lions) were in quarantine under his supervision, under contract to MAF at the instigation of [REDACTED].

He confirmed that neither he nor [REDACTED] objected to the declawing and that it was never considered by them as being unlawful or problematic. He confirmed that it would be reasonable for anyone to assume that MAF had approved of the declawing because MAF vets were present.

He also advised that and as a consequence of the declawing operation, the necessary sedation of the felids facilitated the satisfaction of the permit requirements for bloods smears and inoculations to be carried out by the MAF veterinarians.

The reasons Dr [REDACTED] recalled as being advanced at the time by [REDACTED] to justify the declawing were, operator safety, containment issues (possible escape) and the safety of the animals from themselves whilst in containment or whilst being transported.

He confirmed that in addition to himself, [REDACTED] and [REDACTED] both veterinarians employed by MAF, were aware that the declawing procedure was being carried out by Zion Wildlife Gardens Limited through contracted veterinarians instructed by [REDACTED]. He reiterated that to his knowledge no objections were ever raised or considered by he or by the other MAF veterinarians associated with Zion Wildlife Gardens Limited.

He confirmed that MAF veterinarians were present at, or aware of the front pad declawing of large felids in three instances - once at Kerikeri and twice at Zion Wildlife Gardens Limited at Grey Road, Kamo, Whangarei whilst imported animals were in quarantine.

He believed that [REDACTED] learnt of the process and techniques for declawing from [REDACTED] of [REDACTED] Veterinarians in [REDACTED]. He confirmed that declawing sedation assisted the MAF veterinarians' ability to comply with permit requirements as regards import sampling and inoculations.

He advised that there was one instance of MAF presence and involvement at an instance of declawing Grey Road, Kamo, Whangarei which was filmed for the Lion Man Series on TV. The declawing of the animals was not of itself filmed, as it was considered too sensitive by [REDACTED] but that he, Dr [REDACTED] was filmed as the MAF vet carrying out quarantine sampling and inoculations of the imported felids.





## Enforcement Directorate

In summary Dr [REDACTED] advised that MAF was always aware of the declawing and the reasons for doing so but never raised any objection with [REDACTED] or Zion Wildlife Gardens Limited or placed any restrictions on it. The lawfulness or otherwise was never considered or discussed with [REDACTED], Zion Wildlife Gardens Limited, or other MAF employed or Zion contracted veterinarians.

An informal interview was subsequently arranged with [REDACTED], of [REDACTED] Veterinarians to confirm the situation as outlined by [REDACTED] Vets and as confirmed by Dr [REDACTED] during their respective interviews.

Dr [REDACTED] confirmed that from 2003 until 2005 he was the principal veterinarian for Zion Wildlife Gardens Limited reporting to [REDACTED] the then Zoo owner and Operator.

During that period there was a strong commercial focus to improve the income of the Zoo in order to upgrade enclosures and animal containment conditions. This was being achieved through filming for television, advertising of the Zoo and public participation and interaction with the animals, and through various related promotions of the Zion Zoo and its lions and tigers.

Dr [REDACTED] was of the view that the commercial focus for Zion at that time was essential to the survival of the Zoo to improve lion and tiger enclosures and to provide for the enhancement of the environment for the betterment of the animals held by the Zoo.

Dr [REDACTED] believed that MAF was fully aware of the declawing. He confirmed that his principal interaction with MAF during his tenure as the Zion Wildlife Garden Limited's veterinarian was with [REDACTED] of Agriquality, based in Whangarei.

Front pad declawing was deemed necessary by Dr [REDACTED] in order to facilitate close interaction with both handlers and veterinarians, and the need for a commercial income stream to be generated by Zion. This required [REDACTED] and others to be able to interact directly with the lions and tigers – this direct physical commercial interaction was in his view pivotal to the survival of the species and the improvement of the Zoo conditions overall.

He was against repeated sedation of the felids at Zion and saw declawing as being in the animals best interests. This procedure permitted the Zoo staff, and any veterinarians treating the animals, to minimise or eliminate the effects of repeated sedation for veterinary treatment. Front pad declawing was seen by Dr [REDACTED] to be the lesser of two evils.

The procedures and techniques for front declawing were researched and discussed with colleagues before being carried out by Dr [REDACTED]. He was aware of the NZVA companion animal concerns as regards declawing but saw the situation at Zion as substantively different and unrelated. He advised when questioned, that he was only prepared to declaw animals which would be used for the commercial promotion of the Zoo.

He was unaware of the restricted surgical procedures issues at the time of declawing and considered declawing to be a decision which was able to be made at the sole discretion of the individual veterinarian, where the veterinarian was of the view that appropriate benefits accrued as a result of the procedure.

In summary the key drivers stated by [REDACTED] in support of his declawing of Zion felids were as follows:

- He knew other felids at the Zoo had been declawed without adverse publicity or comment
- There was no known or apparent MAF view and no opposition or objection from MAF
- The declawing of Gandor and Shakira was done by him whilst under quarantine with MAF contracted veterinarian [REDACTED] present
- No adverse effects appeared to exist with injuries healing quickly and no



## Enforcement Directorate

- complications arising
- [REDACTED] and he both opposed regular sedation and saw declawing as a better option for the animals
- The animals were being used commercially to permit the financial survival of the Zoo
- Close contact with handlers and film crews was required and personal safety was an issue
- Commercial drivers enhanced the Zoo's enclosures and the overall animal environment
- Money was needed by the Zoo to improve the Zoo and animal conditions
- Declawing permitted close interaction for handlers and facilitated veterinary treatment
- Declawing permitted sensible, rapid diagnosis and interventions
- Declawing eliminated regular sedation for routine veterinary and other matters
- The animals enjoyed the close interaction with operator and handlers permitted by declawing
- Declawing permitted regular contact with animals which assisted operator and veterinarian safety

Dr [REDACTED] was contacted by the MAF ED AW Team in order to confirm the statements made by [REDACTED], [REDACTED] and [REDACTED] as to a MAF veterinary presence at the declawing carried out during the quarantine period and as to a MAF knowledge of the declawing process without objection or intervention.

Dr [REDACTED] confirmed by telephone that he was present at the Zion declawing at Kerikeri whilst he was the MAF supervising veterinarian situated at Auckland. During that time he was responsible for import quarantine supervision in accordance with the relevant Import Health Standards and Permits issued by MAF for animal importations.

Dr [REDACTED] confirmed the declawing rationale previously advanced by others as regards operator safety, but also confirmed that MAF did not consider at any time the resulting animal welfare issues arising from declawing, nor from the restricted surgical procedure restrictions imposed by the Animal Welfare Act 1999.

He confirmed that the declawing was never to his knowledge a focus of the MAF audits or of quarantine supervision and was never really considered at all at that time by MAF. His sole focus during that period was quarantine facilitation and the satisfaction of any permit or Import Health Standard requirements.

There was no particular view on declawing held by MAF veterinarians, it was just never considered at all by MAF personnel. Nor was it ever discussed to his knowledge by MAF with [REDACTED] or Dr [REDACTED] or the other independent veterinarians carrying out the declawing.

He confirmed that the sedation during declawing had facilitated the satisfaction of the Import Health Standard and permit requirements.

He confirmed that with hindsight the focus might well be different now, but it was not a consideration at that time. No one at that time from MAF put their mind to it or had an opinion one way or the other. Declawing was just not considered at all by MAF staff.



## Enforcement Directorate

### 11. Time limit

N/A

### 12. Possible defences

N/A

### 13. Case File Summary Information - N/A

### 14. Conclusion

Investigation file to be closed.

- Most instances of offending are time barred except for the recent juvenile lion declawing carried out in May 2008
- The subjective and objective belief of the two veterinarians concerned are arguable and potentially defences against any prosecution
- The presence of MAF veterinarians at declawing instances during the quarantine period and the apparent overt or tacit acceptance of the declawing procedure by MAF supervising vets is problematic to any prosecution
- No reference to restrictions on the declawing of large felids exists in the NZVA website, lending support to the views advanced by both veterinarian practices involved with Zion Wildlife Gardens Limited
- The ill-treats provisions of the Animal Welfare Act 1999 are problematic both from a mens rea and strict liability point of view in that whilst arguably the declawing constitutes ill-treats, no specific disability exists at present, but may potentially arise in the future well outside the time limits for the laying of informations. Moreover all operations were professionally carried by qualified veterinarians utilising accepted sedation, pain relief and surgical practices
- The elements for any offending as regards both the restricted surgical procedures and the ill-treats provisions are unable to be sensibly proven beyond reasonable doubt
- An AWS 130 Notice has now been issued restricting future declawing at Zion Wildlife Gardens Limited
- All veterinary practices concerned with the declawing have been advised of the MAF ED AW and NZVA positions as regards declawing and accept the situation. The present owners and operators of Zion Wildlife Gardens Limited accept and support the declawing restrictions imposed by MAF ED AW and have undertaken to discontinue declawing as a routine Zoo procedure
- The previous owner and operator [REDACTED] who was responsible for initiating the declawing procedures at Zion Wildlife Gardens Limited no longer has control of, or any practical day to day involvement with, the Zoo or control of its large felids.

#### Recommendations

- Recommend an education letter to be sent to both veterinarians concerned in previous declawing: [REDACTED] Vets, [REDACTED] and [REDACTED] Vets Whangarei.
- Recommend a further education letter to [REDACTED] Veterinarians (current emergency veterinarians for Zion)





## Enforcement Directorate

- Recommend that the New Zealand Veterinary Association review and amend the restricted surgical procedures section in their member website and manuals to include reference to restrictions on large felid declawing in the practice note
- Recommend an education letter to be sent to [REDACTED], [REDACTED] Zion Wildlife Gardens Limited and [REDACTED] Licensed Zoo Operator at Zion Wildlife Gardens Limited

[REDACTED]  
Investigator  
Animal Welfare



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Out of Scope

**From:** Helene s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:17 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission from the South Island Dobermann Club  
**Attachments:** Animal Welfare proposed regulations feedback submission form (SIDC).docx

Attached please find a submission from the South Island Dobermann Club.

Thanks  
Helene Street  
Secretary/Treasurer  
SIDC

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## Animal Welfare proposed regulations feedback submission form

South Island Dobermann Club (SIDC)

s 9(2)(a)

My feedback:

### 62. Dogs – Tail Docking

#### *Proposal*

- Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian
- Must only be performed for therapeutic reasons
- Pain relief must be used at the time of the procedure

The SIDC disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

We are a member club of the New Zealand Kennel Club (NZKC) and represent many registered breeders of pedigree dogs.

We use accredited members of the New Zealand Council of Docked Breeds (NZCDB) to band the tails of our litters. These people have their animal husbandry skills signed off by a veterinarian, who must complete the application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable them to perform tail shortening.

The NZCDB as an organisation was established in 2004 and membership is focussed on the welfare of tail shortened breeds. They operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

We are not aware of any complaints or issues that have arisen from any litter that has been banded by an accredited bander and we understand that as an accredited group, they have performed tail shortening on over 10,500 neonate puppies without incident since 2005.

We are of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and accredited banders only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The accredited bander that we use, bands the litters of traditionally docked dogs that still perform their duties that they were designed for.

We understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so we are surprised that this proposal has taken shape.

We understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which we see as being extremely one sided and is not factual. We also understand that the governing body of the professional dog world Namely the NZKC has

over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

We understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

We understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. We would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

We understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

We are of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years we only know of 2 cases where the SPCA has acted on this information.

#### **61. Dogs – Dew Claws Proposal**

- **Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:**
  - Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;
  - Must only be performed for therapeutic reasons; and
  - Pain relief must be used at the time of the procedure
- **Hind limb dew claws: non-articulated (greater than or equal to four days of age):**
  - Must be performed by a veterinarian or veterinary student under supervisions; and
  - Pain relief must be used at the time of the procedure

We disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, this process is performed on a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a group of professional dog breeders and caretakers of our chosen breed, we are fully versed in the damage that a dew claw can cause to the dog if left on. Our chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

We understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. We would sincerely question the stakeholder's ability to

answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

We understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

We understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which we see as being extremely one sided and is not factual. We also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

We understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

We understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and we further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

**From:** Helene s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:26 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission  
**Attachments:** Animal Welfare proposed regulations feedback submission form.docx

*additional submission*

Please find attached my submission in regard to Tail Docking and The Removal of Dew Claws.

Please acknowledge receipt of my email.

Regards  
Helene Street

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## Animal Welfare proposed regulations feedback submission form

Helene Street

s 9(2)(a)

My feedback:

### 62. Dogs – Tail Docking

#### *Proposal*

- Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian
- Must only be performed for therapeutic reasons
- Pain relief must be used at the time of the procedure

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I use an accredited member of the New Zealand Council of Docked Breeds (NZCDB) to band the tails of my litters. These people have their animal husbandry skills signed off by a veterinarian, who must complete the application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable them to perform tail shortening.

The NZCDB as an organisation was established in 2004 and membership is focussed on the welfare of tail shortened breeds. They operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I am not aware of any complaints or issues that have arisen from any litter that has been banded by an accredited bander and I understand that as an accredited group, they have performed tail shortening on over 10,500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and accredited banders only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The accredited bander that I use, bands the litters of traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over

6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

**61. Dogs – Dew Claws  
Proposal**

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  - Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;
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- **Hind limb dew claws: non-articulated (greater than or equal to four days of age):**
  - Must be performed by a veterinarian or veterinary student under supervisions; and
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I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, this process is performed on a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer

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I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

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Out of Scope

**From:** Frances Caldwell s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:13 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** A proper review required

This message has been modified to fit your screen. Tap here to show original.

*To the Ministry of Primary Industries,*

*This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

*Regards, Frances Caldwell, § 9(2)(a)*

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Out of Scope

**From:** Mary Southerwood s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:07 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare Policy

*To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.*

*I may have cut and pasted this but I sincerely agree with everything it says.*

*We must move on from past accepted ways of treating other sentient beings.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

*Yours Sincerely  
Mary Southerwood*



Virus-free. [www.avast.com](http://www.avast.com)

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Out of Scope

**From:** Jo Austin s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:05 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations  
**Attachments:** mpisubmission.pdf

**Importance:** High

Submission attached.

Kind Regards,  
Jo Austin

s 9(2)(a)

s 9(2)(a)

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## Submission on Animal Welfare Regulations

From:

Joanne Austin

s 9(2)(a)

My feedback:

*62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.*

*Must only be performed for therapeutic reasons*

*Pain relief must be used at the time of the procedure.*

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I have never had a complaint or issue arise from any litter that I have had banding done on and to the best of my knowledge I understand that as an accredited group the NZ Council of Docked Breeds have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and this is not a surgical procedure.

The breeds that I am associated with and that are banded for me are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

*61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:*

*Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;*

*Must only be performed for therapeutic reasons; and*

*Pain relief must be used at the time of the procedure*

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I complete this process in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

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I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

*Jim Austin*

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Out of Scope

**From:** Tosha da Vinci s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:00 p.m.  
**To:** Animal Welfare Policy  
**Subject:** Discrepancies in NAWAC Report Accompanying Rodeo Code  
**Attachments:** MPI Submission On Spurs and Injury Statistics.pdf

Hi there,

Please see attached submission document.

N.B. Media in this [Google Drive folder \(click here\)](#) forms part of this submission. The media content can be viewed using its built-in media previewer. It is also a shareable link for convenience: Anyone with the link can view the folder contents.

Please confirm receipt.

Regards,  
Tom Davidson  
[New Zealand Anti-Rodeo Coalition \(NZARC\)](#)  
s 9(2)(a)

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# MPI SUBMISSION ON SPURS AND INJURY STATISTICS

## 16 MAY 2016

I am making this submission on behalf of the NZ Anti Rodeo Coalition (NZARC).

The National Animal Welfare Advisory Committee (NAWAC) *Report to Accompany the Code of Welfare: Rodeos* (Hellström 2013) that supports the *Code of Welfare: Rodeos* (Minister of Primary Industries 2014) has fundamental errors that I would like to address in this submission. It would appear that the NAWAC report has omitted critical information that forms the foundation of the rodeo code. In turn this has meant the rodeo code has not addressed critical and fundamental issues related to rodeo.

I would also like to submit reports by NZ animal behaviourists and vets who are fully prepared to make such reports but as the submission timeframe is prohibitively small this is not possible. Although subsequent to the reading of this and on NAWAC/MPI's agreement, I am fully prepared to commission such reports.

I have made this submission on points outside of the MPI's "proposed rodeo code changes" as MPI/NAWAC officials at the Auckland MPI public consultation advised myself and others to do so.

Tom Davidson, NZARC.

## SPURS

The NAWAC *Report to Accompany the Code of Welfare: Rodeo (2013)* states:

### **20. Gear**

#### ***(a) Is the use of spurs on bucking animals necessary?***

A number of submissions called for the use of spurs to be prohibited at rodeo events. Spurs used in rodeos can be of different types and the rowel, which presses against the bull's or horse's skin, may be either locked, or able to rotate to some degree, or be able to rotate freely. The locked rowels have a harsher effect than the non-locked rowels as they do not move against the animal's flesh. The competitors use the spurs as another point of contact (with the seat and handhold) to remain on bucking animals, and removing the spurs would make it hard for the contestant to remain seated on the bull or horse.

NAWAC is satisfied that the spurs used on the animals in the bucking events are adequately dulled and rotate sufficiently that they will not cause the animals undue pain or distress. NAWAC has therefore added minimum standards stating that rowels that are able to be locked must not be used in any event, and that partially locked rowels must not be used in the saddle or bareback bronc riding events. The committee has also included an example indicator providing the minimum dimensions to which the rowels need to conform to ensure that they do not place unnecessary physical stress on the skin of the animals. These minimum rowel dimensions are, in fact, also the current industry standard.

With regards to NAWAC's statement:

NAWAC is satisfied that the spurs used on the animals in the bucking events are adequately dulled and rotate sufficiently that they will not cause the animals undue pain or distress.

### **NZARC RESPONSE:**

A big part of the reason an animal will buck is that the spurs are driven with force into the animals shoulders and then raked violently across the forequarters of the animal causing intense pain. Rotating spurs generally won't tear the animal's skin, but they are painful and damaging nonetheless. Putting so much force onto a small area can only be painful. Even without scientific evaluation this is just common sense.

*Video 1* shows a spurboard in use (which is also used in New Zealand). *Video 2* shows the damage of spurs on a piece of wood.

There is no purpose for this style of spurring outside of rodeo but riders participating in bucking events especially practise this 'spurring' on spurring boards to maximise accuracy, pressure and pain. *Video 3* shows a horse forced to buck by spur induced pain.

The action starts with a "mark out" (which is a stabbing motion) then the spurs are "raked" and on the completion of the rake the horses are spurred again in a stabbing motion. This cycle can repeat many times until the rider is either ejected or the 8 second time limit is reached. Although dulled and rotating spurs will not generally pierce the skin (this would cause a massive public outcry in NZ), they are still painful and do cause bruising and soft tissue damage.

It is blatantly obvious that this would be incredibly stressful and painful for the animal and as such contravenes the animal welfare act. It is disturbing and simply untrue that NAWAC states this would not cause the animal undue pain and distress. Common sense clearly dictates otherwise. The report in this circumstance is critically flawed and incorrect.

Spurring bucking animals with practised precision and force cause bruising that is only evident after bucking events, and even then only immediately obvious on animals with light coloured coats. This is why spurring generally evades the public eye and critical scrutiny. *Image 1* shows physical trauma on a white horse. Other effects include mental health issues involving stress and post-traumatic behaviours are harder to see.

Unless onlookers know exactly what is happening, it appears the rider is just flailing, as opposed to the reality which is spurs being purposely driven into the animal's shoulders with force. Spurring happens very fast and usually at quite a distance from spectators. As such the brutality of it is often not apparent to onlookers. *Video 4* shows a rider putting their spurring technique into action.



*Image 1* This damage was demonstrated on a TV3 piece last year



*Image 2* shows spurs used at Methven rodeo.

Also omitted from the NAWAC report is the opposing views from the likes of eminent American lawyers, Vets and the SPCA.

For example: Peggy Larson (2016), North American Vet, Lawyer and ex rodeo participant states:

Pain and fear are the reasons animals go nuts in the chute. They know what is coming. Steel spurs driven into their shoulders. I would have less concern for the bucking horse events if spurs were removed. The bucking strap does not cause them physical pain but it is irritating. The spurs, however, not only cause pain but also injure the skin and muscle tissue of the shoulders.

Last year, NZARC recorded bulls being chute-stalled refusing to go into the riding chute where they would be spurred. We supplied a full vet/animal behaviourist's report on this by one of NZ's most eminent and qualified veterinarians who was totally independent of NZ Rodeo, MPI and animal activists.

MPI did not even acknowledge this report although it was damning. This footage has now gone viral and sparked massive public outcry towards the perpetrators and MPI. This bull would rather get multiple electric shocks than be ridden and spurred. *Video 5* is a copy of this video. MPI already has a copy.

The Royal New Zealand Society for the Prevention of Cruelty to Animals' (RNZSPCA 2004) stance and policy has also been totally omitted by NAWAC in its report. The omission totally contravenes and conflicts SPCA POLICY which states:

The SPCA is opposed to the use of spurs and rowels in rodeos

NAWAC (Hellström 2013) STATEMENT:

The competitors use the spurs as another point of contact (with the seat and handhold) to remain on bucking animals, and removing the spurs would make it hard for the contestant to remain seated on the bull or horse.

NZARC RESPONSE:

Although this may be true on some forms of horse riding, in the context of bucking animals/events it is very misleading and nonsensical, as the contest is between man and horse to see if the rider can remain seated.

The pain of the spurring action encourages/activates the animals bucking as the animal attempts to get the source of the pain off their back. This is more their purpose in this context, not to simply to hold position. NAWAC has not portrayed this side of the equation.

If this is not the case, we would like to respectfully ask NAWAC why does NZRCA give points for spurring if not to get the animal to start bucking and to buck more vigorously?

What purpose would there be to reward the stabbing motion if not to cause the animal to buck? So the rider could stay on? That is simply against the nature of bucking events and makes no sense.



We would also like to ask NAWAC why the SPCA would oppose spurring (rodeo style) if its purpose was simply for the rider to hold position? Natural horse riders are quite capable of holding position without spurs.

Spurring to provoke bucking is unequivocally animal abuse.

SUGGESTION: As has been adopted in the UK, spurring is completely barred from rodeo.

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## INJURY STATISTICS

NAWAC IN ITS REPORT (Hellström 2013) STATES:

(b) How many animals are injured in rodeos?

Reports from the USA indicate that there are few injuries associated with the modern rodeo. For example, one minor injury out of 915 calf roping runs (August- September 1994), 15 injuries from 27,767 animal runs at 19 rodeos (1998-1999) and 15 injuries from 26,584 animal runs at 21 rodeos (1998-2000) (Furman, 2001).

Recent surveys reflect a similar level of injuries. A survey by veterinarians independently contracted to be present at Professional Rodeo Cowboys Association events in the USA in 2009 recorded 28 injuries in 75,472 rodeo exposures, giving an injury rate of 0.00037%. A survey of Australian Professional Rodeo Association rodeos held in Victoria from 2005 to 2012 found an overall injury rate of just 0.072 %, that is less than one injury for every 1405 times an animal is used in competition. Based on severity of injury, that is where veterinary attention was needed, the injury frequency is 0.036 %, or one injury in every 2810 times an animal is used, including transport, yarding and in competition.

NAWAC therefore considers that there is not a high risk of injury to rodeo animals. However, the committee considers that every effort should be made to minimise the risk of injury to these animals. As rodeos are a form of entertainment there is an ethical obligation on society to ensure that the welfare of these animals is paramount. For this reason, NAWAC considers that the review of the code of welfare for rodeos as important to ensure that standards are in place to maintain the welfare of rodeo animals.

## NZARC RESPONSE:

On face value this would indicate that rodeo is almost totally injury free. A less superficial examination reveals a very different story.

I have deep concerns at not only how NAWAC has collated this report but also the lack of non-biased rodeo industry-aligned sources used.

## THE ISSUES

These statistics are generally Wikipedia-sourced (this in itself is often inaccurate), poorly qualified and are rodeo-industry collated statistics. The rodeo industry very clearly has a vested interest in "NOT" reporting injuries for the obvious reason that there would be a public outcry — which would lead to the closing of rodeo.

For example, NAWAC has used the Furman 2001 report for a statistic resource. JW Furman is an ex rodeo rider and is industry aligned. He could hardly be considered to be a neutral source. Yet NAWAC has quoted his 15 year old report from a non credible non neutral source.

Conversely those that oppose rodeo have no way of collecting data as they can only collect it from what are generally pro-rodeo sources as they don't have free access behind the chutes or access to the animals between leaving the rodeo arena and going back to their origin or to the slaughterhouse.

Reporting prior to 2001 was very one-sided as anti-rodeo groups were not recording rodeo footage significantly and indeed video cameras at that stage were not as covert as they are now. Once Shark (an American anti-rodeo lobby group) started lobbying and videoing in America incidences of recorded injuries dramatically increased.

'Reported' injuries and 'actual' injuries are obviously different. After rodeo events animals are often destined for slaughter and there is clearly no will for the rodeo organizers to report injuries and no way for the anti-rodeo sector to check or collect these statistics. For NAWAC to claim that a lack of statistics is a basis to take a pro-rodeo stance is akin to legislating in favour of child abuse for lack of full child abuse statistics. It is not a fair or just stance.

NAWAC has made no mention of the other side of the debate in its report on injury statistics. The following is a report from an American Vet in the time that NAWAC based the initial part of its report i.e. before 2001.

Larson (1998) documents that Dr. T. K. Hardy, a veterinarian who was also a calf roper, was quoted in *Newsweek* stating that calf roping is an expensive sport. He stated that 2 or 3 calves are injured in each practice session and have to be replaced.

"As a pathologist and former meat inspector, I believe my colleagues when they report horrendous injuries to rodeo cattle." Dr. C. G. Haber, a veterinarian with thirty years' experience as a USDA meat inspector says, "The rodeo folks send their animals to the packing houses where...I have seen cattle so extensively bruised that the only areas in which the skin was attached was the head, neck, legs, and belly. I have seen animals with six to eight ribs broken from the spine and at times puncturing the lungs. I have seen as much as two and three gallons of free blood accumulated under the detached skin." (also documented in Larson 1998).

A career USDA meat inspection veterinarian, Dr. Robert Fetzner, Director of Slaughter Operations for FSIS (USDA) stated in our phone conversation on September 9, 1998, "Lots of rodeo animals went to slaughter. I found broken ribs, punctured lungs, hematomas, broken legs, severed tracheas and the *ligamenta nuchae* were torn loose." Torn *ligamenta nuchae* are broken necks (Larson 1998).

NAWAC have used veterinarians "independently contracted" by the PRCA to give spurious results such as injury rate of 0.00037% which even people inside rodeo circles highly doubt.

NAWAC (Hellström 2013) states:

A survey by veterinarians independently contracted to be present at Professional Rodeo Cowboys Association events in the USA in 2009 recorded 28 injuries in 75,472 rodeo.

What NAWAC has not taken into consideration is that some vets that are "independently contracted" to rodeo in NZ have vested interests and don't necessarily report injuries. Just because they are independently contracted it does not necessarily go to follow that those same vets don't have vested interests, are industry aligned or are not biased. Numerous Vets in NZ are employed by the Agricultural sector and would not like to make waves in communities where they work for fear of losing business or worse.

An example in NZ is Totally Vets and Taupo Vets who much to the disdain of a lot of mainstream Vets in NZ actually sponsor rodeos. And yet would be considered "independently contracted" vets.

If this report is what the rodeo code is based on and this is a report that the Minister references and I surmise commissioned. Then the rodeo code is very skewed and misrepresentative and has resulted in a lot of unnecessary animal suffering.

If such reports are commissioned then a critical evaluation must occur before it is submitted to the public. It also should not be compiled and implemented by any entity that receives monetary gain directly or indirectly from such a report. MPI has a clear conflict of interest and this report is not independent enough to be valid.

There is presently a large petition in front of parliament of nearly 63,000 signatures. This petition to Ban Rodeos is run by SPCA (who have to attend rodeos), SAFE, Farmwatch and is supported by all the animal advocacy groups including HUHA and PAW JUSTICE. The fall out from a Non Ban will be incredibly bad public relations for MPI and NAWAC, and will result in a lot of bad press for the Minister who himself is a sheep and Beef farmer and will be judged fairly or unfairly as biased.

The main areas of issue in the NAWAC report are in the areas of Spurring and Injury statistics. There are other areas of rodeo that I would like to address such as calf roping but as MPI has only allowed such a limited time frame for submissions this is not possible. This small timeframe makes one think of how much MPI considers external submissions, discussions and opinions to be important.

The Farmwatch video on bobby calf treatment was a huge PR disaster for MPI. If a rodeo Ban doesn't ensue I am confident MPI/NAWAC will be a huge source of public discontent especially considering rodeo is for entertainment purposes only.

The general public is becoming more aware of the problematic issues including animal abuse involved in rodeo. It is progressively becoming more apparent that mainstream NZ does not support rodeo. It is contributing to a rural urban divide like never before and is simply not ethical.

The only solution is a total ban.

## REFERENCES

Hellström, J (2013). Report to Accompany the Code of Welfare: Rodeos.

Larson, P (1998). Rodeo is Cruel Entertainment. *Pace Environmental Law Review*. Vol 16(1). Article 12.

Larson, P (2016). Recording sourced from:  
<http://www.accessradio.org/Player.aspx?eid=3976e9ef-368a-4401-b92f-3379973b65b3>

Minster of Primary Industries (MPI) 2014. Code of Welfare: Rodeos.

Royal New Zealand Society for the Prevention of Cruelty to Animals (2004). SPCA: National Animal Welfare Policy. Animals in Entertainment (6.4), page 12.

### Media included in this submission

(accessible via: <https://drive.google.com/folderview?id=0B91VX4QxU1qObVZIOFRrWVZIdjA&usp=sharing>)

Image 1: Spurring damage.jpg, taken at Methven Rodeo.

Image 2: Spur nz.jpg, taken at Methven Rodeo.

Video 1: Spurboard practice.mp4, downloaded from (please copy & paste):  
[https://www.youtube.com/watch?v=i-Use3Hq\\_6k](https://www.youtube.com/watch?v=i-Use3Hq_6k)  
last accessed May 2016.

Video 2: Rodeo Spur Abuse.mp4, downloaded from:  
[https://www.youtube.com/watch?v=CR\\_SZhlqCq0](https://www.youtube.com/watch?v=CR_SZhlqCq0)  
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Video 3: DSCF2800 shows spurring to start horse bucking and a tie up.mov, taken at Kihikihi Rodeo 2015.

Video 4: DSCF2799 lot of spurring injured cowboy.mov, taken at Kihikihi Rodeo 2015.

Video 5: Video 5 TV1 bull shocking.mp4, taken at Fielding Rodeo, 2015.



**From:** Tosha da Vinci s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 1:57 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations  
**Attachments:** MPI Submission On Spurs and Injury Statistics.pdf

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Regards,  
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### **NZARC RESPONSE:**

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*Image 1* This damage was demonstrated on a TV3 piece last year



*Image 2* shows spurs used at Methven rodeo.

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SUGGESTION: As has been adopted in the UK, spurring is completely barred from rodeo.

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## INJURY STATISTICS

NAWAC IN ITS REPORT (Hellström 2013) STATES:

(b) How many animals are injured in rodeos?

Reports from the USA indicate that there are few injuries associated with the modern rodeo. For example, one minor injury out of 915 calf roping runs (August- September 1994), 15 injuries from 27,767 animal runs at 19 rodeos (1998-1999) and 15 injuries from 26,584 animal runs at 21 rodeos (1998-2000) (Furman, 2001).

Recent surveys reflect a similar level of injuries. A survey by veterinarians independently contracted to be present at Professional Rodeo Cowboys Association events in the USA in 2009 recorded 28 injuries in 75,472 rodeo exposures, giving an injury rate of 0.00037%. A survey of Australian Professional Rodeo Association rodeos held in Victoria from 2005 to 2012 found an overall injury rate of just 0.072 %, that is less than one injury for every 1405 times an animal is used in competition. Based on severity of injury, that is where veterinary attention was needed, the injury frequency is 0.036 %, or one injury in every 2810 times an animal is used, including transport, yarding and in competition.

NAWAC therefore considers that there is not a high risk of injury to rodeo animals. However, the committee considers that every effort should be made to minimise the risk of injury to these animals. As rodeos are a form of entertainment there is an ethical obligation on society to ensure that the welfare of these animals is paramount. For this reason, NAWAC considers that the review of the code of welfare for rodeos as important to ensure that standards are in place to maintain the welfare of rodeo animals.

## NZARC RESPONSE:

On face value this would indicate that rodeo is almost totally injury free. A less superficial examination reveals a very different story.

I have deep concerns at not only how NAWAC has collated this report but also the lack of non-biased rodeo industry-aligned sources used.

## THE ISSUES

These statistics are generally Wikipedia-sourced (this in itself is often inaccurate), poorly qualified and are rodeo-industry collated statistics. The rodeo industry very clearly has a vested interest in "NOT" reporting injuries for the obvious reason that there would be a public outcry -- which would lead to the closing of rodeo.

For example, NAWAC has used the Furman 2001 report for a statistic resource. JW Furman is an ex rodeo rider and is industry aligned. He could hardly be considered to be a neutral source. Yet NAWAC has quoted his 15 year old report from a non credible non neutral source.

Conversely those that oppose rodeo have no way of collecting data as they can only collect it from what are generally pro-rodeo sources as they don't have free access behind the chutes or access to the animals between leaving the rodeo arena and going back to their origin or to the slaughterhouse.

Reporting prior to 2001 was very one-sided as anti-rodeo groups were not recording rodeo footage significantly and indeed video cameras at that stage were not as covert as they are now. Once Shark (an American anti-rodeo lobby group) started lobbying and videoing in America incidences of recorded injuries dramatically increased.

'Reported' injuries and 'actual' injuries are obviously different. After rodeo events animals are often destined for slaughter and there is clearly no will for the rodeo organizers to report injuries and no way for the anti-rodeo sector to check or collect these statistics. For NAWAC to claim that a lack of statistics is a basis to take a pro-rodeo stance is akin to legislating in favour of child abuse for lack of full child abuse statistics. It is not a fair or just stance.

NAWAC has made no mention of the other side of the debate in its report on injury statistics. The following is a report from an American Vet in the time that NAWAC based the initial part of its report i.e. before 2001.

Larson (1998) documents that Dr. T. K. Hardy, a veterinarian who was also a calf roper, was quoted in *Newsweek* stating that calf roping is an expensive sport. He stated that 2 or 3 calves are injured in each practice session and have to be replaced.

"As a pathologist and former meat inspector, I believe my colleagues when they report horrendous injuries to rodeo cattle." Dr. C. G. Haber, a veterinarian with thirty years' experience as a USDA meat inspector says, "The rodeo folks send their animals to the packing houses where...I have seen cattle so extensively bruised that the only areas in which the skin was attached was the head, neck, legs, and belly. I have seen animals with six to eight ribs broken from the spine and at times puncturing the lungs. I have seen as much as two and three gallons of free blood accumulated under the detached skin." (also documented in Larson 1998).

A career USDA meat inspection veterinarian, Dr. Robert Fetzner, Director of Slaughter Operations for FSIS (USDA) stated in our phone conversation on September 9, 1998, "Lots of rodeo animals went to slaughter. I found broken ribs, punctured lungs, hematomas, broken legs, severed tracheas and the *ligamenta nuchae* were torn loose." Torn *ligamenta nuchae* are broken necks (Larson 1998).

NAWAC have used veterinarians "independently contracted" by the PRCA to give spurious results such as injury rate of 0.00037% which even people inside rodeo circles highly doubt.

NAWAC (Hellström 2013) states:

A survey by veterinarians independently contracted to be present at Professional Rodeo Cowboys Association events in the USA in 2009 recorded 28 injuries in 75,472 rodeo.

What NAWAC has not taken into consideration is that some vets that are "independently contracted" to rodeo in NZ have vested interests and don't necessarily report injuries. Just because they are independently contracted it does not necessarily go to follow that those same vets don't have vested interests, are industry aligned or are not biased. Numerous Vets in NZ are employed by the Agricultural sector and would not like to make waves in communities where they work for fear of losing business or worse.

An example in NZ is Totally Vets and Taupo Vets who much to the disdain of a lot of mainstream Vets in NZ actually sponsor rodeos. And yet would be considered "independently contracted" vets.

If this report is what the rodeo code is based on and this is a report that the Minister references and I surmise commissioned. Then the rodeo code is very skewed and misrepresentative and has resulted in a lot of unnecessary animal suffering.

If such reports are commissioned then a critical evaluation must occur before it is submitted to the public. It also should not be compiled and implemented by any entity that receives monetary gain directly or indirectly from such a report. MPI has a clear conflict of interest and this report is not independent enough to be valid.

There is presently a large petition in front of parliament of nearly 63,000 signatures. This petition to Ban Rodeos is run by SPCA (who have to attend rodeos), SAFE, Farmwatch and is supported by all the animal advocacy groups including HUHA and PAW JUSTICE. The fall out from a Non Ban will be incredibly bad public relations for MPI and NAWAC, and will result in a lot of bad press for the Minister who himself is a sheep and Beef farmer and will be judged fairly or unfairly as biased.

The main areas of issue in the NAWAC report are in the areas of Spurring and Injury statistics. There are other areas of rodeo that I would like to address such as calf roping but as MPI has only allowed such a limited time frame for submissions this is not possible. This small timeframe makes one think of how much MPI considers external submissions, discussions and opinions to be important.

The Farmwatch video on bobby calf treatment was a huge PR disaster for MPI. If a rodeo Ban doesn't ensue I am confident MPI/NAWAC will be a huge source of public discontent especially considering rodeo is for entertainment purposes only.

The general public is becoming more aware of the problematic issues including animal abuse involved in rodeo. It is progressively becoming more apparent that mainstream NZ does not support rodeo. It is contributing to a rural urban divide like never before and is simply not ethical.

The only solution is a total ban.

## REFERENCES

Hellström, J (2013). Report to Accompany the Code of Welfare: Rodeos.

Larson, P (1998). Rodeo is Cruel Entertainment. *Pace Environmental Law Review*. Vol 16(1). Article 12.

Larson, P (2016). Recording sourced from:  
<http://www.accessradio.org/Player.aspx?eid=3976e9ef-368a-4401-b92f-3379973b65b3>

Minster of Primary Industries (MPI) 2014. Code of Welfare: Rodeos.

Royal New Zealand Society for the Prevention of Cruelty to Animals (2004). SPCA: National Animal Welfare Policy. Animals in Entertainment (6.4), page 12.

### Media included in this submission

(accessible via: <https://drive.google.com/folderview?id=0B91VX4QxU1qObVZIOFRrWVZIdjA&usp=sharing>)

Image 1: Spurring damage.jpg, taken at Methven Rodeo.

Image 2: Spur nz.jpg, taken at Methven Rodeo.

Video 1: Spurboard practice.mp4, downloaded from (please copy & paste):  
[https://www.youtube.com/watch?v=i-Use3Hq\\_6k](https://www.youtube.com/watch?v=i-Use3Hq_6k)  
last accessed May 2016.

Video 2: Rodeo Spur Abuse.mp4, downloaded from:  
[https://www.youtube.com/watch?v=CR\\_SZhlqCq0](https://www.youtube.com/watch?v=CR_SZhlqCq0)  
last accessed May 2016.

Video 3: DSCF2800 shows spurring to start horse bucking and a tie up.mov, taken at Kihikihi Rodeo 2015.

Video 4: DSCF2799 lot of spurring injured cowboy.mov, taken at Kihikihi Rodeo 2015.

Video 5: Video 5 TV1 bull shocking.mp4, taken at Fielding Rodeo, 2015.



**From:** Nikki Pileff s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 1:51 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on animal welfare regulations

To Ministry of Primary Industries

I would first like to express my dismay, disappointment, and frustration that you would consider 5 weeks enough time for people to write full and justified responses to your proposed changes in regards to animal welfare regulations.

I believe there is 138 pages of text that need to be read, understood, and related to ones view of best animal care and welfare. This gives us as people of this country, and people needing to obey and understand these rules, one day to read and respond per 5 pages of your documents. That is simply irresponsible on your behalf.

By giving little time for response, this displays lack of interest in other parties concerns, it displays that MPI may very well have already decided what they are going to do, and just want to 'get on with it'.

I look forward to being proven wrong in this instance.

How much time did MPI give itself to develop the proposed changes?

I would like to make it clear that THERE WAS NOT ENOUGH TIME GIVEN FOR THESE CHANGES TO BE CONSIDERED AND RESPONSE MADE. Therefore I request, that MPI consider that it is in the best interest of both animal welfare and the reputation of New Zealand, to provide more time for this task to be completed.

I highlight a the definition of 'the five freedoms'

The definition of 'physical, health and behavioural needs' is based on what is referred to internationally as the 'five freedoms'. These freedoms provide for:

- proper and sufficient food and water;
- adequate shelter;
- the opportunity to display normal patterns of behaviour;
- appropriate physical handling; and
- protection from, and rapid diagnosis of, injury and disease.

I would like you to consider several points of changes that simply are not enough to meet the above criteria of 'five freedoms'

- 14 - HORSES

- Current status prohibits the hitting of a horse around the head or the genitals

- proposed status prohibits the hitting of a horse around the head

issue with this proposal - unclear as to whether the hitting of a horse around any other area of their body is prohibited

FIVE FREEDOM BREACH - appropriate handling - one would argue that it would never be appropriate or necessary to hit a horse in the genitals, legs, neck, stomach areas.

- breach of protection of injury - hitting a horse around any body part may cause injury.

This is one point that is far too vague and in need of clarification.

INFRINGEMENT FEE DOES NOT APPEAR TO BE OF AN APPROPRIATE PUNISHMENT TO  
DETEER

- 17, 18, 19 - LAYER HENS

- Current status prohibits the normal behavior of a Hen.

- Proposed to change requirements in a step by step process to the year 2022 to all hens living in colony cages.

CAGES AND COLONY CAGES DO NOT PROVIDE HENS WITH THE ABILITY TO BEHAVE AS THEY WOULD NATURALLY. They remain unable to move about freely without causing injury and disease to one another, they are not provided with areas of natural sunlight, shade, space, grass, and a place to naturally peck at the ground which is a normal behavior of Hens.

FIVE FREEDOM BREACH - not able to display the normal patterns of behavior.

This point needs much discussion and changes in order to meet the five freedoms.

It is at this point where my frustration grows to a point where I have not enough time to comment on the numerous concerns I have around Pigs, Dogs, Rodeos, which all are in breach of the FIVE FREEDOMS.

I encourage you to do the sensible thing, and reconsider the submission timeframe, sincerely look at the submissions made which request the requirements of animal ownership to be more stringent, the punishments for animal abuse to be more severe and the reputation of our country to be upheld in the greatest light it could be in regards to animal care and welfare.

We continue to have severely abused children in this country, with alarmingly high abuse, death, poverty and obesity levels. We have much further to go when it comes to sentient beings having the right to live in this country torture and abuse free also.

Perhaps MPI could take on the challenge of making things right for the animals, which will in turn force our government to consider the rights of our children.

I look forward to your positive reply, granting further time for these submissions to be forwarded.

Sincerely

Nikki Pileff

§ 9(2)(a)

**From:** Judith Robinson § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 1:49 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare Submissions

*To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

Yours sincerely,  
Judith Robinson



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Out of Scope

**From:** Glenis Candy s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 1:39 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Proposed Animal welfare regulations feedback submission  
**Attachments:** Animal Welfare proposed regulations feedback submission form.pdf

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Animal Welfare proposed regulations feedback submission form

Name Mrs Glenis Candy

§ 9(2)(a)

My feedback:

**62. The proposed regulation states:** Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.  
Must only be performed for therapeutic reasons  
Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) § 9(2)(a) and I am a breeder of registered pedigree dogs.

I am an accredited member of the New Zealand Council of Docked Breeds (NZCDB) § 9(2)(a) and have had my animal husbandry skills signed off by a veterinarian, who completed my application for accreditation by witnessing neonate puppies being banded and was in the presence of another accredited bander who also observed me perform tail shortening.

The NZCDB, as an organisation, was established in 2004 and membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have completed banding on since 1999. Dogs are born with undeveloped nervous systems and there is no scientific evidence to suggest they feel any pain at all when banded - vs. production animals that are born to flee so have fully developed nervous systems - yet removal of the tail is permitted by lay people (in the case of sheep, up to 6 months of age and pigs up to 7 days of age). The reason for the procedures are the same - to prevent the animal from suffering.

The banding procedure should be recognised, the same as lay people can remove a pig's tail and lambs' tail.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded by me are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies.

**61. The proposed regulations states:** Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I complete this process in a neonate puppy aged between 2-4 days. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised. Many dogs are extremely fast runners and they do not have dew claws to provide support.

Dogs use their front feet to hold objects steady while chewing them. Not dew claws. In my chosen breed I am fully aware of the damage that a dew claw can cause to the dog if left on. My chosen breed are 100% family protection and have been bred to be used in its traditional purpose and the dew claw if left on can result in significant pain and suffering to the dog and its owners.

If they are ever allowed to get long, the quick will grow proportionately, making it more and more difficult to keep that toenail short. This is quite factual with many Pet Owners who

don't keep these trimmed and they start to grow back around into the dogs leg. Not to mention the fact that dogs with dew claws, who also like to dig a lot, will sometimes irritate the dew claw, or even break the dew claw bone (not all dew claws have bones). This could happen when reaching through a chain link fence or something similar.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

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**From:** Jill Watson s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 1:37 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Proposed Animal Welfare Regulations  
**Attachments:** Proposed Animal Welfare Regulations 2016.docx

Please find attached some feedback on the Proposed Regulations. Thank you.

Jill Watson

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**Submission on the Proposed Animal Welfare Regulations (Care and Conduct and Surgical & Painful Procedures).**

This submission is to:

Animal Welfare Strategy and Legislation Review  
Ministry of Primary Industries  
P.O. Box 2526  
Wellington

This submission is from:

Jill Watson  
Norwester Norwich Terriers

s 9(2)(a)

This submission is in regard to the Animal Welfare Proposed Regulations.

This submission relates to the proposed banning of the banding method of docking the tails of and the removal of dewclaws in neonate puppies.

Submitter's Profile

I am a breeder and show exhibitor of Norwich Terriers, sometimes importing and exporting dogs so as to improve and diversify the gene pool in this breed. This is important so as not to "double up" on health problems, and to enable breed improvement. While I show many of my puppies, most go to pet homes. The fact that they have banded tails and their dewclaws have been removed very early in life has never caused any problem, either with pet or show puppies.

The Norwich is a traditionally docked breed, which has not been selected for the strength or appearance of the natural tail. As with many other terrier breeds, a shortened tail enabled the Norwich to be pulled out backwards from burrows and other confined spaces, without risking breaking the tail. If the appearance of the natural tail had to be bred from, this would further narrow the gene pool, as there is a wide divergence in the sort of tails that appear in the breed. Typically, the Norwich Terrier tail narrows and becomes weaker about halfway along, the point at which the tail is banded.

I am the secretary of the Canterbury Combined Terrier Club, a member of the New Zealand Council of Docked Breeds, the NZKC, the Norwich Terrier Club (UK) and the Norwich Terrier Club of America. I am an accredited bander, and have tail banded many litters of puppies, and removed their dewclaws.

Submission

Tail Banding, Proposal 62.

I wish to make some remarks on the tail banding of puppies up to the age of four days, by trained and accredited persons, as allowed for in the 2010 Code of Welfare (Dogs) Minimum Standard 7, and now threatened with banning, under this proposed Regulation.

The procedure is currently restricted to puppies of traditionally docked breeds, from litters which must be registered with the NZKC. Docked puppies cannot be NZKC registered unless they have been



banded as laid down by protocols, by an accredited bander. This arrangement, in force for five years now, ensures compliance from pedigree breeders, and has a clear record of success.

The only grounds on which an argument for further restrictions on the tail banding of neonate puppies might reasonably be made is that of cruelty, or later life health disadvantage to the dog. It is known that sensation in very young puppies is only imperfectly developed, certainly up to the age of up to four days which is the limit for tail banding of puppies. This is based not only on science, but also the personal observation of breeders. It is not logical on the grounds of cruelty to further restrict this procedure, while 24 million fully sensate lambs were tailed by exactly the same procedure in 2015, and a significant proportion of them, (as well as many calves), castrated by it as well.

Castration by rubber ring is legal on lambs and calves up to the age of six months, when severe pain must certainly be experienced. Indeed, anyone who has observed the tailing by rubber ring of even young lambs must admit that pain is often clearly evident as the circulation is cut off. Some lambs flop about in obvious agony, others lie immobile. Some small proportion of lambs even die of shock after tailing. Flystrike cannot be advanced as a justification in the case of castration, as it is in the case of tailing of lambs. If cruelty is the measure, then those practices must also be banned, whatever the justification in terms of animal husbandry or economics. The ends cannot justify the means in cases involving cruelty. Less intensive stocking of pastures, harder types of feed, more regular worming, and attention to crutching, could reduce the incidence of flystrike by management methods. Not all countries tail lambs. I also note that tailing of lambs is a prophylactic procedure, but is not under question, as opposed to an argument forwarded to ban tailing and dewclaw removal in puppies on the grounds that these procedures are prophylactic.

I have read the contentions of the NZ Veterinary Association that the tail banding of puppies potentially leads to neuromas, chronic pain, incontinence (faecal and possibly urinary) and hypersensitivity to pain, as well as being detrimental to communication and balance. Breeders of docked breeds can place our personal experience of none of these conditions ever developing in the dogs we have lived with for all of their lives. Would not these health issues be reported back to breeders by the owners of puppies sold to pet homes?

That tail banding is detrimental to the animal's balance is clearly untrue. All of the traditionally docked breeds are working dogs of one sort or another. They would not have been docked breeds in the first place had this adversely affected their agility, health or performance. Many puppies of the pedigree breeds that are the only puppies legally banded, compete at dog shows from the age of three months. Show judges are not only looking for conformation points, but also free, balanced movement, a happy temperament, and good health and condition. These qualities are unlikely to appear in animals with the health challenges it is erroneously claimed are suffered by banded puppies and dogs.

While some countries have banned docking/banding, a much larger number have not. These include two important reciprocal markets for pedigree dogs, the United States (especially Hawaii) and Japan. These countries are attracted by New Zealand's excellent bio-security standing, and the good bloodlines we have built up here in many breeds. They prefer docked dogs, because that is what they are used to seeing in their own countries. Sharing of bloodlines benefits our breeds. This is another important reason why freedom of choice should remain.

#### Dewclaws. Proposal 61.

The dewclaws of most pedigree puppies are removed when the puppies are up to four days old. The Proposal seems to suggest that this is a major surgery, which involves sawing through bone, but this is by no means the case. The dewclaw has not yet attached to the leg, let alone "firmly", it is very soft at this early stage of development. It can gently be held away from the leg, and snipped through with sharp scissors, being careful to remove all trace of the claw to prevent regrowth. There is usually a

small amount of bleeding, which is easy to stop, as the wound is small and shallow. Therefore possible haemorrhage, as suggested in the Proposal, is not an issue. Pain relief would be inappropriate and unnecessary at this age. Puppies relax when returned to the care of their mother, and either sleep or feed as normal. Breeders must have been carrying out this procedure correctly, as pain, haemorrhage, infection and scarring have not been encountered. Again, a case of theory coming up against actual experience.

It is difficult to see why this very minor operation appears in a set of Animal Welfare Proposed Regulations, as it is done to prevent painful injury later in life, either from tearing of the dewclaw, or by unclipped dewclaws cutting into the leg. Professional groomers report finding many instances of the latter injury with pet dogs of coated breeds, who are otherwise well cared for, when dewclaws are present. Why wait until a painful injury occurs?

The ultimate running dog, the greyhound, often suffers dewclaw injuries in racing. This fact is evidenced in stipendiary stewards' reports, which can report both front dewclaws being torn off in a single race start. Is this not a preventable cruelty? Many greyhound breeders remove dewclaws at a few days old. Apparently the absence of dewclaws makes no difference in regards to performance. Dogs which have had dewclaws removed after injury can race just as well as before. This seems to prove that they serve no significant purpose when running.

Why dogs would try to hold objects steady with their dewclaws, when they have strong and sensitive paws to use for this purpose, is hard to fathom. Dogs without dewclaws seem to manage to chew bones and play with toys perfectly well. In fact, their behaviour in all cases is not discernibly different from dogs which retain their dewclaws, apart from the potential for injury having been removed.

If the Ministry for Primary Industries wants to charge breeders \$5000 for having dewclaws removed, and tails banded, will the Government be prepared to pay for the veterinary care of dogs who experience dewclaw or tail injuries? Perhaps the members of the New Zealand Veterinary Association will waive charges in such cases, as it seems to believe that such injuries so seldom occur?

In summary, tail banding and dewclaw removal in puppies up to 4 days old cause very little pain, and prevent injuries in later life. These procedures, when carried out by accredited and experienced persons, should continue to be allowed under the same conditions as at present.

Thank you for your consideration of this submission.

Out of Scope

**From:** Julie Hovell § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 1:21 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission  
**Attachments:** Animal Welfare proposed regulations feedback my submission .docx

Please find attached submission with my objections to changes to animal welfare bill.

**Coppertop & Copperdobe Dobermanns**  
**Breeders of Multi BISS, Multi RUISS, BIS & RUIS & multi titled dobermanns**

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Animal Welfare proposed regulations feedback submission form

Julie Hovell

s 9(2)(a)

My feedback:

**62. The proposed regulation states:** Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

New Zealand Council for Docked Breeds is an organisation that was established in 2004 and the membership is focussed on the welfare of tail shortened breeds. Operating as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC). This accredited group has performed tail shortening on over 10 500 neonate puppies without incident since 2005.

Over the years whilst in Australia I have bred & owned dobermanns with tails & several have damaged their tails as an older adolescent & then had to be amputated with much pain & suffering to the dog. The surgery, the recovery & the aftercare is intensive & could have been avoided if docked in neonatal stage at birth.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation, tail banders only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

**61. The proposed regulations states:** Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

The dew claw removal is a process performed on a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.



I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

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Out of Scope

**From:** Greg Kerr s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:55 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** NZGRA submission  
**Attachments:** MPI\_submission FINAL May 2016.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon,  
Please find attached the submission from New Zealand Greyhound Racing (inc) on the proposed animal welfare regulations.

Regards



**Greg Kerr**  
**Chief Operations Officer/Animal Welfare Manager**

s 9(2)(a)

**GREYHOUND RACING NEW ZEALAND**

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13th May 2016

Animal Welfare Policy  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

Dear Sir/Madam,

We thank you for the opportunity to present our submission on the proposed animal welfare regulations. We have limited our response to those regulations that are industry specific that we are qualified to speak on.

#### Governance and Management of Welfare

A number of welfare actions have been initiated by NZGRA following the independent review conducted in early 2013.

In the process of the review a culture of non-enforcement and non-compliance of welfare rules was evident in the findings. The industry acknowledged and embraced that the sport of greyhound racing is legitimised only by an Act of Parliament and the governing body must, as the custodian of the sport, introduce changes that ensure greyhound racing has that community approval (Social licence to operate).

The challenge for NZGRA as the governing body was to lead a cultural change within the industry and to ensure welfare considerations outweigh any competitive or commercial consequences. Open and transparent relationships have been critical in this process. Building trust and gaining the confidence of all our stakeholders has been the key to overturning decades of professional oversight and the implementation of world class animal welfare standards and practices.

An Animal Welfare Committee was set up in 2015 with responsibility to ensure that "all greyhounds in New Zealand are protected and promoted by the adoption and development of sound animal welfare standards and practices." The committee reviews matters relating to animal welfare across all aspects of the industry and meets on a quarterly basis. The respected Dr Jim Edwards Chairs this committee with representatives from stakeholders such as the RNZSPCA, the independent Racing Integrity Unit, and our own Chief Veterinarian.

*Greyhound Racing NZ is now being held up as a leading example of what can be achieved given the right leadership.*

This submission is divided into two parts, based on the two parts in the Ministry for Primary Industries' Discussion Paper Proposed Animal Welfare Regulations (Care & Conduct and Surgical & Painful Procedures).

These two parts are; **Part A** - Overview of the proposed regulatory package, and **Part B** – Specific Regulatory Proposals.

The resources devoted by the Ministry to animal welfare are totally inadequate. In the 2010/2011 financial year, Animal Welfare Education and Enforcement and Animal Welfare Policy Advice were in total appropriated \$5.132 million. The figure for the 2011/2012 financial years was \$6.569 in total. The total for 2012/2013 was \$6.012 million. This means that the amount of funding was actually falling. In Budget 2015, the Government allocated \$10 million over four years to boost MPI's animal welfare compliance and capability and to develop more transparent and enforceable animal welfare regulations.

This is an increase of only \$2.5 million per annum, and is still far from adequate to deal with the number of farmed animals in New Zealand. This completely inadequate resourcing means that the Ministry can respond only to the most serious allegations of animal neglect and abuse. There is no regular monitoring or inspection of New Zealand farms driven predominantly through budget constraints.

Another flaw in the current system is, that there is no direct reporting between industry groups and MPI (or other nominated regulator) covering such monitoring or inspections of their industry members animals and facilities.

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## **PART A-**

**Question 1: *Is there any reason why changes to the Act not yet in force, should not be brought into force at the same time as the regulations (rather than waiting for them to automatically commence in 2020)?***

No, there is no reason why this should not occur.

**Question 2: *Are the infringement fees proposed for sections 156I and 36(3) appropriate?***

The infringement fees proposed are very low. NZGRA understands the Ministry's rationale about the need for infringement fees to be proportionate with infringement fees for totally unrelated matters. However, very low infringement fees reinforce that animal welfare is not regarded as an important matter and that it is acceptable to provide animals with a very low level of care. This is not message we should be sending.

In addition, as noted on page 8 of the Discussion Paper, by the time an infringement fee for non-compliance with a Compliance Notice is issued, the person in charge of the animal has already been informed that the practice does not comply with the act or a regulation; been provided with time to rectify the situation; and failed to do so. Accordingly, people levied infringements have already had ample opportunity to comply and chosen not to comply. This does not even touch on the available review/appeal process.

Higher infringement fees are required to ensure that people realise they must comply. If people believe there will be no real sanctions for non-compliance, this could lead to a prolonged continuation of the unacceptable behaviour, with major adverse outcomes for the welfare of the animals involved.

***The act provides for infringement fees of up to \$1000 and it is submitted that this should be the starting point of infringement fees.***

**Question 5: Are there any proposed regulations, set out in Part B, that should not be regulated?**

No.

**Question 8: Will the proposed regulations, set out in Part B, change the way you or others operate, if so, in what ways? What implications would these have for you?**

The proposed penalties for non-compliance are very low and the risks of being detected in non-compliant conduct are low because so few resources in New Zealand are devoted to animal welfare.

**Question 9: Are the infringement offences and respective fees proposed for breaches of the proposed regulations, outlined in Part B, appropriate? Should any of the proposals attract higher or lower fees or penalties?**

NZGRA does not support fees or penalties set at a lower rate than those which currently already apply.

**Question 14: Do any of the proposed regulations, set out in Part B, require a lead-in period? If so, what period is reasonable? Are there any other challenges relating to the timing of regulations coming into force?**

No, they should come into force as soon as possible. This is particularly the case since – to the detriment of animals – the regulations are closely based on the existing and inadequate minimum standards.

**Question 15: How should the codes of welfare be amended by the proposed regulations to ensure the codes continue to work effectively within the legislative scheme**

NZGRA wants to see the Codes of Welfare use as an enforceable tool. The minimum standards are used as a guideline in prosecution; we would like to see them legally enforceable.

**Question 16: Which of the approaches as outlined above, or combination of approaches, do you support?**

If a defendant can show that they met the minimum standards and the new regulations, then they should not be penalised.

**Question 18: How should MPI best engage with stakeholders to monitor and review the impact of proposed regulations?**

There needs to be far more consultation with Industry groups to gain a better understanding of their positions. These groups have a vested interest in some areas, and an economic interest in continuing “traditional” practices with little incentive to make change. Scientific evidence needs to be submitted from both side of the debate to ensure the information they submit is factual.



## **PART B –**

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
3	Twisting an animal's tail	<p>Sheep and Beef code of welfare 2010</p> <p>Minimum Standard 2 – Animal Handling</p> <p>Recommended Best Practice</p> <p>(i) Tails should not be lifted or twisted.</p>	Prohibit twisting the tail of an animal in a manner that causes the animal pain.

We consider the amendment is not far reaching enough, the inclusion of tail lifting needs to remain in the regulation and be across all animals.

Show dogs should not be listed by their tails to be put in a show stance, nor should the regulation be loose enough not to cover any dog being lifted by its tail in any circumstance.

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
4	Pinch and prong collars	<p>Dogs code of welfare 2010</p> <p>Minimum Standard 19 – Aids for Behavioural Modification</p> <p>(b) Pinch or prong collars must not be used</p> <p>Code definition of 'Pinch or prong collar' – "A chain made of metal or hardened plastic links with prongs positioned against the neck on each link."</p>	<p>Prohibit the use of pinch and prong collars.</p> <p>Proposed change to definition: A collar with prongs positioned against the neck, or any other protrusion intended to cause pain or discomfort when tightened.</p>

NZGRA would support such a change to the existing regulation. Any training/control device that has the potential to cause pain and suffering must be prohibited rather than restricted. The current minimum standard is included in the NZGRA code of welfare –

### **Animal Welfare (Dogs) Code of Welfare 2010 Minimum Standard No. 19**

#### **– Aids for Behavioural Modification**

- (a) Training aids, including electronic training devices, must not be used in a way that causes unreasonable or unnecessary pain or distress to the dog.
- (b) Pinch or prong collars must not be used.
- (c) Muzzles must fit comfortably without chafing the skin or impeding breathing and must allow the dog to open its mouth sufficiently to enable panting or drinking.

We see no place in today's society for the use of these inhumane collars. We would also suggest that a ban on the use of electric collars be considered in the future.

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
6	Muzzling a dog	<p>Dogs code of welfare 2010</p> <p>Minimum Standard 19 – Aids for Behavioural Modification</p> <p>(c) Muzzles must fit comfortably without chafing the skin or impeding breathing and must allow the dog to open its mouth sufficiently to enable panting or drinking.</p>	<p><b>Muzzling a dog must not cause cuts, abrasions, swelling, or restrict breathing and must allow panting.</b></p>

***NZGRA support this amendment, we are introducing a restriction on the use of muzzles during race track kennelling procedure to include only an approved type (Plastic American type). This will mean a total ban on any "Anti barking type muzzles". Barking muzzles are a risk to a greyhound's health and welfare as:***

- They have the potential to limit panting and heat exchange
- By restricting the opening of the mouth there is risk of aspiration of vomit
- They do not alleviate the underlying reason for barking and as such risk increase a dog's anxiety and frustration; and
- They do not allow the dog to vomit and clear the contents from the dog's mouth

***Muzzles are included in the associations Racing Greyhound code of welfare 2013.***

Greyhound Racing Industry Minimum Standard No 17 – Muzzles

(a) Greyhounds in public places must be muzzled and controlled.

(b) A Licensed Person must not permit a Greyhound, which is under the person's care or custody to be in or on a public place unless that Greyhound:

(i) has a securely fixed muzzle on its mouth in such a manner as will prevent it biting a person or animal; and

(ii) is under the effective control of some competent person by means of a leash of leather, or other durable material, which is securely fastened to the collar worn by that Greyhound.

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
7	Dry and shaded shelter	<p>Dogs code of welfare 2010</p> <p>Minimum Standard 5 – Kennelling, Shelter and Ventilation</p> <p>(a) Dogs must be provided with sheltered and dry sleeping quarters.</p> <p>(e) Ventilation and shade must be provided in situations where dogs are likely to experience heat distress.</p>	Dogs confined to an area where they are habitually kept must have access at all times to a fully shaded and dry area for resting and sleeping.

***NZGRA support this amendment. NZGRA has its own regulations in its code of welfare that already addresses the proposed amendment set out in the consultation document.***

***Greyhound Racing Industry Minimum Standard No 5 – Kennel Construction***

- a) Vehicles, caravans, trailers, portable crates or the crawl space under any dwelling must not be used for accommodation for greyhounds.
- (b) Designated kennels must be designed and constructed, serviced and maintained in a way that provides for good health and well-being of greyhounds, which prevents the transmission of infectious disease agents, the escape of greyhounds and does not cause injury risk to either greyhounds or humans.
- (c) Kennels constructed must be compliant with local government (council) regulations.
- (d) Greyhounds must be provided with protection from rain and wind, direct sunlight, extremes of temperature or other adverse weather conditions and must be provided with a clean and dry dedicated sleeping area, with flooring to be of fixed construction or concrete. Outdoor kennels must be partially enclosed to provide sheltered sleeping areas.

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
9	Secured on moving vehicles	<p>Dogs code of welfare 2010</p> <p>Minimum Standard 20 - Transportation</p> <p>(d) Except for working dogs at work, dogs must not be carried on the open rear of a moving vehicle unless they are secured or enclosed in a crate.</p>	Dogs on moving vehicles on public roads must be secured in a way that prevents them from falling off, except for working dogs which may be unsecured on a vehicle while working.

***NZGRA support this amendment. NZGRA has its own regulations in its code of welfare that already addresses the proposed amendment set out in the consultation document. If the amendment was to be adopted, NZGRA would make the necessary changes to our own code. We would also like to see the amendment expanded to include those dogs being transported in a Ute with a tarp cover fitted. There are reports of fatalities of dogs being transported under these covers without enough room to stand, not tethered so they slide around, and the lack of ventilation when the vehicle is not moving.***

***Greyhound Racing Industry Minimum Standard No 10 – Transportation***

- (a) Trainers must ensure that at all times their greyhounds are transported in a way that does not cause injury or distress. For example, to and from race meetings, training sites, exercise sites, veterinary visits, stud purposes, when sold or otherwise disposed of, and any other reasons for travel.
- (b) Trainers must ensure that their greyhounds travel in suitable modes of transport. These include:
  - (i) Enclosed trailer - insulated and ventilated;
  - (ii) In car with owner or handler; and
  - (iii) In rear compartment of station wagon.

**Modes of transport that are not suitable are:**

- (i) Wire cages in trailers or utilities, etc. which are open to the elements, and
- (ii) Non-ventilated or non-insulated trailers.
- (c) All transportation vehicles must be roadworthy and hold current warrants and certificates of fitness.
- (d) Trainers must ensure that the mode of transport used has no protuberances that could injure the animal during transport.
- (e) Trainers must also ensure that the greyhound has enough room to stretch adequately in a standing position as well as being able to lie down comfortably during transport.
- (f) Trainers must ensure that good quality water is provided to each greyhound at least every six hours, or more frequently on hot or humid days. Provision of electrolytes should also be considered in extreme hot or humid conditions.
- (g) A greyhound should not be kept in a mode of transport for more than 6 hours without breaks provided. A break should consist of being let out of the mode of transport for at least ten minutes.
- (h) Before the commencement of each trip the owner must ensure that the mode of transport is in a sanitary condition. It must also be kept in a clean condition for the entire duration of each trip.

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
8	Dogs left in vehicles	<p>Dogs code of welfare 2010</p> <p>Minimum Standard 20 - Transportation</p> <p>(e) Dogs must not be left unattended in a vehicle in conditions where the dog is likely to suffer from and heat stress.</p>	<p>A person leaving a dog in a vehicle must ensure the dog does not display symptoms consistent with heat stress such as any or a combination of:</p> <ul style="list-style-type: none"> <li>- hyperventilation;</li> <li>- excessive panting;</li> <li>- excessive drooling;</li> <li>- lethargy, weakness, or collapse; and</li> <li>- non-responsive to attempts to check a dog's alertness</li> </ul>

*NZGRA supports such a change to the existing regulation. If the amendment was to be adopted, NZGRA would make the necessary changes to our own code.*

*Again - We also like to see consideration given to those dogs being transported in a Ute with a tarp cover fitted. There are reports of dog fatalities being transported under these covers without enough room to stand, not tethered so they slide around, and the lack of ventilation when the vehicle is not moving.*

*NZGRA fully supports this amendment; however we would request that the minimum standard not be restricted to unattended "stationary" vehicles. There are examples of dogs suffering these symptoms while being confined in a vehicle or trailer for up to 11 hours of travelling without water and exercise in the heat of the day.*

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
10	Drowning dogs & cats	<p><b>Animal Welfare Act 1999</b></p> <p>Section 12 A person commits an offence who, being the owner of, or a person in charge of, an animal, (a)... (b)...</p> <p>(c) kills the animal in such a manner that the animal suffers unreasonable or unnecessary pain or distress Dogs code of welfare 2010</p> <p><b>Minimum Standard 21 - Euthanasia</b></p> <p>(b) Dogs of any age must not be killed by drowning.</p>	Prohibit the killing of a cat or dog, of any age, by drowning.

*NZGRA would support such a change to the existing regulation. Based on known scientific evidence we would also support a ban on ALL animals. The NZGRA code of welfare is specific in its euthanasia policy;*

**Greyhound Racing Industry Minimum Standard No 18 – Euthanasia**

- (a) When necessary, the method of humane and painless death for any greyhound is an intravenous injection of a drug registered for this purpose.
- (b) Such methods of euthanasia must be performed by a veterinarian A GRNZ Certificate must be and by a veterinarian and returned to the Association no later than 14 days
- (c) If injuries or illness are sufficiently severe the animal may need to be euthanased on humane grounds. Euthanasia should be undertaken as soon as possible with the sole aim of minimising suffering.
- (d) Cases of emergency euthanasia by parties other than veterinarians must be reported to GRNZ with appropriate evidence of the situation. Such cases are monitored by GRNZ for potential abuse of the rules.
- (e) At all times you must treat your animal with "dignity and respect"

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
57	Desexing (including stray/feral cats, dogs, and other species)	<p><b>Dogs code of welfare 2010</b></p> <p>The general information section states that desexing is a significant surgical procedure.</p>	<p>Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.</p> <p>Pain relief must be used at the time of the procedure.</p>

*NZGRA supports this proposed amendment.*



1. Part	2. Clause	3. Existing standard	4. Proposed amendment
59	Dog debarking (and devoicing of other species)	<p><b>Animal Welfare Act 1999</b></p> <p>Debarking is currently a restricted surgical procedure under section 2(1) of the Act and may only be undertaken by a veterinarian or veterinary student under supervision who must first satisfy themselves that the procedure is in the interests of the animal of the Act and that appropriate pain relief is used (section 17).</p> <p><b>Dogs code of welfare 2010 Minimum Standard 15</b></p> <p>Dogs must only be taken to a veterinarian for debarking after other suitable means of treating inappropriate barking have been attempted and have failed.</p>	<p>Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian</p> <p>Must only be performed in the best interests of the animal</p> <p>Pain relief must be used at the time of the procedure.</p> <p>The purpose of debarking is to remove the sound made when a dog barks.</p> <p>For the purposes of this regulatory proposal it is proposed that the term 'best interests of the animal' will mean that this procedure should only be contemplated after other suitable means of treating inappropriate barking have been attempted and have failed and euthanasia is the only alternative.</p> <p>Restricting a procedure to 'in the best interest of the animals' does not preclude a vet from undertaking the procedure for therapeutic reasons as a result of disease or injury</p>

*NZGRA supports this proposed amendment. NZGRA considers barking to be a natural behaviour and notes that freedom to express natural behaviour is one of the five freedoms.*

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
60	Cropping the ears	<p><b>Animal Welfare Act 1999</b></p> <p>It is currently an offence to crop, or causes to be cropped, the ears of a dog ear under section 21(2)(a) of the Act.</p>	<p><b>Prohibit the cropping of a dogs ears</b></p> <p>In relation to this proposal, cropping means performing, on the pinnae of the ears of the dog, a surgical procedure that is designed to make the ears of the dog stand upright.</p>

*NZGRA supports this amendment to the existing regulation. We see no situation where cropping of the ears would be necessary or acceptable. Meeting a breed standard from the Pedigree fraternity is no reason to carry this unnecessary practice into the future. We would go as far as supporting a ban on the importation of any dog that has had this surgery performed.*

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
61	Dew claws	<p><b>Dogs code of welfare 2010 Minimum Standard 16 – Dew Claws</b></p> <p>(a) Where dew claws are to be removed from puppies by a person other than a veterinarian, it must be done before the eyes have started to open or before four days old, whichever comes first.</p> <p>(b) Where dew claws are removed by a person other than a veterinarian, that person must possess the knowledge, training and competence, in relation to that procedure, that is necessary to maintain the health and welfare of the pup.</p> <p>(c) Dew claws on dogs after their eyes have begun to open or after four days of age, must only be removed by a veterinarian.</p> <p>(d) If dew claw removal is not performed, care must be taken to manage any consequential risks to animal health and welfare.</p> <p><b>Recommended Best Practice</b></p> <p>(a) Jointed dew claws should not be routinely removed.</p> <p>(b) Dew claw removal, when conducted, should be carried out by a veterinarian.</p>	<p>Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:</p> <ul style="list-style-type: none"> <li>- Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;</li> <li>- Must only be performed for therapeutic reasons; and</li> <li>- Pain relief must be used at the time of the procedure.</li> </ul> <p>Hind limb dew claws: non-articulated (greater than or equal to four days of age ):</p> <ul style="list-style-type: none"> <li>- Must be performed by a veterinarian or veterinary student under supervision; and</li> <li>- Pain relief must be used at the time of the procedure.</li> </ul> <p>For the purposes of this regulatory proposal 'performed for therapeutic reasons' will mean to undertake a procedure to respond to disease or injury.</p> <p>Note: there is no proposal to regulate the removal of non-articulated hind limb dew claws in puppies under four days old</p>

*NZGRA supports this proposed amendment.*

1. Part	2. Clause	3. Existing standard	4. Proposed amendment
62	Tail docking	<p><b>Dogs code of welfare 2010</b></p> <p><b>Minimum Standard 17 – Tail docking</b></p> <p>(a) Tails may only be shortened or removed by using a tail band—</p> <p>(i) in puppies that are less than four days old in which the eyes have not started to open; and</p> <p>(ii) by a person who possesses the appropriate knowledge, training and competency necessary to do so effectively, and who is acting under a documented quality assurance scheme that assures compliance with this minimum standard; and</p> <p>(iii) the remaining length of the tail must be sufficient to avoid compromising health and welfare when the dog is mature.</p> <p>(b) Tails that need to be shortened or removed to manage existing injury or disease, must only be shortened or removed by a veterinarian using appropriate pain relief.</p> <p><b>Recommended Best Practice</b></p> <p>(a) Tail docking should not be performed at all unless it is required for treatment of an existing injury or disease.</p>	<p>Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian</p> <p>Must only be performed for therapeutic reasons</p> <p>Pain relief must be used at the time of the procedure.</p> <p>Docking in the context of this proposal means the shortening or removal of the tail by any means. This relates to docking that may occur either directly after application of the method (e.g. surgery), or at any stage afterwards (e.g. banding).</p> <p>For the purposes of this regulatory proposal it is proposed that the term 'performed for therapeutic reasons' will mean to undertake a procedure to respond to disease or injury.</p>

Tails have a number of functions in different animals. The behavioural functions include deterring insects from the rear region of the animal. The structural functions include the base of the tail being an anchor for some muscles regulating the proper function of the rectum. Tails are richly supplied with nerves and blood vessels so that their removal is significant for the animal. It is therefore important that the reasons for, and necessity to, perform the operation are carefully considered. Tradition and exemptions of pedigree dogs is not a sound reason for this amendment not to be adopted.

The greyhound as a breed is undocked; however some circumstances dictate the need for a tail to be surgically removed such as injury, or race related injuries. If the tail has to be amputated, the surgery must be performed by a veterinarian.

Therefore NZGRA support the proposed regulation. The only reason for a tail to be shortened should be for therapeutic reasons only.

Greg Kerr  
Chief Operations Officer/ Animal Welfare Manager  
New Zealand Greyhound Racing (inc)

**From:** Roberto Di Denia s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 1:07 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal welfare submission

*To the Ministry of Primary Industries,*

*This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

*Sincerely,*

*Roberto Di Denia*

Out of Scope

**From:** s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 1:19 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Tail docking Submission  
**Attachments:** scan0027.pdf; scan0028.pdf; scan0029.pdf

To Whom it may concern,

Please find attached my submission form regarding tail docking in New Zealand.

**Kind Regards**  
**Anne-Marie Forde**

The information in this e-mail is confidential and may be legally privileged. If you've received it in error, please contact us by return mail. Information and opinions expressed, with the exception of this disclaimer, are not those of s 9(2)(a), its subsidiaries and/or its related companies unless the sender has express authority to give such statements or opinions and this is clearly stated within the message.

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## Animal welfare proposed regulations feedback submission form

Your name: Anne Marie Ferde Page 1 of 3

Your organisation (if applicable): \_\_\_\_\_

Your contact details: [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Your feedback: I have been involved with the NZKC and Dog Showing since 1996, I have also been involved with the NZSPCA since I was a very young child, my mother is an honorary life member. During my childhood I gave educated speeches at school regarding animal welfare and of some of the Cruelty Cases that have appeared before our Courts unfortunately some with a less than satisfactory outcome. In these cases the perpetrators inflicted Cruelty on these animals for their own pleasure, laziness or lack of knowledge. None of which are being done by the NZKC Reg members by banding a 3 day old puppies tail, and removing dew claws. By performing these two actions on puppies at this age is less Cruel than having these surgically removed once the tail is changed, or the repairing of change when the Dew Claw is torn or ripped away which also increases the risk to the dog when they are subjected to a full anaesthetic. The New Zealand Kennel Club member who perform this, do so

Feel free to continue your submission on additional paper and staple it to this form.

Please place your feedback inside the feedback box. Alternatively, take this form with you and post your feedback to Animal Welfare Policy, Ministry for Primary Industries, PO Box 2526, Wellington 6140.

You can also email your feedback to [animal.welfaresubmissions@mpi.govt.nz](mailto:animal.welfaresubmissions@mpi.govt.nz)

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**Animal welfare proposed regulations feedback submission form**

Your name: Anne-Maile Feide Page 2 of 3

Your organisation (if applicable): \_\_\_\_\_

Your contact details: \_\_\_\_\_

Your feedback: With many years of knowledge and experience, they  
do not perform this without understanding the correct procedure  
and every care is taken to ensure the safety & wellbeing of  
their breeds, and their puppies.

By banning this procedure many of the caretakers of the  
docked breeds will walk away and along with that goes so  
much knowledge of these breeds, which will be tragic not  
only for this generation but generations that follow.

There are so many more issues regarding the Animal Welfare  
regulations that require urgent action, the injuries inflicted  
on pig dogs when they are ripped apart by wild pigs, the  
injuries inflicted on these dogs, not to mention the wild pig  
being torn apart screaming in pain while its limbs are  
being ripped from its body.

Jumps races, how many horses are dislabeled annually due

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**Animal welfare proposed regulations feedback submission form**

Your name: Anne Marie Fiske Page 3 of 3

Your organisation (if applicable): \_\_\_\_\_

Your contact details: \_\_\_\_\_

Your feedback: To injuries they receive on our incline both of  
these practices continue in our Country today we would also be  
required to look into other practices for eg: Branding ear tagging  
nose rings (Bulls & pigs) Battery hens. These cause distress  
I believe by banning the simple procedure of tail docking  
would be detrimental to the breeds concerned. NZKC members  
ultimately breed for Temperament.

If possible you should introduce a tail docking register  
with a list of approved Kennel Club members to perform  
the docking & the removal of Dew Claws, only NZKC Reg  
dogs are eligible to have the docking procedure done.

I would very much like for you to attend our National Dog  
Show which is to be held in ch-ch at the end of Sept  
to see for yourselves the love and the passion we as  
NZKC members have for all of our dogs.

Thank you for your time Stef Fiske

Feel free to continue your submission on additional paper and staple it to this form.

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**From:** Philna Victor s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:48 p.m.  
**To:** Animal Welfare Submissions  
**Cc:** admin@safe.org.nz  
**Subject:** Shame on us

Please NO more!!

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*What a shame on Us!!*







Philna Victor



477

Out of Scope

**From:** joanne riley § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:41 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** cruelty has to stop!!!!!!

*To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

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*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

**From:** Jewel Inwood<sup>s 9(2)(a)</sup>  
**Sent:** Wednesday, 18 May 2016 12:31 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** animal welfare submission

Dear Sirs,

I wish to submit the following -

In 50 years of being connected with dogs I have never seen any problems with the removal of tails (by banding) or dew claws if done by a responsible person.

Dew claws if left on can be a hazard to the dog e.g. they can get caught and cause more problems than if removed when the puppy is 2-3 days old

I would suggest MPI concentrate more on the dangerous dog owners than bringing in legislation which, in my opinion is unnecessary if the procedures are carried out by a breeder or qualified person.

Jewel Inwood

<sup>s 9(2)(a)</sup>



Virus-free. [www.avast.com](http://www.avast.com)

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**From:** sy s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:18 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations

Sorry, didn't put the correct subject wording in the first email.

**From:** sy s 9(2)(a)  
**Sent:** Wednesday, May 18, 2016 12:16 PM  
**To:** 'animal.welfaresubmissions@mpi.govt.nz'  
**Subject:** Welfare Submission

Hello,

Once again, I suggest that TradeMe and other market outlets for puppy advertisements make it mandatory for breeders to include the dog's NZKC registration number if they are claiming that the puppies are purebred. Too many back-yard breeders claim they are selling purebred puppies, but then state that they are not registered. The ONLY WAY a dog can claim to be purebred is if it is registered with a country's kennel club and has a registered number. Kennel Clubs are closed registries.

If one or both parents are NOT Kennel Club registered, then the word "purebred" should not be allowed in an advertisement for puppies.

Kind Regards, Sy Guth  
Lorgair Golden Retrievers

s 9(2)(a)

Author of "How To Make A Puppy!"  
eBook version available at Amazon

[http://www.amazon.com/How-Make-Puppy-ebook/dp/B00CXMLWLO/ref=sr\\_1\\_1?s=digital-text&ie=UTF8&qid=1370392719&sr=1-1&keywords=How+To+Make+A+Puppy](http://www.amazon.com/How-Make-Puppy-ebook/dp/B00CXMLWLO/ref=sr_1_1?s=digital-text&ie=UTF8&qid=1370392719&sr=1-1&keywords=How+To+Make+A+Puppy)

Link to articles published in NZ Dog World on Nutrition  
<http://www.lorgair.com> under DOG FOOD / ARTICLES / HD



✓ (480)

**From:** Sarah Wedde § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:11 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal welfare submission

*To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

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*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

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Sarah Wedde

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✓ 481

**From:** Anne Phipps s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:07 p.m.  
**To:** Animal Welfare Submissions  
**Cc:** nathan.guy@national.org.nz; lindsay.tisch@national.org.nz  
**Subject:** Submissions re animal welfare  
**Attachments:** Anne's submission to MPI.jpg; David's submission to MPI.jpg

Please note our submissions to MPI re the current animal welfare issue.  
David and Anne Phipps

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Anne Phipps

s 9(2)(a)

TO:

Nathan Guy  
Minister for MPI  
Parliament  
Wellington

Lindsay Tisch  
Member of Parliament (for Waikato)

Animal Welfare Policy  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

15 May 2016

**Submission on the Animal Welfare Act Review**

Dear Mr Guy

As a NZ Kennel Club and Waikato Gundog Club member, and owner of a working gundog; I would like to put forward my submission.

I request that tail banding and dew claw removal of working gundog puppies by accredited practitioners continues to be allowed in NZ as is the current approved practice. The Accredited Banders Scheme is audited by the NZ Kennel Club to ensure compliance with agreed protocols and current Code of Animal Welfare. Working gundogs with long whippy tails commonly injure their tails whilst hunting through heavy vegetation and thick brambles, where their fast tail action often leads to tearing and bleeding which is painful and extremely difficult to treat. This is a repetitive injury that worsens every time the dog works. The only resolution for an adult dog suffering from chronic tail damage is a painful and traumatic amputation. Shortening the tail humanely at a few days old eliminates a huge risk of injury.

The argument being put that vets do not see many working gundogs with damaged tails is flawed because most individuals of these breeds are currently docked thus preventing damage from happening. So for the welfare of working gundogs in NZ, I ask that you consider this practice to be allowed to continue.

Thank you for taking the time to read this submission.

Yours sincerely





482

**From:** Anne Phipps s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:07 p.m.  
**To:** Animal Welfare Submissions  
**Cc:** nathan.guy@national.org.nz; lindsay.tisch@national.org.nz  
**Subject:** Submissions re animal welfare  
**Attachments:** Anne's submission to MPI.jpg; David's submission to MPI.jpg

Please note our submissions to MPI re the current animal welfare issue.  
David and Anne Phipps

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

David Phipps

s 9(2)(a)

TO:

Nathan Guy  
Minister for MPI  
Parliament  
Wellington

Lindsay Tisch  
Member of Parliament (for Waikato)

Animal Welfare Policy  
Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

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The argument being put that vets do not see many working gundogs with damaged tails is flawed because most individuals of these breeds are currently docked thus preventing damage from happening. So for the welfare of working gundogs in NZ, I ask that you consider this practice to be allowed to continue.

Thank you for taking the time to read this submission.

Yours sincerely

*David Phipps*

✓ (483)

**From:** Mairi Stewart s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:05 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations

- 1) I would like to confirm that under proposal 1 and 2 All animals – use of electric prods and goads that this includes the use of electric probes such as the Pacifiers which are used to send electrical pulses via insertion of an electric probe into the rectum of an animal in order to restrain them during on farm animal husbandry procedures, stop them struggling, kicking and to stimulate milk let down. The definition for Goad may need to be modified. Currently it reads “an object, including and electric prod, used to stimulate or prod an animal to *make it move*” this definition may need to include such instruments that are used to *restrain or stop an animal from moving* (through Shock and Fear).
- 2) Proposal 13- Tethering of goats: Tethering of goats should be prohibited. Goats used to clean up road sides is unnecessary and cruel given they are highly social animals that require a high level of stimulation in their environment. Re-defining ‘shelter’ will not help. No shelter will fulfill the requirements for a goat on the side of a road given it needs to be light and easily moved and should be large enough to house companion animals.

Mairi Stewart  
s 9(2)(a)

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**From:** Amber Silbery s9(2)(a)  
**Sent:** Wednesday, 18 May 2016 12:02 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Factory farming

To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

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I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

Sent from my iPhone



✓ 4-65

**From:** Clinton Hoeben § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:54 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Fwd: FW: Message from "dhcppc34"  
**Attachments:** 20160518115505923.pdf

To Whom It May Concern

Please find attached my submission form for supporting the continuation of tail banding by the New Zealand Council of Docked breeds (NZCDB) and dew claw removal by accredited persons.

Kind Regards,

Clinton Hoeben  
NZKC Member

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Ministry for Primary Industries  
Manatū Ahu Matua



Animal welfare proposed regulations feedback submission form

Your name: Clinton Hoebene

Your organisation (if applicable): NZKC

Your contact details: [redacted] 9/2 [redacted]

Your feedback: Dew Claw removal - I oppose the MPI  
regulations to prohibit Dew claw removal (except  
for therapeutic reasons). Dew claws should be able  
to be removed as they currently can be. I would support  
however that only a vet or an accredited person is able  
to remove Dew claws. Dew claw removal is important to  
prevent future injury and removing them prior to 4  
days of age is the least traumatic time to remove  
given the pup's nervous system is not fully developed.

Tail Docking - I do not support the MPI proposed  
regulations to prohibit tail docking (except for therapeutic  
reasons) as this will mean the Accredited Banding  
provided for by the Code of Welfare 2010 will be  
prohibited. I would support the Accredited Banding procedure  
continuing, but in all other instances tail docking  
only by a vet for therapeutic reasons.

Feel free to continue your submission on additional paper and staple it to this form.

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✓ (496)

**From:** Sarah L § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:52 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Factory Farming

*To the Ministry of Primary Industries,*

*This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

*Sincerely,  
Sarah Lamberton*

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



**From:** Alana Shinn § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:45 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare Submission

*To the Ministry of Primary Industries,*

*This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

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*Kind regards  
Alana Shinn*

✓ 488

**From:** Charmaine Hoeben s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:41 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare proposed regulations feedback submission form  
**Attachments:** 20160518113358467.pdf

To Whom It May Concern

Please find attached my submission form for supporting the continuation of tail banding by the New Zealand Council of Docked breeds (NZCDB) and dew claw removal by accredited persons.

Kind Regards,

Charmaine Hoeben  
NZKC Member

---

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Ministry for Primary Industries  
Manatū Ahu Matua



**Animal welfare proposed regulations feedback submission form**

Your name: Charmaine Hoeben

Your organisation (if applicable): NZKC

Your contact details: [redacted] s 9(2)(a)

Your feedback: Dew Claw removal - I oppose the MPI  
regulations to prohibit Dew claw removal (except  
for therapeutic reasons). Dew claws should be able  
to be removed as they willingly can be. I would support  
however that only a vet or an accredited person is able  
to remove Dew claws. Dew claw removal is important to  
prevent future injury and removing them prior to 4  
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given the pup's nervous system is not fully developed.

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Out of Scope

**From:** Barbara Stronach § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:38 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations  
**Attachments:** Ladies Kennel Association submission on Docking May 2016.pdf

Please find attached our clubs submission on tail docking.

Kind Regards  
**Barbara Stronach**  
**Practice Manager**  
§ 9(2)(a)

§ 9(2)(a)

# Ladies Kennel Association (Inc)



President  
Mrs D Rogers

Secretary  
Mrs R Hubrich

s 9(2)(a)

Animal Welfare Policy Ministry for Primary Industries  
PO Box 2526  
Wellington 6140

[animal.welfaresubmissions@mpi.govt.nz](mailto:animal.welfaresubmissions@mpi.govt.nz)

**Re: Animal Welfare Regulations Submission**

## Introduction

The purpose of this submission is to comment on proposed Animal Welfare Regulations. The Ministry for Primary Industries (MPI) seeks feedback on proposed regulations intended to improve the current animal welfare system.

This submission is made by Barbara Stronach (Vice President of Ladies Kennel Ass) in support of submissions and representations made by the New Zealand Council of Docked Breeds (NZCDB)

The contact person for this submission is:

Name: Barbara Stronach

s 9(2)(a)

## 62. Tail Docking

This is the third time Ladies Kennel Ass have prepared and submit submissions on Tail Docking and Dew Claw removal. There are over 120 all breed dogs who attend All Breed Shows of which one third of these are made up of docked breeds coming from the Terrier Group through to the Utility Group. There is sufficient written evidence to support the continuation of docking and the scientific facts that you promote are biases.

You argue that dogs' tails have a function in terms of balance and a means of communication with other dogs and humans and that research has shown that a longer tail is more effective at conveying different cues such as those provided by tail motion.

### Response

*Other breeds of animals do not lack balance when climbing up and down hills so balance should not come into the equation. Dogs have other means of conveying cues other than those provided by tail motion. Ears, eyes, head carriage etc.*

*Docked dogs are strong swimmers and agile runners. If the shortening of tails were to effect the dog's ability to swim and run, then the country would currently be overrun with wobbly or drowned dogs. This is an emotive argument that contains no facts. It is used solely to introduce emotion into the argument.*

# Ladies Kennel Association (Inc)



You argue that the primary reasons that dogs' tails are docked are for aesthetic (breed standards), convenience and to prevent injury.

## **Response**

NZ vets do not get to see many tail injuries in this country; that is because these dogs are docked; so it would be fair to say that the NZ study relied on has no basis. The UK systems has again now allowed Gun Dogs and Working breeds to be docked again due to injuries and the pain of these.

Dockings are carried out by Dedicated Breeders who have the upmost dedication to the docked breeds and carry out this very quick procedure before the puppies reach four days of age. At this point in their lives the puppies cannot stand, see or hear, and the pain receptors are not fully developed. No pain or distress is caused. Shortening tails is a very minor procedure. The same with removal of the Dew Claws which cause horrendous problems if left on and Pet Owners fail to keep these clipped short.

There is documented evidence from reputable and respected veterinary surgeons that a puppy's nervous system is not fully developed in early days of life. I have many articles and one in particular written by Prof. Dr R Fritsch who wrote an article on this subject for the German Kennel Club provides support that there is no evidence to suggest sensitivity or pain during the first few days of life. This contrasts with the newborns of many other species (eg: lamb, calves, piglet and human) in which all of these senses are relatively highly developed at birth and is a direct consequence of the somewhat 'immature' state pups are born in.

Veterinarians advocate spaying to prevent possible health problems of female dogs. This is a prophylactic procedure, the same as shortening a dog's tail to prevent potential future injury.

Internationally tail docking is either banned or restricted in various countries.

## **Response**

Yes this may be the case. It crept into Australia through Western Australia before any of the Dog Breeders / Owners knew it was being brought before their Animal Welfare Council and had no chance to object or have their say. This is not what is known as democracy and had they had the chance they would have fought to retain what we have here in New Zealand.

**How will regulations help?**

## **Response**

We already have excellent regulations in place which govern the docking of dogs. The New Zealand Council of Docked Breeds (NZCDB) have strict guide lines which must be followed, along with a recording system that must be adhered to and the registration of Pedigree Puppies by the New Zealand Kennel Club checks thoroughly these records. No docking of Un Registered Pedigree Dogs is permitted and no responsible registered Docked Breeder would ever perform docking on these dogs





## 61 Dogs – Dew Claws

Your argument is that articulated dew claws are firmly attached to the leg. Most front limb dew claw are articulated. The removal often requires the bone to be cut through. This can result in complications including pain, haemorrhage, infection and scarring if not performed correctly.

### **Response**

*If performed correctly, there is no bone to cut through, there is no bleeding and only momentarily pain. Most breeders are scrupulously conscious of sterile conditions and there is no chance of infection.*

Articulated dew claws may function to prevent foot injury by providing support when running and to keep objects steady while a dog is chewing them.

### **Response**

*This statement is from vets who often do not have dogs of their own, and have not witnessed how versatile dogs are. Many dogs are extremely fast runners and they do not have dew claws to provide support. I personally have not witnessed any foot injury by a dog without dew claws. Dogs use their front feet to hold objects steady while chewing them. Not dew claws. Many breeders remove dewclaws on puppies in the first week of life, because soon after birth the dew claws are more like fingernails than appendages. At that young age, dew claws can be removed relatively easily and no stitches are required.*

- *They are higher up on his paw so they won't get any wear in the normal course of walking.*
- *If they are ever allowed to get long, the quick will grow proportionately, making it more and more difficult to keep that toenail short. This is quite factual with many Pet Owners who don't keep these trimmed and they start to grow back around into the dogs leg.*
- *Not to mention the fact that dogs with dew claws who also like to dig a lot, will sometimes irritate the dew claw, or even break the dew claw bone (not all dew claws have bones). This could happen when reaching through a chain link fence or something similar.*
- *If the dew claws on your dog's front or rear paws seem to easily get caught on things, then they could easily rip off — which would be very painful for the dog.*

### **Conclusion**

1. We along with other members of the NZCDB seek and maintain appropriate care and welfare standards for all animals including dogs. We however consider that the proposals as set out may have other unintended implications which do not meet the intent or care standards proposed. However we would suggest that as long standing Pedigree dog breeders that the members of the NZCBD are well placed to assist officials and at the very least this should not be ignored.
2. We welcome any questions the Ministry may have with respect to this submission and along with the NZCBD are available also to meet should this be helpful.

Kind Regards

Barbara Stronach

**Vice President Ladies Kennel Ass.**



✓ 490

**From:** Bravadobe Dobermanns s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:36 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare proposed regulations feedback submission  
**Attachments:** Indy - tail amputation; FW: Indy - tail amputation

**Importance:** High

Nichole Whyte  
Bravadobe Dobermann  
s 9(2)(a)

To whom it may concern

My feedback on the proposed regulations to the Animal Welfare act:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs have utilized the services of accredited tail banders appointed and New Zealand Council of Docked Breeds (NZCDB) and have never had an issue or complaint. Prior to legislation changing in Australia, I used to perform tail banding myself when it was legal and in nearly 20 years never had an issue. I have however since breeding in Australia have had numerous tailed dogs receive painful injuries of which have resulted in surgery. With permission, I have attached the first hand emails from an owner of one of the dogs we have bred inclusive of photos which accounts for what happened, the result, the surgery and recovery.

The NZCDB as an organisation was established in 2004 that are focussed on the welfare of tail shortened breeds. They operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have utilized their accredited tail banders on and to the best of my knowledge I understand that as an accredited group, they have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as a breeder and I would only perform the shortening of our Dobermann puppy's tails via the tail banding procedure under the Animal Welfare Act (No2) 2015 and not a surgical procedure.

The breeds that I am associated with and that are banded by the NZCDB are traditionally docked dogs that still perform their duties that they were designed for with many of our dogs performing service work duties.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual and a conflict of interest. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but disappointingly the NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I am aware that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC member's neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I complete this process in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

In summary, a lot of the proposed changes are unfounded, without research or even consultation by appropriate organisations with a wealth of history, knowledge and records and sincerely hope that my feedback along with many others are seriously taken into consideration.

Yours sincerely

Nichole Whyte

Nichole & Darryl Whyte  
Bravadobe Dobermanns  
Lifetime friends for family, obedience and show

s 9(2)(a)

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**From:** s 9(2)(a)  
**Sent:** Wednesday, 26 November 2014 2:08 p.m.  
**To:** Nichole Whyte  
**Subject:** s 9(2) - tail amputation  
**Attachments:** image1.JPG; image2.JPG; image3.JPG; image4.JPG

Hi Nichole,

I'm very sad to tell you that s 9(2) had to have her tail partially amputated yesterday.

She had 'Happy Tail' for about 10 days - the cut on the tip of her tail was absolutely tiny but bled every time she wagged her tail - and then overnight, the tip of her tail looked dead (which I now know is called necrosis) and half of her tail had gone cold and was starting to die as well. I rushed her to the animal hospital but they said there was nothing they could do, and recommended amputation. I was absolutely devastated.

I asked them to do it to be a similar length to a standard Dobermann crop so that she would have less chance of injuring it again (they originally proposed just amputating half of it). I just can't bear the thought of her having to go through this procedure twice.

The operation yesterday afternoon went well and she came bounding out to see us when we picked her up a few hours after. I took her for a gentle walk at the dog park this morning and now she's resting in her bed, in front of a heater.

I don't know if this has happened to other undocked Dobermanns, but I feel just awful about it. I'm so sorry.







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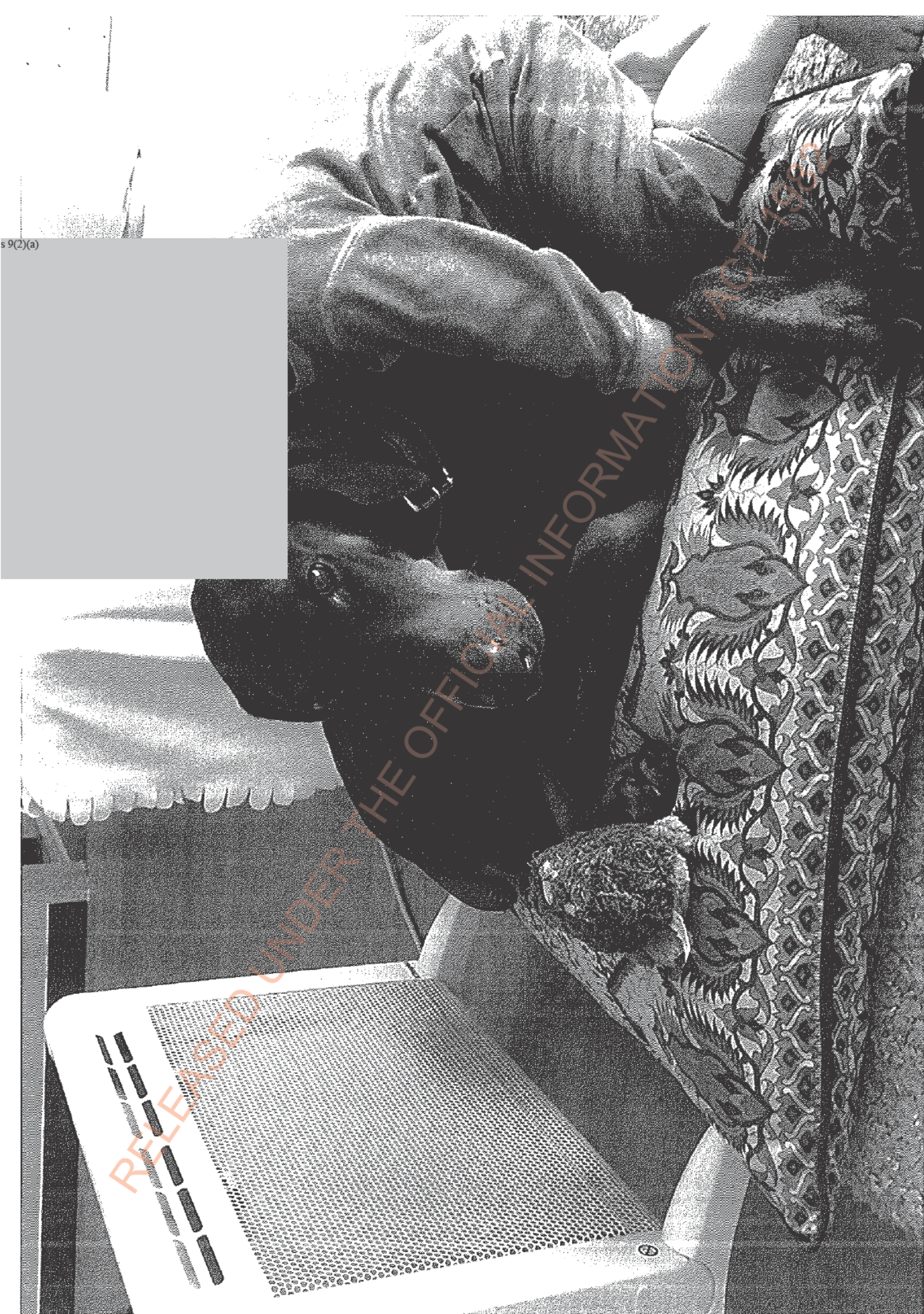


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s 9(2)(a)





**From:** Bravadober Dobermanns § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 § 9(2)(a)  
**To:** § 9(2)(a)  
**Subject:** FW: § 9(2)(a) - tail amputation  
**Attachments:** § 9(2)(a) - tail tip.JPG; § 9(2)(a) - full tail before surgery.JPG; § 9(2)(a) - before surgery.JPG; § 9(2)(a) - stitches.JPG; § 9(2)(a) - no stitches.JPG; § 9(2)(a) as I write this email.JPG; IMG\_5750.JPG

**From:** § 9(2)(a)  
**Sent:** Wednesday, 10 December 2014 4:00 PM  
**To:** Nichole § 9(2)(a)  
**Subject:** Re: § 9(2)(a) tail amputation

Hi Nichole,

Thanks for your message, it was just heartbreaking for me when I saw what had happened to her tail overnight and was in tears. As you probably know, we take looking after § 9(2)(a) very seriously, and she is always by my side, so it was extremely difficult for me to comprehend that this could have happened while she was in our care. We were so anxious about her having to undergo general anesthetic.

But true to form, she has recovered extremely well (almost too well - I was shocked/horrified when she jumped a low fence 24 hours after surgery), took her medication like a champ, and didn't even have to wear the cone as she never tried to lick her tail. I think we were lucky to have a vet that specialises in orthopedic surgery operate on her, and he came to the house yesterday to take her stitches out, so the healing process is complete. As far as I can tell, she hasn't noticed any change. I still instinctively say "Watch your tail!" every time she is near a closing door.

§ 9(2)(a) had previously had "cold water tail" at the beginning of the year, where she had injured it while wagging and it hung limp from the base of her tail. That was quite painful for her, and it took several weeks for the tail to regain full strength and height.

I hope no one else has to go through this, but in case anyone needs them for reference, I have included some photos of her tail right before the surgery, with stitches in, and then today, without stitches. As you will see, the top inch or two was just necrotic tissue - cold and hard, with no hair. From halfway up, it was cold but there was still minimal blood flow. It was swollen at the base of the tail, and I suspect there was minimal discomfort from the swelling as she was slow getting up with her hind legs the day before the surgery.

It really is a comfort to us to have a supportive breeder that we can contact in times like this, so thank you again.

Best wishes,

§ 9(2)(a)







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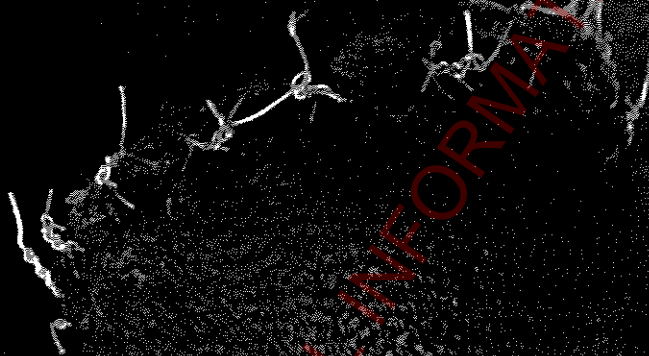


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s 9(2)(a)

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✓ 491

**From:** Amanda s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:37 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Factory Farming

To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

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✓ 492

**From:** Sonya Wilkinson § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:28 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Factory farming

To the Ministry of Primary Industries,

This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

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**From:** Diane Baker s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:27 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Tail Shortening and dewclaw removal

Diane Baker

s 9(2)(a)

I believe the procedure of tail banding, described by the NAWAC approved scheme, on neonate puppies is vastly different from tail amputation. This is not a surgical procedure.

The Dobermann, a breed that I have owned for forty years are traditionally docked dogs that still perform the duties they were designed for.

I understand that in 2012 NAWAC agreed a study should be carried out to dispel any myths around the process of tail banding but this has not been carried out so I wonder why this proposal is going ahead.

The NZKC has over 6000 members but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry. The major stakeholders in this proposal, the RSPCA and NAWAC mainly deal with crossbred non pedigree dogs yet they feel qualified to offer their opinion on pedigree dogs and the reasons for tail banding and dew claw removal.

The hysteria generated by posters displayed in veterinary surgeries showing adult dogs with amputated tails is adding to the myths surrounding tail shortening.

I disagree with the proposal in its entirety and advocate for the status quo.

**From:** s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:21 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Factory Farming must be stopped

*To the Ministry of Primary Industries,*

*This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

*I trust you will consider all of my above requests..*

Regards  
Karen



**From:** Mark Koschak s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 11:19 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission

To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

Mark Koschak | Senior Executive Director

s 9(2)(a)

s 9(2)(a)

Before opening or using attachments, you should check them for viruses and defects. We do not accept liability in connection with computer virus, data corruption, delay, interruption, unauthorised access or unauthorised amendment.



✓ 496

**From:** Nicole Adams s  
**Sent:** Wednesday, 18 May 2016 10:38 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare proposed regulations feedback submission form - completed  
**Attachments:** Animal Welfare proposed regulations feedback submission form.pdf

Hi there

Please see my submission to the Animal Welfare regulations.

Cheers

Nicole

Nicole Adams | Team Leader | Customer Solution Christchurch

s 9(2)(a)

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Animal Welfare proposed regulations feedback submission form

Name Nicole Adams

s 9(2)(a) ;

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs. I have Australian terriers, bull terriers and a bull dog, the Australian terrier is a docked breed the breed standard for the tail is as follows -

*Tail - Set on high and carried erect at a twelve to one o'clock position, docked in balance with the overall dog leaving slightly less than one half, a good hand-hold when mature.*

I live in the country where my Australian terriers have the pleasure of hunting rodent etc when these dogs go to ground and there is a need to get them out of a hole then a correctly docked/banded tail is the best way of doing this. If the ability to band was removed from us then this would make it difficult to allow our Aussies to do what they love. In my years involvement with both the Australian Terrier and previously the Norwich terrier I have never had any issues with removing tails, this was always done at 2 days old and within seconds pups were back in feeding of mum with no adverse affect. Since the rules were implemented that we are only able to use accredited tail banders we have worked to these rules to ensure only fully qualified registered people perform this procedure.

In the past I have seen many dogs from gundogs to the larger terriers damage tails and cause such pain and discomfort that there has been at times the need for surgery and often end in the tail being amputated at the end. This causes much more pain than the procedure done at 2 days old.

One of the reasons people are wanting the removal of tails banned I believe is they believe it affects the dogs balance, this is one of the oddest things I have heard and is incorrect. Many breeds are born with no tails or bob tails i.e. like the bull dog I have in my back yard, these are not a docked breed but have little or no tail, My boy is 6 yrs old and has never had an issue with his tail let alone any issue with his balance.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, this process is completed by a qualified person in a neonate puppy 3 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a registered dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. I have seen painful cases of damage to dew claws in Bull terriers and cases of dew claws not been cared for in coated breeds. Bull terriers being a boisterous breed have a tendency to catch and rip their dew claws causing extreme pain and ending in having to have these removed as adults, a much more painful procedure than the quick removal of dew claws at 2 days old. The other thing that breeders see over and over again is dew claws that are not trimmed on puppies that go out to pet homes, more so on coated breeds as they are the hidden claw and people do not see them, if left these curl round and grow back into the leg again causing unnecessary pain and discomfort.



I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

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**From:** s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 10:59 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Disbudding

In relation to point 68 of the proposed new animal welfare regulations regarding disbudding.

I am Frank van Miltenburg, dairy farmer, 600 cows, s 9(2)(a)

I have been a dairy farmer for 25 years and therefore have been extensively involved in the practise of disbudding calves.

We have tried many methods of disbudding with different professionals and veterinarians with and without pain relief.

We found that most methods were quite unsatisfactory, resulting in stressed calves, infections, sick calves and recurring bleeding.

Then we tried Jorgen Hansen and were very impressed!

With his method and excellent stock handling skills he was able to complete the disbudding in a very short time with no visible distress to the calves and no residual ill effects.

It is clear to us that this practise should be able to continue under his training.

This method should be exempted from requiring pain relief.

The process of having to administer pain relief will be more stressful on the calves alone than Jorgen's method of disbudding.

It will be a sad day for us and our calves if this practise is disallowed.

Jorgen Hansen should be employed as an advisor at MPI and a tutor at Massey university training our vets in the practise of stress free disbudding.

Regards

Frank van Miltenburg

✓ 498

**From:** Tracy s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 10:59 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** My submission on the regulations released for consultation in April 2016

*To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

*Yours Sincerely  
TRACY MALONE*

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Out of Scope

✓ 499

**From:** Barbara Hearn § 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 10:51 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulation  
**Attachments:** Submission re Animal Welfare Regulation.docx

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19 May 2016

## **SUBMISSION**

**To:** Animal Welfare Policy  
Ministry for Primary Industries  
P.O. Box 2526  
Wellington 6140

**On: Proposed Animal Welfare Regulations (Care & Conduct and Surgical & Painful Procedures)**

### **Introduction:**

This submission is from Mrs Barbara Hearn, s 9(2)(a)

NZKC Ribbon Parade and Open Show judge; Life Member and President/Secretary of the South Island Shetland Sheepdog Club; member of the Central Shetland Sheepdog Club; Patron and Treasurer of Southern Ladies Kennel Association; Breed Historian to New Zealand's three Shetland Sheepdog clubs.

It is submitted that:

## **PART B SPECIFIC REGULATORY PROVISIONS**

### **10.0 CARE AND CONDUCT REGULATORY PROVISIONS**

#### **No. 4 Dogs – Pinch or prong collars.**

I agree with prohibiting the use of pinch or prong collars, and believe that electric shock collars which are also incredibly cruel, should be considered for inclusion in the Regulation. A device delivering a painful shock into a dog's neck via two electric prongs, settings of which range from 0 – 100 has to be regarded as not only cruel, but outdated and unnecessary.

Teaching a dog to respond out of fear and pain rather than a willingness to obey fails to address the underlying behavioural problem and can give rise to far more serious problems.<sup>1</sup>

- The dog does not know where the shock came from and rather than associate it with its behaviour at the time, will link it with the immediate environment and things in it.
- There are cases of dogs attacking other dogs and animals as well as their owners at the time of the shock.

“The Kennel Club [UK] has obtained scientific evidence which proves that the use of these products is ‘not only unpleasant but also painful and frightening’ and ‘may influence the dog’s wellbeing in the long term in a negative way’. Quite simply, **“An electric collar hurts. If it didn’t, it wouldn’t work”**.”<sup>2</sup>

It is further noted that electric shock collars have been banned in Denmark, Sweden, Norway, Austria, Germany, Slovenia and some Australian States.

In the United Kingdom, a Kennel Club initiated Survey in 2014 revealed that:

- 73% of the population disagreed with the use of these collars
- 79% agreed that positive reinforcement training methods addressed behavioural issues
- 74% of the public supported the introduction of a ban on electric shock collars<sup>3</sup>

I believe that the sale of both pinch and prong type collars together with electric shock collars should be prohibited in New Zealand.

- Inspection would have to be made of businesses that continue to sell these collars, together with purchases from on-line sites.
- If dogs working in law enforcement or the defence forces are well selected for the quality of temperament, it should not be necessary to use harsh equipment to obtain a good result by top trainers/handlers.
- Given it is not be possible to gauge or comprehend the pain and distress inflicted by these collars, it would most probably be impossible to pursue a prosecution of ill-treatment.

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<sup>1</sup> Our Dogs News (March 2006)

<sup>2</sup> Ibid. Carolyn Menteith, Dog Behaviourist and Trainer

<sup>3</sup> Kennel Club commissioned survey 2014



**I submit** that the collars - pinch, prong and electric - must be banned and the use, importation and/or selling of such prohibited devices become offences which attract prosecution.

#### **No. 5 Dogs – Injuries from collars or tethers.**

- If the current enforcement responses are inappropriate for frequent, or for that matter, any offending on this matter, then I **submit** that the problem must be Regulated.

It is noted that this issue goes much further than the misuse of a collar or tether - the basic question of why the dog is tied /chained up for a good part of it's life (life chaining) has to be addressed, given it is these dogs most often experiencing the injuries.

- Why people keep dogs in this way must be looked at. Very possibly the answer is one of absolute ignorance, in which case educating the owners needs to be undertaken.

**I further submit** that a Minimum Standard which will ensure that the dogs have a period of time each day free of the chain/tether must be put in place, so giving said dogs the very necessary free exercise and human company.

- A dog should be uplifted and rehomed if an owner is unable to or does not want to comply with a Minimum Standard.

#### **No. 6 Dogs – Muzzling a dog.**

- I agree with the proposal that muzzling a dog must not cause cuts, abrasions, swelling or restrict breathing and must allow panting.
- Depending on the length of time the muzzle will be in place, it may be necessary for the dog to have the ability to drink.
- A muzzle should at no time restrict breathing and panting.
- I do not agree with the use of extremely restrictive muzzles under any circumstances.

#### **No. 7 Dogs – Dry and shaded shelter.**

- I agree with the proposal.  
Correct shelter is an important factor for dogs spending time chained/tethered.

- Owners who habitually keep dogs on a chain or in a confined area for extremely long periods of time, will often not be concerned or care about the dog's housing or surrounding environment.
- The conditions the dog is required to live in are most often completely unacceptable, and include a lack of adequate shelter, dry sleeping quarters, water, ventilation and shade.

### **No. 8 Dogs – Dogs left in vehicles.**

The present wording of the Proposal is incorrect and unclear, giving as it does an impression that the dog will be displaying the listed heat stress symptoms **before** it is left in a vehicle, and not as the **result** of this action.

- There is a high risk to the welfare of a dog when left in a rapidly heating vehicle, even with windows open.
- Education in this matter is required as few dog owners appear to appreciate the speed at which vehicles heat up.
- It takes only a few minutes for a dog to succumb to heat stroke and suffocation.
- On a 25 degree celsius day, the temperature in a vehicle parked in the shade can exceed 32 degrees, and rise to 71 degrees when in full sun.

**Minimum Standard 20 – Transportation**<sup>4</sup>, conveys the essential and very necessary message:

- Dogs must not be left unattended in a vehicle in conditions where the dog is likely to suffer from heat stress.

**I submit** that this should become the Regulation.

### **No. 9 Dogs – Secured on moving vehicles**

I agree with this Proposal.

### **No. 10 Dogs and Cats – Drowning dogs and cats**

I agree with this Proposal.

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<sup>4</sup> Animal Welfare (Dogs) Code of Welfare 2010

## **12.0 SURGICAL AND PAINFUL PROCEDURES – REGULATORY PROPOSALS**

### **No. 57 Dogs – Companion Animals – Desexing**

I agree with this proposal

### **No. 59 Dogs – Dog debarking**

I agree with this proposal

### **No. 60 – Dogs – Cropping the ears**

I agree with this proposal

### **No. 61 Dogs – Dewclaws**

“Front leg dewclaws are rather under-developed, degenerate first metacarpal bone and associated phalanges, located on the inner surface of the pastern region”.<sup>5</sup> This is one definition of dewclaws. Another is “rudimentary thumbs”.<sup>6</sup>

In many dogs these claws appear not to be connected to the leg at all except by a flap of skin, (non-articulated) and given they can easily fold or turn, have little use for gripping, e.g. bones, as is often claimed. While it has been demonstrated in Canada that some gundog breeds utilize articulated dew claws while working ice, this would rarely be the case in New Zealand. If it were, then breeders of such working dogs would ensure that the dew claws remained on the front legs.

For many pet owners they are nuisance value:

- they can catch and tear when left on the adult dog, so causing pain and subsequently requiring veterinary attention.
- They can “also cause trouble by inflicting nasty wounds, especially on children, if the dog is at all boisterous”.<sup>7</sup>
- clipping dewclaws, given the angles and equipment involved, is often overlooked, and with time these claws curve around and enter the dog’s leg.

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<sup>5</sup> Dr Harold R Spira – p 41 ‘Canine Terminology’ 1982

<sup>6</sup> Eleanor Frankling- ‘Practical Dog Breeding and Genetics’ 7th Edition 1981 p92

<sup>7</sup> Ibid



It is also highly unlikely that dew claws will be worn down by contact with the ground given that they curve, rather than growing straight down.

Removal of dewclaws before the whelp is four days old can be successfully carried out by either the breeder, or a person having the appropriate skills, with very little discomfort to the puppy given their undeveloped neurological functioning (which is enlarged upon in the Tail Docking section, No. 62) by:

- clamping along the base of the dewclaw with curved hemostatic forceps for several seconds before cutting with scissors<sup>8</sup>
- "There is no need to dissect into the leg to amputate at any particular level of the toe's bony structure. Sutures in the skin are also not needed".<sup>9</sup>

**It is submitted** that the present Minimum Standard 16 in the Animal Code of Welfare (Dogs) 2010 is:

- reasonable and adequate
- that the practice of removing dew claws does not require Regulation. If it is regulated for, then the Minimum Standard should be the guide.

## **No. 62 Dogs – Tail Docking**

The matter of tail docking dogs is continuing to be highly political and contentious - it has arisen no fewer than three times in the recent past:

- In 1999, a section on tail docking was removed from the Animal Welfare Act prior to it becoming law;
- On 16 August, 2007, a Bill entitled "Animal Welfare (Restriction on Docking of Dogs' Tails) which had been introduced into the House by Dianne Yates in 2006 was discharged by the Government Administration Committee.
- A lengthy process which saw a number of drafts written and submissions considered by NAWAC in order to have the Animal Welfare (Dogs) Code of Welfare updated was completed in 2010.

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<sup>8</sup> Phyllis A Holst – 'Canine Reproduction' 2<sup>nd</sup> Edition 2000, p166

<sup>9</sup> Ibid p167

With obvious disregard to previous NAWAC committees, the subject now returns in 2016, upgraded and included as a Significant Surgical Procedure in proposed Regulations under the Animal Welfare Act 1999.

So what is a Significant Surgical Procedure? As defined at Clause 183B (2) (a) of the 1999 Act, the Minister has to decide if the procedure has the potential to cause –

- (i) Significant pain or distress
- (ii) Serious or lasting harm or loss of function if not carried out by a Veterinarian in accordance with recognised professional standards.

Further clauses cover, for example, the nature of the procedure, the purpose, and the likelihood of the procedure being managed adequately by a Code of Welfare.

It is submitted that tail shortening of specific breeds of dogs is presently being managed most successfully and to a very high standard under the Minimum Standard 17, Code of Welfare (Dogs) 2010 by suitably qualified persons accredited to the New Zealand Council of Docked Breeds (NZCDB):

***“Minimum Standard 17 – Tail docking***

*(a) Tails may only be shortened or removed by using a tail band—*

- . (i) in puppies that are less than four days old in which the eyes have not started to open; and*
- . (ii) by a person who possesses the appropriate knowledge, training and competency necessary to do so effectively, and who is acting under a documented quality assurance scheme that assures compliance with this minimum standard; and*
- (iii) the remaining length of the tail must be sufficient to avoid compromising health and welfare when the dog is mature.*

*(b) Tails that need to be shortened or removed to manage existing injury or disease, must only be shortened or removed by a veterinarian using appropriate pain relief”.<sup>10</sup>*

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<sup>10</sup> Animal Welfare (Dogs) Code of Welfare 2010, page 31

It must be noted that:

- The people possessing the appropriate knowledge, training and competency are Accredited Banders. They are New Zealand Kennel Club (NZKC) members and subject to that organisation's disciplinary process under NZKC Discipline and Settlement of Disputes Regulation 2 (a) (iii) in the event of any breach of protocol.
- NZKC has delegated to the NZCDB responsibility for the accreditation process involved whilst NZKC remains responsible for the auditing of this process and the procedures associated with the practice of tail banding.
- The procedure has to be undertaken by the Accredited Bander within 72 hours following whelping and at no other time.
- The principle of tail docking is supported only when it is performed in the correct time frame and in no other case excepting treatment by a qualified veterinarian for injury.
- Only those breeds that have traditionally had tails shortened may be banded.
- There is no cutting of flesh or bone.
- No other methods of docking are recognised or undertaken.
- Cruel tail docking procedures can and must be prosecuted as they arise. To ban the correct method would outlaw something that is not the cause of the problem the Government seeks to resolve.

As has been noted, the whelps (new born puppies) have to be banded as soon as possible after birth and ahead of four days of age, the reason being that the pups are unaware of having been tail banded if the band is applied during the correct time frame:

- Puppies are immature at birth and are included in the 'altricial' group of animals together with kittens and rats. The eyelids and ears are sealed shut; they cannot urinate or defecate without stimulation by the dam; they cannot control



their body temperature for ten days; they have an undeveloped nervous system in the extremities for ten or more days.

- By comparison, members of the '**precocial**' animal group are relatively mature at birth, and this includes lambs, piglets, calves and ponies for example. As we are all aware, these species are able to stand and follow shortly after birth.

Studies undertaken on lambs, calves, piglets, ponies and other animals do not therefore generalise to dogs because of the fundamental difference between the degree of nervous system maturity immediately postnatal; and the subsequent physical development between lambs, calves, piglets and ponies in comparison to puppies.

Nevertheless, and notwithstanding the advanced physiology of precocial animals, it is proposed under the new Regulations that:

- **Anyone** can remove piglet tails by cutting them off up to seven days after birth;
- **Anyone** can band, or remove by a hot iron, lamb tails up to the age of six months;
- **Anyone** can castrate and shorten the scrotum of lambs and cattle by banding under six months;
- **Anyone** can cut off a supernumerary teat on a calf with "clean scissors" up to six weeks after birth;
- **Anyone** can dehorn cattle, goats and sheep by amputation.
- **Anyone** can disbud calves, sheep and goats;
- **Anyone** can develvet deer with written approval from a veterinarian.<sup>11</sup>

It is submitted that:

- a comparison between the tail shortening of whelps, that are immature both neurologically and physically, by trained, **accredited banders** and the procedures of tail shortening, castration, dehorning, disbudding and develvetting which can be undertaken by **anyone** on animals that are physiologically advanced when the procedure is undertaken, illustrates the professional care that is being taken with the dog breeds.

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<sup>11</sup> MPI Proposed Animal Welfare Regulations 2016

- because the practices of docking, castration, dehorning, disbudding and develvetting happen on animals that are advanced physically and neurologically, the same image is carried over to puppies. The tiny size of the whelp in comparison to the precocial animals is not appreciated, and it is consequently not understood that the band is applied to a tail which most often resembles a piece of string or cord and rather like a rat's tail in diameter. It is very very small – unlike the tail of piglets or lambs, especially if said lambs are six months of age.
- there is no significant pain or distress caused by the banding of whelp tails, with research into cortisol levels now supporting this – there was no difference in cortisol levels, vocalisation, movements or feeding behaviour exhibited by pups undergoing docking by banding and the control puppies.<sup>12</sup>
- there is no serious or lasting harm or loss of function if the banding procedure is carried out by an Accredited Bander.

As for the purpose of the procedure, it is known that serious problems have emerged in countries following “docking” bans:

- Decimation of the gene pools.
- Tail injuries which are most often caused by coming into contact with hard surfaces in a house.
- Dogs being abandoned when they incur tail injuries.
- Relegation from inside the family home to living a solitary life outdoors.
- The breaking of tails so as to have them hanging “dead” instead of curled over the back. **How can a lifetime of constant pain that will be endured by dogs with broken tails be compared with the no pain banding of a whelp's tail at two or three days of age?** Where is the concern for the welfare of a dog with a broken tail?

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<sup>12</sup> Hales, J.R. and Robertson, B.F. Autonomic and Behavioural Evidence that Tail Shortening by Banding is not Acutely Distressful to the Canine Newborn. Submitted for review as unpublished

- The argument that tails are docked for cosmetic reasons is incorrect. They are docked to preserve the historical integrity of a breed as was determined many generations previously for sound, practical reasons at the time each breed was being developed for its special contribution to human activity.
- Tails are not docked for the cosmetic, superficial reason of being a requirement for dog shows. Instead, docking was part of an overall development which included anatomy, physiology, movement and temperament.

The docked breeds have never had full tails, and their anatomy in particular has been “built” without the influence that consideration of a tail may have given. There are consequently no problems of balance as is often touted by those opposed to docking. How, for example, could a docked Australian Shepherd named ‘Trogan A Finishing Touch’ CGCF, CDX, JD, RE <sup>13</sup> win these qualifications and regularly compete and achieve at a very high level in Test A Obedience, Senior/Intermediate Jumpers B, and Senior/Intermediate Flygility competitions if this were correct?

- An outright ban on tail docking under Regulation will very possibly result in the emergence of an unsupervised, ‘underground’ activity in the wider community which lacks quality control .

In conclusion, I submit that access to docking must be preserved for those breeders of pure breed dogs who choose to do so:

- At the time of concluding the Code of Welfare 2010, NAWAC noted that the operation of the Accredited Banders panel provided an ideal working model and gave “NAWAC confidence to include a minimum standard requiring all persons conducting tail banding to follow a documented quality assurance programme” <sup>14</sup>
- This endorsement of the Accredited Banders panel, and it's successful application for the past six years, must be given total support and credit by **allowing the present Code of Welfare**

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<sup>13</sup>CGCF - Canine Good Citizen Foundation; CDX - Companion Dog Excellence; JD - Jumpers Dog; RE - Rally-O Excellent.

<sup>14</sup>Animal Welfare (Dogs) Code of Welfare Report. Dr Peter O’Hara, 30 October 2009, Clause 111

**(Dogs) 2010 Minimum Standard 17 to be continued – but as the Regulation,** giving as it does the retention of a freedom of choice for those continuing a specific practice, established for specific breeds over many generations in relation to a specific breed function.

Thank you for your consideration and the opportunity to make his Submission.

Barbara Hearn

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**From:** Avril McIntyre s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 10:47 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare Submission

To the Ministry of Primary Industries,

This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

Avril McIntyre

**From:** Krissy Broderick s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 10:36 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Cruelty

To the Ministry of Primary Industries,

This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

From  
Krissy Broderick

**From:** Mark Jorey s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 10:02 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission  
**Attachments:** Animal Welfare proposed regulations feedback submission form.doc

Regards, Julie Jorey

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Animal Welfare proposed regulations submission:

Julie Jorey

s 9(2)(a)

My Views and Responses as Below.

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC).

Within the NZKC is the NZ Council of Docked Breeds who operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC). There accredited Members carry out the Banding and Dew Claw removal under strict and Measured Standards.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and an accredited bander will only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer



such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

I believe the Shortening of a Dogs Tail has Absolutely no effect on their ability to Communicate, Swim or Run and is purely an emotive argument which is impossible to base on fact as the overwhelming evidence proves otherwise.

Currently Tail injuries are only a small percentage of why Dogs are presented to a Veterinary Clinic and this is because a lot are shortened and if they were left long there will be a huge increase in this issue which can be a very drawn out and painful experience for the Dog.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, The process is completed in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

There have been many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

Ironically both the Shortening of Tails and Removal of Dew Claws are done at Birth for the Dogs best interest and long term Health. WE care for our dogs more than any Vet or Government Agency and would never do anything to them we didn't believe was in there best interest.

Thank You,  
Julie Jorey

✓ 503

**From:** Joce Brazier s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 9:54 a.m.  
**To:** Animal Welfare Submissions

*To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

*Thank you  
Jocelyn Brazier*

--

Jocelyn Brazier | s 9(2)(a)

Please consider the environment before printing this email.

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Out of Scope

504

Out of Scope

**From:** Hannah ks 9(2)(a)

**Sent:** Wednesday, 18 May 2016 9:43 a.m.

**To:** Animal Welfare Submissions <Animal.WelfareSubmissions@mpi.govt.nz>

**Subject:** FACTORY FARMING

*To the Ministry of Primary Industries,*

*This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*



✓ 505

**From:** cathy pollock s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 9:06 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare

*To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an inhumane practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

Catherine Pollock  
s 9(2)(a)

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Out of Scope

✓ 506

**From:** Trustin s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 8:59 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Dew claw and tail removal  
**Attachments:** Animal Welfare proposed regulations feedback submission form.docx

Rowena Stanton

s 9(2)(a)

Home of TRUSTIN Miniature Schnauzers

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## Animal Welfare proposed regulations feedback submission form

Rowena Stanton

s 9(2)(a)

### My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

The New Zealand Council of Docked Breeds as an organisation was established in 2004 and is focussed on the welfare of tail shortened breeds. They operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

To the best of my knowledge I understand that as an accredited group, they have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and this is not a surgical procedure.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal. I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA.

This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

Dew claw removal is done on a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.



In my profession as a Groomer/Boarding Kennel facility I have witnessed many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

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**From:** R J & M C King § 9  
**Sent:** Wednesday, 18 May 2016 8:53 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on animal welfare regulations

Submission on animal welfare regulations.

A short note in support of § 9(2)(a) in his role as our calf disbudder. He has been disbudding our calves for a few years now and we are very pleased with the whole operation, especially as the effect on the calves is very gentle to us as no crate is needed. By the time § 9(2)(a) is packing up his gear the calves are as settled as they were when he arrived. We did use another disbudder before § 9(2)(a) and they used a crate the difference between the two was like night & day. We have no hesitation in supporting § 9(2)(a)'s method in anyway and I do believe that there are some methods and operators that need to be looked at .I have no problem with that, if all calves were done like ours are with § 9(2)(a)'s method there would be no reason for the procedures to be looked at as at present. Feel free to contact us for anymore information.

Regards

Ray King

§ 9(2)(a)

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**From:** Sheree East s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 7:22 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations  
**Attachments:** Animal Welfare proposed regulations feedback submission form1 (1).pdf

Please find my submission attached  
Sheree East.

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17 May 2016

Animal Welfare proposed regulations feedback submission form

Sheree East

s 9(2)(a)

To whom it may concern

I am writing to you today because I am concerned about the proposed regulation that bans tail banding and dew claw removal of dogs. I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs. I would like to express my opposition to the proposed government regulation of standard animal husbandry practices, which are best left to owners and their veterinarians.

Dew claw removal and tail banding are standard, accepted and safe practices. Tails are banded when the puppies are less than 4 days old and their tails' bones, nervous system and pain sensors are not yet fully developed. As such, they feel little to no pain. These procedures help prevent more painful injuries later in life, are undertaken with the specific purpose of promoting dog welfare, and better enable these dogs to perform the functions for which they were originally bred.

Specific feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am an accredited member of the New Zealand Council of Docked Breeds (NZCDB) and have had my animal husbandry skills signed off by a veterinarian, who must complete my application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable me to perform tail shortening.

The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have completed banding on and to the best of my knowledge I understand that as an accredited group, we have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only



perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure. I note that the process of tail banding does not cut through bone.

The breeds that I am associated with and that are banded by me are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

In the case of sheep and pigs removal of the tail is permitted by law people (in the case of sheep, up to 6 months of age and pigs up to 7 days of age), the reason for the procedures are the same - to prevent the animal from suffering.

Tail damage is a very real risk in my breed, the Cocker Spaniel, with a thin whippy tail end when left undocked; there is a clear demarcation between the proximal thicker part of the tail and the thinner distal end which is not well protected. Painful damage can easily be caused through impact, play or hunting.

I have personal experience of undocked dogs that have injured their tails which resulted in significant pain and suffering, this included lacerations and fractures. In the case of a fractured tail touching the tail caused the dog to turn and bite until the tail was surgically docked. Tail lacerations are often recurring and involve extended healing periods, risk of infection and discomfort for the dog.

My cocker spaniels who have shortened tails do not suffer issues with communication or balance. They communicate perfectly well with other dogs without a full tail and I have no problems with

aggressive incidents. Dogs have other means of conveying cues other than those provided by tail motion - ears, eyes, head carriage, body positioning etc.

Sheep do not lack balance when climbing up and down hills so balance does not come into the equation. Docked dogs are strong swimmers and agile runners. If the shortening of tails were to affect the dog's ability to swim and run, then the country would currently be overrun with wobbly or drowned dogs.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I complete this process in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

In my activities as a groomer I have witnessed incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

In conclusion I hope that my submission is taken into serious consideration by the committee, these procedures are not undertaken lightly and are preformed to protect the welfare of dogs.

Yours sincerely



Sheree East RN, MN, RM

s 9(2)(a)

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✓ 509

**From:** rsmndj s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 3:05 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Stop allowing cruel animal practices

I ask the minister of primary industry. To stop the cruel animal husbandry practices allowed in every field of animal husbandry

Sent from my Samsung Galaxy smartphone.

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(510) ✓

Out of Scope

**From:** Jennifer Allen s 9(2)(a)  
**Sent:** Wednesday, 18 May 2016 2:07 a.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare feedback on proposed regulations

Jennifer Hudson Allen, PhD

s 9(2)(a)

s 9(2)(a)

My feedback:

**62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian. Must only be performed for therapeutic reasons.**

**Pain relief must be used at the time of the procedure.**

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of several accredited rescue organizations in the United States, as well as the DPCA (Doberman Pinscher Club of America) and am a registered owner of pedigree dogs for over two decades. I am well versed in docked breeds worldwide, and know many responsible breeders and owners of docked breeds in New Zealand.

The New Zealand Council of Docked Breeds (NZCDB) have animal husbandry skills signed off by a veterinarian, who must complete the application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable breeders to perform tail shortening.

The NZCDB as an organisation was established in 2004 and membership is focussed on the welfare of tail shortened breeds. They operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and the tail banding procedure under the Animal Welfare Act (No2) 2015 is not a surgical procedure.

The breeds that I am associated with and that are banded are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

**61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian; Must only be performed for therapeutic reasons; and**

**Pain relief must be used at the time of the procedure**

Hind limb dew claws: non-articulated (greater than or equal to four days of age) Must be performed by a veterinarian or veterinary student under supervisions; and Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly. No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

My Dobermans, Ch. Jager's Lime Twisted Gin and Philmar Spiderman, were adopted from reputable breeders in the US with international histories in the Doberman world. Their reputations are impeccable as responsible breeders. Both Dobermans I own are tail banded and have dew claws removed. They are performing tasks they were bred for as therapy dogs for hospice and dementia care patients, as well as agility assignments.

**From:** Eric Linklater s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 11:47 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal right's

Hi. Please can we have a proper review of factory farming and let there be a new law so that the pig's are not allowed in those crates and can have there freedom to roam around in a good sized farm with plenty comfort and cover for all weather condition's and also hen's should be set free out of the cage's so they can have there freedom to roam round in a good sizes area and lay there egg's with comfort and shelter from the weather. Many thanks. Eric.

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**From:** Melissa Cook s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 10:24 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** CAGED

Please don't take a fence I don't feel like saying KIA- ORA or Hello as I dont feel its irrelevant to the law makers, AOTEAROA livestock (any thing with a beating heart or alive) should have the right to be treated fairly and highly regarded by our health and safety laws also be protected. slavery is one fact included humans and vulnerable children. All life should be shielded protected FROM BAD HUMANS. MAKE a change for the BETTER TO ALL ON THIS STILL BEAUTIFUL PLANET. THANK YOU.

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**From:** Victoria Whittle s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 10:00 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Canine Tail Docking

Victoria Whittle  
s 9(2)(a)

My feedback: **Tail Docking**

**62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian. Must only be performed for therapeutic reasons. Pain relief must be used at the time of the procedure.**

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I am an accredited member of the New Zealand Council of Docked Breeds (NZCDB) and have had my animal husbandry skills signed off by a veterinarian. The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC). I sincerely believe that the audit process is not only sound but also assures both NZCDB members and the dam's owner/s that the procedures and due care are staunchly maintained.

I have never had a complaint or issue arise from any litter that I have completed banding on and to. I attend each litter I band every second or third day so that I am personally informed of the puppies progress and the attention of the dam to her litter. If circumstances do not allow visits, I am in daily contact with the owner/s. Over 10,500 neonate puppies have been tail banded without incident since 2005, which can only suggest that the audit procedures and endeavours of the individual tail banders are sound and vigorous.

The suggestion that the dog loses communicative ability and damaged musculature to the hind quarters if the tail is shortened is nothing more than emotive mischief. Such a statement does not account for the naturally bobtailed breeds such as the Smithfield sheep dog, Australian Stumpy Tail Cattle Dog et al.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded by me are traditionally/historically docked breeds that still perform their duties that they were designed for.

I understand that over 170 countries have not banned the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI. France, for example, has proven beyond doubt that the neonate's neurological system is not fully developed for up to and at least ten days which is when most puppies gain vision and hearing, that is to say, their eyes and aural canals are opened. Tail banding is performed within seventy two hours of whelping, which as stated above, proves to be a process where there is little disturbance if any to the suckling neonate.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

### **Conclusion**

I, along with other members of the **NZCDB**, seek to maintain appropriate care and welfare standards for all animals including dogs. I however consider that the proposals as set out may have other unintended implications which do not meet the intent or care standards proposed. I would suggest that as long standing Pedigree dog breeders that I and the other members are well placed to assist officials and at the very least this should not be ignored.

I welcome any questions the Ministry may have with respect to this submission and along with the NZCBD am available also to meet should this be helpful.

Victoria Whittle

s 9(2)(a)



✓ 514

**From:** patriciaandkeith stewart s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 9:49 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare Regulations. Submission

This submission is to:  
Animal Welfare Policy  
Ministry for Primary Industries  
P.O. Box 2526  
Wellington 6140

Re: Animal Welfare Regulations Submission

The contact person for this submission is:

Patricia Stewart

s 9(2)(a)

#### Introduction:

The purpose of this submission is to comment on proposed Animal Welfare Regulations. The Ministry for Primary Industries (MPI) seeks feedback on proposed regulations intended to improve the current animal welfare system.

The following organisation supports this submission New Zealand Council of Docked Breeds (NZCDB)

#### General Comments.

#### Tail Docking

In the last 17 years owners and breeders of traditionally docked breeds have been forced to defend their rights to shorten tails on traditionally docked breeds on four occasions - this can only be described as bureaucratic harassment.

Owners and breeders take the role of guardians of the breed extremely seriously and breed, work or show their dogs as a hobby/sport (a voluntary unfunded role vs the funded fight of SPCA/NZVA/NAWAC this should be considered bureaucratic bullying

Docked dogs are happy healthy animals that lead full and well adjusted lives.

(From the act) Anything cutting the bone is a significant surgical procedure. Docking a dogs' tail does not cut bone.

Dogs tails have a function in terms of balance and a means of communication with other dogs and humans. Sheep do not lack balance when climbing, so balance does not come into the equation. Dogs have other means of conveying cues apart from those provided by tail e.g. Eyes, ears, head carriage etc. Docked dogs are also strong swimmers and very agile runners.



The banding procedure should be recognised, the same as lay people can remove a pig's tail and lambs' tail. The Act allows a lifestyle farmer with no previous experience the ability to band. We should have special dispensation under the act for recognition and continuation of the Accredited Banders Panel.

There are numerous reasons for the necessity of tail shortening, including of course those relating to prevention of tail damage and in particular for working breeds, breeds with over enthusiastic tail action. Breeds with tail structure that render them vulnerable to injury and breeds that are heavily coated.

#### Dogs - Dew Claws.

Your argument is that articulated dew claws are firmly attached to the leg. Most front limb dew claws are articulated. Their removal often requires the bone to be cut through, this can result in complications including pain, haemorrhage, infection and scarring, if not performed correctly.

I say that if performed correctly there is no bone to cut through, there is no bleeding and only momentarily pain. Most breeders are scrupulously conscious of sterile conditions and there is no chance of infection.

Articulated dew claws may function to prevent foot injury by providing support when running and to keep objects steady while a dog is chewing.

I believe this statement is from vets who often do not have dogs of their own. Many dogs are extremely fast runners and do not have dew claws to provide support. Dogs use their front feet to hold objects steady while chewing them not dew claws. Many breeders remove dew claws on puppies in the first week of their lives because soon after birth the dew claws are more like fingernails than appendages. At this young age dew claws can be removed relatively easily and no stitches are required.

- . They are higher up on the paw so they won't get any wear in the normal course of walking.

- . If they are ever allowed to get long the quick will grow proportionately making it more

Difficult to keep that toenail short. Many pet owners don't keep them trimmed and they start to grow back around into the leg.

The dew claws on the dogs front or rear paws can easily get caught on things and easily rip off which would be very painful for the dog.

#### Conclusion:

I, along with other members of the NZCDB seek to maintain appropriate care and welfare standards for all animals including dogs. I however consider that the proposals as set out may have other unintended implications which did not meet the intent or care standards proposed. I would suggest that as a long standing Pedigree Dog Breeder that I and the other members are well placed to assist officials and at the very best this should not be ignored.

Patricia Stewart  
Gamlingay Boxers

**From:** Nardine & Richard Theodore § 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 9:36 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Feedback submission  
**Attachments:** Animal Welfare proposed regulations feedback submission form.pdf  
**Importance:** High

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Animal Welfare proposed regulations feedback submission form

Nardine Theodore

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

To be an accredited member of the New Zealand Council of Docked Breeds (NZCDB) one must have had animal husbandry skills signed off by a veterinarian, a veterinarian must complete the application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable the subject to perform tail shortening.

The NZCDB as an organisation was established in 2004 and membership is focussed on the welfare of tail shortened breeds. The NZCDB operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

Being associated with tail shortened breeds and being employed by a Veterinarian I have never heard of a complaint or issue arise from any litter that has had banding on and to the best of my knowledge I understand that as an accredited group, NZCDB have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and accredited banders only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, this process is completed in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose (sled dog work) and the dew claw if left on can and does result in significant pain and suffering to the dog. Over my 17 years with my chosen breed 5 of my own dogs have suffered dew claw injuries.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.



I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

In my profession as a Groomer I have witnessed many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

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**From:** Lauren Riley s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 9:35 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission

To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

L. Riley

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**From:** Christine Healy § 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 9:34 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Fwd: Fw: Animal Welfare proposed regulations feedback submission form  
**Attachments:** Animal Welfare proposed regulations feedback submission form.docx

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Sent from myMail app for Android

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## Animal Welfare proposed regulations feedback submission form

Name

Address

Email address

Phone number

My feedback:

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I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I am an accredited member of the New Zealand Council of Docked Breeds (NZCDB) and have had my animal husbandry skills signed off by a veterinarian, who must complete my application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable me to perform tail shortening.

The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have completed banding on and to the best of my knowledge I understand that as an accredited group, we have performed tail shortening on over 10 500 neonate puppies without incident since 2005.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure.

The breeds that I am associated with and that are banded by me are traditionally docked dogs that still perform their duties that they were designed for.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.



I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

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I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

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Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I complete this process in a neonate puppy 4 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

In my profession as a Groomer/Boarding Kennel facility I have witnessed many incidents of dew claws growing back into the skin of the dog as the pet owner doesn't understand how to trim the nails and often as the dog is of a coated variety, they are not aware of a dew claw being present.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

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**From:** Bell Farm § 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 9:34 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Debudding submission

Hi there

My husband and I have been getting § 9(2)(a) to debud our calves for the last 7 years. The method he uses is quick but thorough and causes very little stress for the calves. I have been able to feed the calves as soon as he finishes debudding a pen and they appear very alert and hungry – a very good sign that they have not been subjected to extreme stress or pain.

The way § 9(2)(a) debuds I have never had any horns grow back or need to get them debudded again. From a Farmers point of view this method far outweighs the vets method. I have watched a vet debudd a calf before which took her several attempts and was a long draw out process. Maybe this was because she was straight out of vet school or didn't have the same skills as § 9(2)(a). I believe § 9(2)(a) is extremely efficient at what he does and could do a better job than most of, if not all the vets that visit our farm.

I recommend that you think long and hard about creating new regulations around dehorning calves. I would not be happy about getting the vets dehorning our calves as we believe they take too long to do it which builds the calves stress and prolongs their anxiety. The calves wake up very drowsy and disorientated and takes quite a while before they will feed and bounce back to normal.

I hope you look at all the submissions of people who use § 9(2)(a) or the other people who dehorn in the same way § 9(2)(a) does and really listen to what they are saying. Don't just make a change because its what people 'think should happen' listen to the farmers who use these methods with success and genuinely care for the health and well being of their stock. NZ is full of proud Farmers who put their stock FIRST!!!

Thank you for taking the time to read this submission.

Wayne and Julie Bell

§ 9(2)(a)  
§ 9(2)(a)  
§ 9(2)(a)  
§ 9(2)(a)  
§ 9(2)(a)  
§ 9(2)(a)

✓ (519)

Out of Scope

**From:** Sunita s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 9:24 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submijssion on proposed animal welfare regulations

*To the Ministry of Primary Industries,*

Submission - on regulations proposed on animal wefare regulation being consultiied on - released April2016

I submit that:

- New Zealands own Animal Welfare Act be honoured by all animal farming interests
- these regulations to be followed by all involved with animals and not breached in any way
- all and any existing regulations that have been put in place regarding factory farmed animals e.g. farrowing crates and colony, be completely removed so that no animals are confined indoors permanently
- an exhaustive review of regulations existing relating to factory farmed animals be conducted with a view to being replaced with one consistent the NZ welfare Act for animals
- a plan be put into place starting with a date set for the start of this process.
- factory farming is a repugnant and unethical way in which to produce food and we need a long term strategy to end it.
- this message needs to be sent out clearly to all interests engaging in these practices so there is no doubt about this plan and its aim.

And further that -

- rodeos are cruel and no civilised person or society should engage in this practice for entertainment or any other purpose.
- use of animals in circuses , for our entertainment and amusement - is also cruel and causes them suffering. This should not be allowed. Much research exists to support this view.

Kind Regards  
Sunita Singh

s 9(2)(a)



✓ 520

**From:** leoneb s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 9:06 p.m.  
**To:** Animal Welfare Submissions; SAFE  
**Subject:** animal welfare

As the Government is reviewing regulations on Animal welfare, I consider it most important that changes take into account that caging animals is a gross act of cruelty and should not part of a first world country.

Caging and crating animals should be outright banned. Fullstop. It is not enough that these can be regarded as breaches of the Animal Welfare Regulations. I request the government to do a proper review of the regulations, otherwise we will continue to have hens kept in appalling conditions, pigs living out their lives confined in horrendous crates, and cows and calves being treated cruelly and deprived of basic necessities.

Leone Brown

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**From:** s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 8:53 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations  
**Attachments:** BCLC - Submission on Animal Welfare Regulations.pdf

Hello,

Please see the attached submission on the MPI Discussion Paper No: 2016/12.

Kind regards,

Peta Berry

s 9(2)(a)

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**SUBMISSION TO THE MINISTRY FOR PRIMARY  
INDUSTRIES ON THE PROPOSED ANIMAL WELFARE  
REGULATIONS (CARE & CONDUCT AND SURGICAL &  
PAINFUL PROCEDURES)**

May 2016  
Peta Berry  
BAN CHICKEN LAYER CAGES

s 9(2)(a)  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]



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### **PART B – SPECIFIC REGULATORY PROPOSALS**

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## 1.0 Introduction

This submission is divided into two parts, based on the two parts in the Ministry for Primary Industries' Discussion Paper Proposed Animal Welfare Regulations (Care & Conduct and Surgical & Painful Procedures). These two parts are Part A - Overview of the proposed regulatory package, and Part B – Specific Regulatory Proposals. This submission will largely focus on the use of Colony Cages and the Animal Welfare (Layer Hen) Code of Welfare 2012.

- 1.1 I became involved in advocacy for animal issues in early 2014 when my neighbour, Craddock Farms Ltd made an application to establish and operate an egg layer facility on a neighbouring property. In opposition to the Resource Consent Application by Craddock Farms Ltd I rallied the community, lobbied politicians, sought media exposure including an interview with Catriona MacLennan on her program Paws for Thought and created Ban Chicken Layer Cages (BCLC). BCLC is a campaign platform to deal with the issues surrounding the use of cages in New Zealand's egg production industry, specifically the use of Colony Cages. Also as a neighbour to the proposed Craddock's egg farm I was an opposing submitter at the first hearing and the subsequent appeal to the Environment Court. I was successful on both occasions.

## 2.0 Enforcement, discretion, implementation, monitoring and review

### 2.1 Commissioner for Animal Welfare

On visiting the Ministry for Primary Industries (MPI) website they sum up their role with "MPI is helping maximise export opportunities for our primary industries, improve sector productivity, ensure the food we produce is safe, increase sustainable resource use, and protect New Zealand from biological risk." Although primary responsibility for the enforcement of Animal Welfare of production animals sits with MPI there is no mention of this in their mission statement or strategy. Rather the focus is on the economic longevity through increasing export and productivity.

By default this then presents a conflict of interest between its animal welfare responsibilities and its key purposes. This is exemplified by MPI's ability to ignore the Animal Welfare Act when it deems there is an economic reason to do so as it did on review of the use of farrowing crates for sows. Although MPI acknowledges that the use of the farrowing crates breaches the act by not allowing the sow to exhibit the minimum behaviours as required by the Act, it states that "The economic analysis showed that enforcing a move to a [less than four week] farrowing pen system using new buildings was financially unviable. The cost to retrofit the infrastructure from farrowing crates to farrowing pens in existing buildings was also substantial and would be highly unprofitable with industry rationalisation a likely outcome." Ergo MPI chose economics over compliance or enforcement of the Animal Welfare Act.

This is why we need a Commissioner for Animal Welfare.

At any given point in time there are some 60 million animals on commercial farms and to ensure the welfare of these animals MPI has employed 11 animal welfare inspectors to deal with all animal welfare complaints on farms around the country. This means that only the most serious cases can be effectively investigated and is farcically inadequate. Between 2012/2013 and the 2011/2012 financial years the spend on Animal Welfare enforcement fell over half a million dollars (\$6,569k to \$6,012k). In 2015 the Government announced an additional spend of \$10 million over four years creating another



static budget between 2015 and 2018 when the problem of both deliberate cruelty and cruelty as a result of neglect or ignorance is growing.

A comprehensive report on MPI's failure to enforce animal welfare was prepared in 2011. MPI has not acted on the clear recommendations in the report. When a journalist from Seven Sharp sought the report under the OIA, MPI refused to release it, stating that doing so would damage the New Zealand economy. This is an incredible statement and a clear acknowledgement by MPI itself of its failure to fulfil its animal welfare responsibilities.

The size of animal welfare issues in New Zealand is exemplified by the fact that organisations like SAFE and Farmwatch feel it necessary to undertake covert investigations themselves. The public also sees this as a failure by MPI to adequately investigate and enforce the Act.

In particular because of the inaction from MPI to prosecute when they are provided with damning evidence of horrific deliberate cruelty. Recent examples include:

- In December 2014 Farmwatch investigated pig farms from Christchurch, Hawera, Auckland and the Waikato which was so shocking and disturbing that Campbell Live would not air all of the footage. MPI have said that footage of pigs being violently beaten and crushed to death seen in the footage is not evidence of "unnecessary pain, distress or ill treatment". And were in fact all considered "industry standard" by the Ministry for Primary Industries.
- December 2015 Farmwatch again undertook an investigation of the abuse on dairy farms at their own cost and risk. The footage of this investigation included calves left in crates on the side of the road with no shelter, food or water. This often occurred in extreme weather conditions and at times for over 8 hours, despite law requiring them to be fed two hours before transportation. Truck drivers roughly throwing calves into the back of trucks and a slaughterhouse worker violently kicking, hitting and throwing helpless calves before bludgeoning them and slitting their throats. In addition to supplying this information to MPI in September 2015 it was also supplied to TVNZ's current events program Sunday. During Sunday's investigation for the show they discovered that MPI had still not followed up on the footage although they had received it some two months earlier. Other than a prosecution of the slaughterhouse worker no further prosecutions have been made.
- In April 2016 Story aired yet another non-MPI investigation into a Putaruru egg farm where the investigators found overcrowded cages that were littered with dead and dying hens. The bulk of the hens were deemed to be in poor condition. Again no prosecution by MPI even though the Act had been breached.

Additional evidence of increasing neglect and cruelty is that between January 2010 and December 2013 more than 140 instances of cruelty or neglect toward farm animals have been uncovered. Some of the degree of neglect and cruelty is exemplified as follows:

- ☐ **February 2012, Waikato:** Dairy cows at the farm were so severely injured or emaciated that 26 had to be put down, one immediately. Of the 135 animals in the herd, 115 had broken tails and many had broken legs after being beaten with a metal bar. The farmer was jailed for 2 years.
- ☐ **July 2012, Waikato:** A farmer continued to run his farm bankrupt while his cows starved, many to death. He was convicted and sentenced to four months' home detention.
- ☐ **July 2012, Hawke's Bay:** A farmer illegally castrated a horse, using chloroform as anaesthetic. He was convicted and fined \$1500.



- ☐ **September 2012, Waikato:** About 80 cows were left without water and inadequate food for four days. No charges were laid, written warning.
- ☐ **February 2013, Hawke's Bay:** Between 300 and 500 sheep were left with no feed in "poor body condition". No charges were laid, written warning.
- ☐ **April 2013, Canterbury:** Farmer let 22 ewes die of emaciation and related conditions. No charges, written warning and education letter.
- ☐ **May 2013, Canterbury:** About 150 dairy cows had their tails broken after they were hit with a chain case. Farmer convicted and sentenced to eight months' home detention.

With only 11 investigators the task of capturing a reasonable number of these cases is too difficult. A separate independent body should be created to legitimately enforce the Animal Welfare Act. Ministry for Primary Industries should be stripped of all investigative and enforcement responsibilities that would enable the ministry to focus solely on supporting and increasing New Zealand's exports. The animal welfare rolls would transfer to the new independent Commissioner for Animal Welfare along with the funding that had supported it under MPI.

New Zealand should be improving the conditions of production animals but we appear to be slipping behind the rest of the world, regardless of the fact that the MPI continue to say we are world leaders in animal welfare. Other countries such as Austria, Belgium and Switzerland have already begun to phase colony cages out and Germany and the Netherlands have already achieved this. If we appointed a Commissioner for Animal Welfare rather than leading the way we would be following in the footsteps of some of the European nations like Switzerland, Austria and Slovenia. It is not so important to be first but ultimately we do not want to be "the last cab off the rank".

## **PART B – SPECIFIC REGULATORY PROPOSALS**

### ***17 Layer hens – Opportunity to express normal behaviours***

As conventional cages are to be phased out by 2022 they will not be discussed here. However, the introduction of Colony Cages clearly breaches the Act and in fact also breaches the Animal Welfare (Layer Hens) Code of Welfare 2012.

Behaviours considered important for laying hens are feeding, drinking, perching, sleeping, preening, dustbathing, ground pecking, wing flapping, scratching, nesting, head shaking, tail wagging, feather ruffling, beak wiping, unilateral wing-leg stretching and avoiding predators (although the husbandry system used should be designed so that hens do not need to perform this latter behaviour) (Duncan, 1998; Weeks and Nicol, 2006).<sup>1</sup>

Ban Chicken Layer Cages (BCLC) supports the above and by default also supports the proposed regulations. However, BCLC does not agree with the statement on page 38 of the Discussion paper that "Colony cages are considered a housing system that meets the requirements specified [in the proposed regulations]". In particular the design of this housing system completely prevents behaviours such as dustbathing, ground pecking and scratching (foraging). In fact the failure of conventional cages to provide for these behaviours is cited as one of the main justifications to transition to a new system.

<sup>1</sup> Animal Welfare (Layer Hens) Code of Welfare 2012 – Report, p. 10



In the Animal Welfare (Layer Hens) Code of Welfare 2012 – Report (the Report) to the Minister NAWAC deliberately misled the reader as to the adequacy of how Colony cages meet a layer hens behavioural needs. It states "Colony cage systems built with furnishings according to the requirements as outlined in the minimum standards in the code will enable the birds to perform a range of their normal behaviours including nesting, perching, scratching, ground pecking, and dustbathing (Duncan, 1998; Weeks and Nicol, 2006)."<sup>2</sup> However, Duncan's paper makes no reference to the adequacy of Colony cages at all and the cited research by Weeks and Nicol actually contradicts the claim. It outright states that colony cages were *not* sufficient for nesting behavioural needs. Even by their own admission the success of dustbathing in a Colony cage can be as low as 21%.<sup>3</sup>

In April 2016 Story aired a Farmwatch expose in to a Putaruru Colony Cage egg farm where the investigators found overcrowded cages that were littered with dead and dying hens. The bulk of the hens were deemed to be in poor condition and rather than the enrichments improving the welfare of the hens the perches in particular were deemed dangerous as exemplified by the number of also dead and dying hens trapped under them. The expose revealed that Colony cages effectively provide no better welfare for hens than the conventional cages.

At an estimated cost to the industry of \$150 million to move to Colony cages, the industry stakeholders will suffer undue financial expense when New Zealand inevitably move away from cages all together.

As Colony cages breach both the Act and the Code BCLC recommend a full ban on Colony cages.

**Question:** Does a regulation offence provide an appropriate deterrent?

**Answer:** Not necessarily. Businesses will arrange themselves in such a way as to incur the least amount of cost i.e. legal entity type. In addition any deterrent is only as good as the enforcement. Looking at the Putaruru example above MPI decided not to prosecute even though there were grounds to do so as "Laying charges is not always the best solution for the animals' future."<sup>4</sup>

### 18 Layer hens – Stocking densities

Stocking densities impact on the layer hens welfare both in a physical and a mental capacity.

1. Cages – BCLC recommends a full ban on all cage types including Colony cages;
2. Non cage systems – to ensure that a layer hens wellbeing is protected she needs space to exhibit the important behaviours stated in both the Act and the Code. The stocking density is also directly linked to the speed of disease spread in poultry. "In a joint consultation, the WHO, FAO, and OIE noted that the sheer number of intense contacts between birds with increasing flock density serves to spread and amplify disease agents like bird flu."<sup>5</sup> All of the high population issues as mentioned in the Report such as smothering, ammonia levels, injurious pecking and disease and parasites can be mitigated by reducing the stocking densities.

<sup>2</sup> Animal Welfare (Layer Hens) Code of Welfare 2012 – Report, p. 15

<sup>3</sup> Animal Welfare (Layer Hens) Code of Welfare 2012 – Report, p. 16

<sup>4</sup> Stuff.co.nz MPI decides not to prosecute Heyden Farms despite shocking hen video, (7/04/2016)

<sup>5</sup> Report of the WHO/FAO/OIE joint consultation on emerging zoonotic diseases



BCLC recommends the following:

- 2.1.1. Barn without access to an outdoor ranging area ~ 5 hens per m<sup>2</sup>
- 2.1.2. Barn with access to an outdoor ranging area – 7 hens per m<sup>2</sup>
- 2.1.3. Stocking of the outdoor ranging area must not exceed 2,000 hens per hectare

**Question:** Does a regulation offence provide an appropriate deterrent?

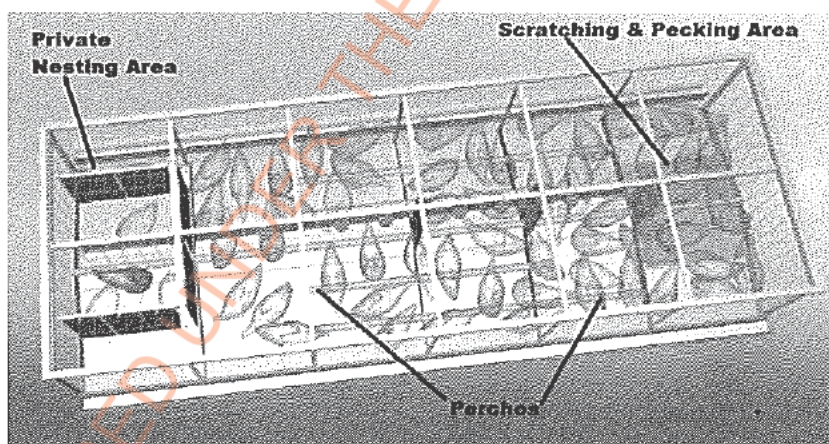
**Answer:** Not necessarily. Businesses will arrange themselves in such a way as to incur the least amount of cost i.e. legal entity type. In addition any deterrent is only as good as the enforcement. Looking at the Putaruru example above MPI decided not to prosecute even though there were grounds to do so as "Laying charges is not always the best solution for the animals' future."<sup>6</sup>

### 19 Layer hens – Housing and equipment design

As conventional cages are being phased out they will not be discussed here. The remaining three systems of Colony cages, Barns without outdoor access and Barns with outdoor access require varying levels of regulation amendments.

While BCLC recommends a full ban on the use of Colony cages the following should also be noted:

1. Although NAWAC purports that Colony cages provide a secluded nest area when compared with the very definition of seclusion we see that the Colony cage fails to provide this basic need for a hen. "Seclusion - the state of being private and away from other people"<sup>7</sup>. With only one nesting area, using the average of 45 minutes for the hen to lay<sup>8</sup> it will take a flock of 60 hens 45 hours to lay their eggs privately "away from other [hens]". This ignores the fact that the bulk of the hens will lay in the first six hours of daylight. If we forecast all hens laying between 6am and 1pm in the afternoon over a seven hour period this means there will be between 8 and 9 hens competing for the single nest box at any given time.



<sup>6</sup> Stuff.co.nz MPI decides not to prosecute Heyden Farms despite shocking hen video, (7/04/2016)

<sup>7</sup> Oxforddictionaries.com

<sup>8</sup> Appleby, M.C. (1998) Modification of laying hen cages to improve behaviour. Poultry Science, 77: 1828-1832



2. Within the Code and the Proposed Regulations perches "must be provided and designed to allow the hen to grip without risk of trapping its claws". However, from the Colony cage expose by Farmwatch earlier this year we learned that these perches are actually very dangerous as hens are being caught under them and they are not able to escape, being left to die of thirst and starvation while at the same time being trampled by thier cage mates. When hens perch, they tend to sit mainly on their keel bone rather than putting weight through their foot pads. This causes a higher pressure load on the keel bone than the foot pads when perching which may or may not be evenly distributed depending on the perch. If pressure points are concentrated, problems with both keel bones and foot pads could arise which are detrimental to the health of the hen and can also impact egg productivity.

Scientific research has shown that hens with keel bone fractures lay fewer eggs than hens with no fractures — a possible explanation is that calcium is being used in bone healing rather than egg formation. It is a well known fact that caged hens typically exhibit weaker skeletal forms which makes fractures a higher risk. As the perch in a Colony cage is comprised of a steel bar this can create slipping (as we saw in the Putararu footage), causing friction between the pad and perch and subsequently lead to foot pad lesions and limping and lameness. Perches in colony systems are situated on average just a few centimeters from the floor of the cage. "A perch positioned 5cm above floor level is 'not considered as a perch (by a hen) and has no attractive or repulsive value'<sup>9</sup>.

Litter is not provided in colony cage systems. Litter is imperative for hen welfare. "Hens will make great efforts to access litter for pecking, scratching and dustbathing – three normal behaviours of hens. When hens are unable to forage in litter, they can redirect their pecking towards other hens resulting in harmful feather pecking and even cannibalism. When hens are unable to dustbathe in litter, they can develop the dysfunctional behaviour of sham dustbathing"<sup>10</sup>

#### ***20 Layer hens – Induced moulting***

This draft regulation is supported. Debeaking should also be prohibited.

#### ***82 Birds – Pinioning or otherwise deflighting a bird***

BCLC does not support these procedures.

#### ***83 Poultry – Dubbing***

These procedures should be banned.

<sup>9</sup> Cooper, J.J. and Ablentosa, M. J. (2003) Behavioural priorities of laying hens. Avian and Poultry Biology Reviews, 14: 127-149

<sup>10</sup> Cooper, J.J. and Ablentosa, M. J. (2003) Behavioural priorities of laying hens. Avian and Poultry Biology Reviews, 14: 127-149



**From:** Delwyn Monk § 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 8:42 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations

Good evening

I would like to submit the following feedback on the proposed Animal Welfare Regulations:

- Electric Prodders - no these should not be able to be used on circus animals, firstly because a circus is no place for any animal, and secondly because any animal in a circus is likely to be living in confined conditions and not able to get away from a device such as a prodder.
- Prohibiting the use of pinch and prong collars - absolutely agree their use should be prohibited but this clause needs to include prohibiting the sale of such collars.
- Layer hens - stocking densities. The space availability set out in the proposal is too small in all cases to allow full displaying of natural behaviours.
- Layer hens - opportunity to display normal behaviours - the dates by which changes must be made by are too distant. If the changes need to be made they should be made within 2 years at the most.
- Pigs - provision of nesting material. Why does this proposal only apply to farrowing systems constructed after 3/12/10? Having an older system should not remove the need to comply. In addition 'material' requires further definition to ensure the material is suitable to the needs of the pig.
- Rodeos - fireworks. This clause should not be necessary - rodeos should be banned, as they already are in many countries. NZ likes to promote a clean green image, but still allows an activity that is purely for human entertainment and causes fear, distress, and in many cases pain for the animals. I cannot understand how loud explosions can be acknowledged as causing fear and distress but not other aspects of rodeos such as calf roping. The SPCA supports the banning of rodeos, and as a leading source of knowledge and expertise on what causes fear and distress their opinion should not be ignored.
- Exotic animals - used in circuses. The use of exotic animals in circuses should be completely banned. While it is possible for a circus animal to be physically in good health, circus animals are by necessity kept in confined conditions, often without others of their kind even for social species, and are constantly moving from one place to another. None of these factors allow the animals to display natural behaviours or be free from distress. Many countries including Greece, Costa Rica, Austria, and large parts of the USA and Canada have banned the use of exotic animals (and in some cases all animals) in circuses. Again NZ is lagging behind much of the world on this issue.
- Cats - declawing. The proposal would allow declawing if euthanasia was the only alternative to 'inappropriate behaviour'. Euthanasia should never be the only alternative as the cat could be surrendered to a rescue organization that can rehome it to someone that understands that cats scratching the furniture is not a reason to remove parts of the cats body!

- Dogs - tail docking.. It is great to see that the proposal, if I am reading it correctly, would no longer allow docking to be carried out by anyone other than a vet or supervised vet student. Breeders, no matter how experienced, should not be able to dock or band tails.

Thank you for reading my submission.

Kind regards  
Delwyn Monk

s 9(2)(a)

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**From:** Margaret Cotton<sup>s 9(2)(a)</sup>  
**Sent:** Tuesday, 17 May 2016 7:54 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations  
**Attachments:** Submission on MPI Marg 2016.docx

Attached please find my submission on the proposed new Animal Welfare Regulations.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

## Submission on Animal Welfare Regulations

By: Margaret Cotton  
Secretary/Treasurer

s 9(2)(a)

I have owned, bred, hunted, shown, obedience trialled and trained others for dog training since 1973. I own a docked breed being German Shorthaired Pointers and Hungarian Vizsla. I have been in the past a NZKC Gundog judge, which means I had to sit exams that included skeletal structure and gait of the dog.

### 3.4.1 Option 1: Retaining the Status Quo.

I am in favour of this Option, I believe that the regulations we now have for Animal Welfare are quite satisfactory provided they are enforced. People often need education, which I see little of in the media or even via the dog control, not sure if the farming community have animal welfare education opportunity either, if so then MPI is working for them.

I also believe that an instant fine of \$300 in many cases would be unwarranted, mainly due to the lack of education opportunity on MPI regulations easily available to the public.

### Surgical and Painful Procedures Regulatory Proposals:

#### 61. Dogs - Dewclaws

I strongly oppose any change to Dogs Code of Welfare 2010, Minimum Standard 16.

I read that one vet saw a video where a dog running had dewclaw touching the ground. I am sorry I cannot find that video but I have viewed it and though what shocking weak pasterns the dog in the video had. Dewclaws are set well above the dog's foot, they just hang there and are of little or no use. I have read that a dog can grip a bone to chew on with them, but I have not seen that ever in my dogs over the years. I have seen a photo of a dog in freezing water trying to claw its way up onto ice, with the caption that dewclaws are useful. I certainly hope no NZ dog is ever in that situation, but I doubt the front dewclaw would be much use as the dog can't move them, they are vestigial. This link shows a dog moving at walk and trot and there is no way the dewclaw is anywhere near contacting the ground.

<http://dawgbusiness.blogspot.co.nz/2013/03/dog-gait-in-slow-motion.html>

The fact is that they catch on things, and particularly working dogs and hunting dogs ideally should have dewclaws removed to prevent injury, it is not unusual for the dewclaw to catch on scrub and be partly torn off. Removal of the dew claw before 4 days when the connective tissue is soft and not fully formed may save the dog pain and the owner vet bills. Also on pet dogs with a long coat the claws can go un-noticed and grow to be a problem.



#### **Proposal 62: Tail Docking**

I strongly believe that the current Minimum Standard 17 of the Dogs Code of Welfare 2010 should be retained.

There is now a format for qualified tail banders who do an excellent job. There is no reason given for removal of the Accredited Banding Scheme.

Working gundogs, particularly the European breeds such as German Shorthaired Pointer, Weimaraner, Vizsla, and others of the hunt, point, retrieve variety and including working springer spaniels should be able to have their tails shortened to prevent injury in the field. In New Zealand the cover is often very harsh with gorse, Manuka, broom and forest felling's. As these breeds, unlike the undocked gundogs that have thick tails and/or tails with a lot of hair, have long thin tails they are customarily shortened to about half their length. This means the dogs still have a tail and certainly are not impeded in their dog to dog communications (which rely on many other things the least of which would be tail wagging or carriage).

As these breeds need to be athletic and agile, there is absolutely no problem with balance due to a short tail. I do wonder where these ideas come from, certainly not from people who use their dogs in situations where balance and agility are in fact very necessary!

I quote MPI Proposal 68; 69; 72. Proposal 70 – banding or hot iron for tail docking carried out by any person with no pain relief. Proposal 81 – cutting off piglets tails by any person with no pain relief.

Why may I ask are these Proposals not subject to the same proposed regulatory procedures as Tail banding a baby puppy prior to 4 days of age that has not fully developed nervous system when the animals in the above MPI Proposals (68,69,72,70 and 81) have fully formed nervous systems and definitely would feel pain?

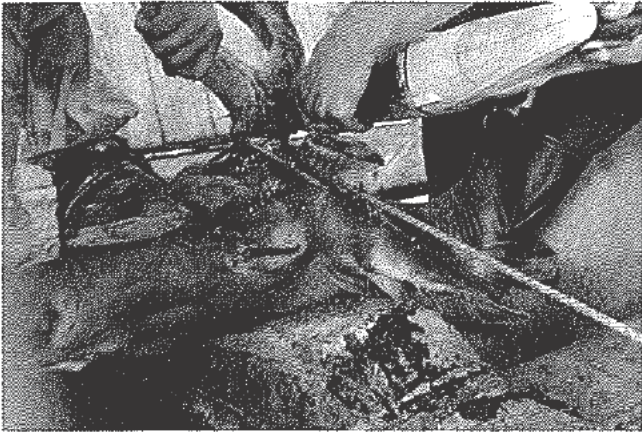
**There seem to be some very discriminatory issues in these proposed regulations!**

**To summarise:**

There is no reason to cease the Accredited Tail Banding scheme.

No new or satisfactory reasoning for changing Minimum Standards 16 and 17 have been produced.

\* Four times since 1999 docked dog owners have had to fight to retain the right to shorten tails if they feel it necessary, four times no reason has been produced to curtail this right. Certainly no sound reason has been produced in these new proposed regulations. I can only presume that there are re Animal Rights groups involved in the MPI pushing the tail docking proposal, as well as the dew claws, as there is no reason whatsoever to prohibit these minor procedures, certainly when the MPI proposals continue to allow surgical procedures on farm animal carried out by Any Person and often with no pain relief. It is time this stopped!



This is allowable!!

If MPI wanted to do something worthwhile it would make instant fine \$300 for people selling pups prior to minimum 7 weeks of age, and/or that have not been both wormed and vaccinated. This shows up on Facebook pages all the time.

Sincerely

Margaret Cotton

s 9(2)(a)



**From:** § 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 7:55 p.m.  
**To:** Animal Welfare Submissions  
**Cc:** Castlerock Operations  
**Subject:** De-budding of young calves

I am writing with my concerns relating to calf debudding and the expectations to administer pain relief .  
I have being a farmer for the last 34 years and have the deepest sympathy, and empathy and respect for animals.  
I have being using a professional for debudding of my stock for the last 20years and would not have it any other way.

§ 9(2)(a) uses hot Swedish irons that are quick and extremely effective with very little discomfort to the calf.  
In 20 years I have only had one calf bleed and § 9(2)(a) has being back on farm to cauterise.  
We never have lost a animal through this process or felt that they are in any real pain .  
They are very clean and have very high standards to ensure they give me the results I expect.  
I have also seen them leave calves as they feel they would be better waiting for a few days if the calf didn't look well and let the calf get a bit stronger.

they administer and make decisions in the best interest of the calf.

I would never use a vet as I could not stand the thought of all my calves being knocked out in a pen, this would be cruel and a sickening sight!!!! And refuse to be put in this position as its cruelty to the animal !.

I would alert you to a incident in Canterbury where 70 calves where knocked out for debudding and the gas torch court the bark chips on fire and all the calves were burnt alive.

§ 9(2)(a) and others like him are professionals and are better suited to carry out this work than a under-skilled trainee vet.

Or is this just another opportunity for the vets to tie up more business and dictate to farmers.

I would only let trusted people treat my stock and I don't like the idea of once again being told to use vets when I see very good proven techniques that are far more human.

I have a excellent working relationship with my VetSouth team and have full respect for them, but not in all areas do I use them or want to use them.

I am happy to answer any of your concerns or show you how we do it on our farm.

Vets don't always have the right solution, or options or team to adequately administer all farmers needs.

Regards

Terry Carr

§ 9(2)(a)

Sent from my iPhone

✓ 529

**From:** Ross & Sandra <[REDACTED]>  
**Sent:** Tuesday, 17 May 2016 7:44 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal Welfare Concerns

*To the Ministry of Primary Industries*

*This is my submission on the regulations released for consultation in April 2016.*

*I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.*

*Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.*

*Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.*

*I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.*

*Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.*

Regards  
Sandra-Jane Witana



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Out of Scope

**From:** Shona Campbell s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 7:42 p.m.  
**To:** Animal Welfare Submissions  
**Cc:** s 9(2)(a)  
**Subject:** 'Submission on Animal Welfare Regulations'

**Ministry For Primary Industries**

**Animal Welfare proposed regulations feedback submission**

My name: Shona Campbell

My contact details: s 9(2)(a)

I am making this submission against the proposed banning of dew claw removal (61.) and tail docking (62.) performed on pups less than four days old.

The arguments put forward supporting this ban are emotive, and range from unproven to ludicrous.

When compared to the intense and prolonged suffering caused to animals by practices such as 1080 poisoning and scientific experiments (neither of which appear to be mentioned in the proposed new Animal Welfare regulations as far as I can see), the momentary discomfort experienced by the pups does **not** warrant the banning of these two procedures.

Shona Campbell

**From:** s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 6:56 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** 'Submission on Animal Welfare Regulations'  
**Attachments:** Animal Welfare proposed regulations feedback submission Fa Wood.odt

we urge you to consider this issue seriously.

Please find attached our submission.

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Animal Welfare proposed regulations feedback submission form

Jon & Karen Truscott

s 9(2)(a)

My feedback:

62. The proposed regulation states: Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

I am a member of the New Zealand Kennel Club (NZKC) and am a registered breeder of pedigree dogs.

I am an accredited member of the New Zealand Council of Docked Breeds (NZCDB) and have had my animal husbandry skills signed off by a veterinarian, who must complete my application for accreditation by either witnessing neonate puppies being banded or being in the presence of another accredited bander to enable me to perform tail shortening.

The NZCDB as an organisation was established in 2004 and our membership is focussed on the welfare of tail shortened breeds. We operate as a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I have never had a complaint or issue arise from any litter that I have completed banding on and to the best of my knowledge over our 30 year of breeding we have never had to seek veterinary intervention due to infection, pain or an incorrect procedure.

I am of the understanding that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation and as an accredited bander I only perform the tail banding procedure under the Animal Welfare Act (No2) 2015 and this is not a surgical procedure. We can band a litter of puppies in a warm sterile comforting environment with little or no fuss and no distress to the puppies or the mother.

The breeds that I am associated with and that are banded by me are traditionally docked dogs that still perform their duties that they were designed for. We have sold a large number of our dogs to farmers who utilise them for the farm work they have been known to do for centuries.

I understand that in 2012 NAWAC agreed and suggested a study should be completed to dispel any myths around the process of tail banding, yet to date, this has not been carried out by NAWAC so I am surprised that this proposal has taken shape.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world namely the NZKC has over

6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that over 170 countries do not ban the tail shortening procedure however these countries are not spoken about in any documentation produced by MPI.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree (no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for tail shortening.

I am of the belief that there is currently a process in place for the SPCA to act on individual cases that perform a tail shortening procedure illegally on a litter of non-registered NZKC members neonate puppies, however in the last 4 years I only know of 2 cases where the SPCA has acted on this information.

61. The proposed regulations states: Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;

Must only be performed for therapeutic reasons; and

Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

Must be performed by a veterinarian or veterinary student under supervisions; and

Pain relief must be used at the time of the procedure.

I disagree with this proposal in its entirety and advocate for the status quo and these are my reasons:

When performing a dew claw removal, I complete this process in a neonate puppy 3 days of age or under. At this time it is a well-recognised fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and does not bleed when performed correctly.

No other country in the world has proposed this procedure should not be practiced as the health and welfare of the dog will be compromised.

As a professional dog breeder and caretaker of my chosen breed, I am fully versed in the damage that a dew claw can cause to the dog if left on. My chosen breed has been bred to be used in its traditional purpose and the dew claw if left on would result in significant pain and suffering to the dog. We ourselves have witnessed two dogs catch their dew claw and rip it out causing great pain and distress requiring veterinary intervention. This is far more distressful than what we do within the first 48 hours of their lives.

I understand that breed specifics are not taken into account when this proposal was documented and the groups largely involved in writing these have dealings mainly with crossbred non-pedigree

(no registration with the NZKC) dogs. I would sincerely question the stakeholder's ability to answer such detailed questions around form and function of a specific breed for the purposes of this proposal.

I understand that another major stakeholder is an offshoot of the RSPCA namely HUHA. This group also deals with crossbred non-pedigree dogs yet they felt qualified to once again offer their opinion on pedigree dogs and the reasons for dew claw removal.

I understand that MPI partly funds both the RSPCA and NAWAC, yet they are both major stakeholders in writing this proposal which I see as being extremely one sided and is not factual. I also understand that the governing body of the professional dog world Namely the NZKC has over 6000 members, but NZKC were not included as a major stakeholder when writing these proposals and nor are they funded by the Ministry.

I understand that not all front dew claws are articulated and once again the breed specifics have been ignored in this instance and MPI have been advised incorrectly.

I understand that the Groomers Association have not been contacted for information from their large membership to dispel the myths displayed in the proposed regulation and I further understand that the largest governing body (and only – NZKC) have also not been included in the proposal to not allow this process to remain as is.

What responsible breeder would take a basket of puppies to the vet for an unskilled vet assistant to do the job, this would cause dreadful stress to the mother of the puppies and could be exposing the pups to other infections, as responsible breeders we care about the whole life of our puppies.

Anyone that says a Pembroke Corgi needs a tail to balance has never seen it in action either around the show ring, obedience ring or out on the farm.

It is requested that serious consideration be given to dismissing these proposals for the reasons detailed above.

Karen & Jon Truscott  
Fa Wood Kennels  
Pembroke and Cardigan Corgis

**From:** sherlytjindra s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 6:44 p.m.  
**To:** Animal Welfare Submissions

To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

Sent from my Samsung device



529

Phillipa Aldridge (Pip)

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**From:** s 9(2)(a) ann julian s  
**Sent:** Tuesday, 17 May 2016 5:46 p.m.  
**To:** Animal Welfare Policy  
**Subject:** Question

I wish to support any legislation which improves the lives of animals. Ann Julian

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**From:** Andrew Bates s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 5:45 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations

From: Andrew Bates  
Director Dairy Services, s 9(2)(a) New Zealand.  
Nature of submission: private individual

Thank you for the opportunity to make a submission on the proposed animal welfare regulations. Massive amount of work and expertise must have gone into the proposals: all comments below are intended as positive contributions but in full appreciation of the complexity and multiple conflicting demands of the situation.

Regards,

Andrew Bates

I have the following comments:  
Box 1: Significant surgical procedure.  
Definitions seem subjective: "significant" under whose assessment?

The proposed changes seem to introduce more ambiguity than the status quo. The UK VS act lists practices which are and are not considered acts of VS. Would this not be possible here?

Question 2: Are the infringement fees proposed for sections 156I and 36(3) appropriate?  
No: not enough to deter a business.

Question 7: Do you think there should be a wider use of non-regulatory mechanisms? If so, in what situation?  
No: there are anecdotal but credible reports from multiple sources and over several years of individual vets and practices flouting non-regulatory-mechanisms to retain clients. Conflict of interest is never a good place from which to enforce the unenforceable.

Question 9: Are the infringement offences and respective fees proposed for breaches of the proposed regulations, outlined in Part B, appropriate? Should any of the proposals attract higher or lower fees or penalties?  
No: not enough to deter a business.

Question 13: Would it be appropriate to expand the second defence above to include "...necessary for the preservation, protection, or maintenance of human or animal life."?  
If so, in what circumstances, and which regulatory proposals would this apply to?  
If add animal life need to specify that this life was in imminent danger at the time of the procedure. It could be argued that all farmed animals are destined to be culled so anything that makes them more productive or delays that decision is done to preserve their working life. So any painful procedure could be justified on this basis. I have had clients argue that the cow should be induced because the alternative is to cull her.....

#### Part B

3. Tail lifting and twisting  
Need to differentiate btwn tail jacking (ok) and tail twisting (not OK). Tails can be lifted but not twisted.  
31: Milk stimulation reflex, This still happens but how would you ever enforce it?  
32: This still happens and regulations are worth while  
33: Ingrowing horns

Is an infringement likely to be effective in changing behaviour? Yes: easy to spot infringements at slaughter.

Are there barriers to treating ingrown horns that need to be considered? No: easy job.

At what point is it reasonable to assume an ingrown horn should have been noticed and treatment provided? Ingrown horns don't creep up on anyone: you can tell which are likely to be a problem very early and well before they do. Delay is lack of observation and lack of motivation to do anything.

Does the definition 'touching skin or eye' leave open the possibility for more severe ingrown horns e.g. 'penetrating eye or skull' to be prosecuted as currently? Yes

At what point does horn shortening (removing dead horn) become dehorning? If there is evidence of pain or bleeding during (but too late).

Can you tell beforehand with confidence? If you are really conservative and just remove the tip from an intact but ingrowing horn then mostly it is not innervated. But in some ingrowing horns the tip has already been removed and the stump has continued to grow into the head and so all of this material is innervated.

Will the wound from ingrown horns require a period to heal before transport? Depends: if just removed the tip and no pain/blood then OK but if pain/blood then no

67: Castration. 6 month division for +/- pain relief. Why 6 months: feels as though the legislation is being drafted to preserve the status quo (most calves/lambs are castrated < 6 months) rather than with an eye on welfare. It may be practical and politic but it doesn't seem scientific. Will Burdizzo cord crushing also be excluded? If the pig industry has accepted pain relief at castration why not the cattle industry?

68: Disbudding

Should the requirements outlined in this proposal apply to all methods of disbudding? Yes

What is the point where disbudding is distinct from dehorning— is it based on age, method or other factor? Subjective at the moment. Could try the point at which the horn bud attaches to the skull. Practically we ask farmers to present calves btwn 2-4 weeks as we find that this is the best balance btwn being able to find and locate the buds, and the buds being too big to anaesthetise with a single bleb of local injected over the buds. We do NOT use corneal nerve blocks for disbudding: too much variability in their effect, too slow (to do and the time delay in onset), too much local. Instead we inject 1ml (max 2ml) directly over the horn bud. This is easy in young calves and the bleb blooms out under the skin and over the bud. Then gas burn through the local anaesthetic skin bleb. Very rapid onset (seconds) and very reliable and effective anaesthesia. Bigger buds we inject 2-3mls of local around the base aka a develveting ring block. Equally effective but slower to do. Please do NOT legislate for corneal blocks in the hands of para-professionals or vets. Some will not wait long enough for them to work, will not repeat them when they do not work and reliability will be nowhere near 100%. Placing local accurately without sedation or a calf crate that holds the head really still is difficult whether a local bleb or a corneal is used. A restraining calf crate that holds the calf this still will be stressful even with local anaesthesia. One of the reasons why the sedation of calves combined with local anaesthesia is so effective is because it minimises both handling stress and pain from the procedure. If VOIs are to be used to licence para-professionals will this cover the use of sedation and local or just local. Is the relationship btwn practice and deer client – with transactional and professional engagement outside the develveting procedure – equivalent to that btwn a licensing practice and a disbudding para professional. The para professional may have no other relationship with the practice, may disbud calves that are on farms not serviced by that practice, and frequently will be in business opposition to the practice for disbudding and other para professional activities such as metrichecking and scanning. How many of these para-professionals will have a professional body that maintains their professional standards and to which they are obliged to belong? How many of them will have adequate third party and professional insurance. How many of them will have adequate training, understanding and motivation to handle RVMs and any adverse events?

Does a period of between 12 and 24 months provide sufficient time for farmers and other businesses to make the arrangements necessary to provide pain relief at the time of the procedure? Yes

69: Dehorning.

How can it be legislation to disbud animals under 9 months with pain relief but OK to dehorn animals up to 9 months without pain relief. It may be practical but....

Poor though corneal blocks are, wouldn't their mandatory use for dehorning be appropriate. Or ring blocks?. OK too big to sedate but it's a one at a time job anyway

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Thank you

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Out of Scope

**From:** Karen Boserio s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 5:36 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Animal welfare in NZ

To the Ministry of Primary Industries,  
This is my submission on the regulations released for consultation in April 2016.

I would like you to conduct a full and thorough review of factory farming as a whole, including all the animals trapped indoors in permanent confinement. We should not be regulating practices that breach NZ's own Animal Welfare Act, we should be looking into the future and creating a plan to ban them.

Please remove the regulations you have created regarding factory farmed animals, such as the ones that relate to farrowing crates and colony cages. Then set a date to review these and all other factory farming practices.

Factory farming is an abhorrent practice, and New Zealand needs a long term strategy for phasing it out. A factory farming review will send a message to industry to guide future investment, as well as give an opportunity to address the largest animal welfare issue facing New Zealand.

I also ask that you consider the evidence that rodeos are cruel, and ban them. The animals will not perform if not distressed by a variety of means, such as the flank strap.

Finally, I would like to you to ban the use of exotic animals in circuses. There is ample evidence that these animals suffer in captivity, and there is no reason to allow that suffering for entertainment purposes.

**Karen Boserio Ski patrol Programme Leader**

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**From:** sdeery@xtra s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 5:24 p.m.  
**To:** Animal Welfare Submissions  
**Cc:** s 9(2)(a)  
**Subject:** Tail Docking and Dewclaw submission  
**Attachments:** Sean MPI.PDF

Good evening

Please find my submission on this matter.

Regards

Sean Deery

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Ministry for Primary Industries  
Manatū Ahu Matua



Animal welfare proposed regulations feedback submission form

Your name

Seán Deery

Your organisation

s 9(2)(a)

Your contact details

Your feedback: DEW CLAW REMOVAL - I do NOT support the proposed regulations to only remove dew claws for therapeutic reasons. Dew claws should still be able to be removed but I agree this should be done by a vet or by an accredited person under a quality assurance scheme. Dew claw removal should be allowed to be carried out on puppies 4 days old or younger by an accredited person, as this involves minimal distress and pain. Performed correctly, there is no cutting through bone. Prohibiting the removal of dew claws (unless for therapeutic reasons) will be very difficult to enforce.

TAIL DOCKING - I agree tail docking should be done by a vet but the quality assurance scheme under the Dogs Code of Welfare 2010 should remain to allow banding of tails on puppies under 4 days old, by accredited banders. The MPI regulations are attempting to prohibit an already approved procedure and this is unreasonable and a case of MPI going beyond their regulatory power.

Feel free to continue your submission on additional paper and staple it to this form.

Please place your feedback inside the feedback box. Alternatively, take this form with you and post your feedback to Animal Welfare Policy, Ministry for Primary Industries, PO Box 2526, Wellington 6140.

You can also email your feedback to [animal.welfaresubmissions@mpi.govt.nz](mailto:animal.welfaresubmissions@mpi.govt.nz)

Submissions close 5pm 19 May 2016.

Any submission you make becomes public information. Anyone can ask for copies of all submissions under the Official Information Act 1982 (OIA). The OIA says we must make the information available unless we have a good reason for withholding it. You can find those grounds in sections 6 and 9 of the OIA. Tell us if you think there are grounds to withhold specific information in your submission. Reasons might include, it's commercially sensitive or it's personal information. However, any decision MPI makes to withhold information can be reviewed by the Ombudsman, who may require the information be released.

Out of Scope

**From:** Pam Douglas s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 5:14 p.m.  
**To:** Animal Welfare Submissions  
**Cc:** Pam Douglas  
**Subject:** Proposed Animal Welfare Regulations.  
**Attachments:** MPI Submission 2016.docx

Please find attached my submission.

Pam Douglas

s 9(2)(a)

Breeder of BIS & BISS Bearded Collies  
[www.beardedcollie.co.nz](http://www.beardedcollie.co.nz)



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Pam Douglas

s 9(2)(a)

I am writing in response to the published proposed changes to the Animal Welfare Regulations. I would like to take this opportunity to thank you for arranging public meetings, however I felt the response to some of the items brought up lacked integrity and understanding.

I am only going to write on issues that affect my hobby which is showing, breeding and judging Pedigree Dogs.

#### 61. Dogs – Dew Claws

The proposed regulations states:

Front limb dew claw removal and articulated (jointed) hind limb dew claw removal:

- Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian;
- Must only be performed for therapeutic reasons; and
- Pain relief must be used at the time of the procedure

Hind limb dew claws: non-articulated (greater than or equal to four days of age)

- Must be performed by a veterinarian or veterinary student under supervisions; and
- Pain relief must be used at the time of the procedure.

I disagree with the proposed changes completely and wish the current set of regulations on this matter to remain.

All the dogs I have breed over the past 48 years have been working dogs to some degree. Pembroke Welsh Corgis, Bearded Collies and Australian Terriers. The latter working in the sense that they dispatched vermin rather than herded stock.

As a dog breeder for those many years and caretaker of my chosen breed - today the Bearded Collie, I am fully aware of the damage that can occur to the dog when a dew claw is left on. The Bearded Collie has been bred to work stock, either as a heading or driving dog and in this traditional purpose with a dew claw left on it could result in significant pain and suffering.

I have traditionally had the dew claws removed between 24 – 48 hours, at home by a member of the New Zealand Council of Docked Breeds. By doing this at this stage of development I recognise the fact that the toes and tail are the last part of the neonate puppy to calcify and develop into bone. The neonate dewclaw is removed without cutting through bone (has not calcified) and certainly does not bleed when performed correctly.

My major concern is that most of my puppies go to pet homes where the dew claw is often neglected if left on. These can easily grow back into the skin and many people are unaware of these as my breed has long coat on their legs. People forget that there are dew claws present. I have also had the occasion where an imported dog (arrived with his dew claws) ripped his dew claw and the pain that was shown is something I never want to see again.

62. The proposed regulation states:

Must be performed by a veterinarian or a veterinary student under the direct supervision of a veterinarian.

Must only be performed for therapeutic reasons

Pain relief must be used at the time of the procedure.

I disagree with the proposed changes completely and wish the current set of regulations on this matter to remain.

I am a member of the New Zealand Kennel Club and have a registered kennel name breeding pedigree dogs. Two of the three breeds I am associated with are traditionally docked and when I bred those dogs I only ever banded their tails. In fact over 40 years ago I taught my Veterinarian to band and he continued to band until the day he retired.

Today there are people who have been accessed to perform tail shortening. These people belong to the New Zealand Council of Docked Breeds (NZCDB) which was established in 2004. These people belong to a fully audited and regulated group under the umbrella of the NZKC with the approval of the National Animal Welfare Advisory Committee (NAWAC).

I am also aware that the procedure of tail banding (described by the NAWAC approved scheme) is vastly different from the process of tail amputation. This is the main reason I showed my Veterinarian the process of banding. Banding is not a surgical procedure.

I am also aware that back in 2012 NAWAC agreed and suggested a study should be completed to dispel any lingering doubts around the process of tail banding. I know for a fact (as I personally know the Vet who replied to the tender) that this has not been undertaken so to bypass this process and arrive at these proposals I can only assume uninformed rhetoric has been taken into consideration rather than scientific facts.

In conclusion, I note that MPI partly fund both the RSPCA and NAWAC. As these agencies are major contributors to these proposals I see this as being extremely biased and not factual. There are over 170 Countries in the world that do not have a ban on tail shortening and there is NO Country who has banned the removal of dew claws.

I am gravely concerned as to the enforcement of any regulations if these come into the code. I read with concern that the animal welfare enforcement will be with the RNZSPCA and the NZ Police. To date there are not enough inspectors currently to enforce the current regulations.

If these proposals are enacted and an inspector sees a puppy with a shortened tail, how will it be treated if in fact that puppy is born with the NBT gene? (Natural Bob Tail). Will it take a Court of Law to have this fact proved?

Once again thank you for the opportunity to submit on these proposed changes.

Pam Douglas  
NZKC Accredited Breeder.

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Out of Scope

**From:** Beatrice Cheer s 9(2)(a) on behalf of Beatrice Cheer  
s 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 5:10 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** put an end to factory farming!  
**Attachments:** Beatrice\_Cheer.vcf

Hello,

I would like to insist that you make moves to put an end to factory farming in New Zealand.

It is an abhorrent practice and if the general public knew the extent of it, they would be horrified and would stop buying the products produced in this manner.

Animals require space and natural light and surfaces to live out their lives in good health - health benefits that flow down to us, their consumer.

And as consumers we do not WANT to be eating animals that have been tortured by cage rearing and whose food has been laced with unnecessary chemical additives.

This practice is threatening New Zealand's integrity and reputation as a 'clean, green' nation.

Yes, it will cost more to produce food from safe and humanely reared animals, but that is a bonus for farmers who are willing to do the right thing - they can pass on the cost!

Instead of circumventing new legislation, please do the right thing and embrace it.

Cruelty to animals is shameful and unnecessary.

Regards,

--  
Beatrice Cheer  
s 9(2)(a)

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**From:** E Anderson § 9(2)(a)  
**Sent:** Tuesday, 17 May 2016 5:00 p.m.  
**To:** Animal Welfare Submissions  
**Subject:** Submission on Animal Welfare Regulations

Dear MPI,

Thank you for the opportunity to have a say on the animal welfare regulations.

Whilst our animal welfare system may be considered the best in the world, there are too many troubling instances of neglect and abuse of farm, companion and other animals and a lot of ignorance about minimum and best practice guidelines for animals. I have been a member of SPCA Canterbury for many years and a supporter of animal welfare groups such as Dogwatch, Second Chance Dog Rescue, Cats Protection League, Cat Rescue and Red Zone Cats - these groups would not have such great need for support if all New Zealanders treated their animals with the respect they deserve.

I believe this proposed update to the regulations is very welcome.

I have made submissions on selected questions as per below.

### **Care & Conduct and Surgical & Painful Procedures**

**MPI Discussion Paper No: 2016/12**

#### **Part A**

##### **2.3.3 Changes to the Act not yet in force**

*Question 1: Is there any reason why changes to the Act not yet in force, should not be brought into force at the same time as the regulations (rather than waiting for them to automatically commence in 2020)?*

No- they should be brought into force at the same time as the regulations

##### **Other Changes**

*Question 2: Are the infringement fees proposed for sections 156I and 36(3) appropriate?*

Agree with the infringement fee of \$500 as proposed for section 156I.

Agree that there should be an infringement fee for failing to inspect a set trap within 12 hours but do not agree with the lower level of the fee - I suggest that the infringement fee for section 36(3) should be set at the same higher amount of \$500 to reflect the severity of the infringement.

##### **3.4.1 Option 1: Retaining the status quo**

*Question 3: Are there any minimum standards or additional matters you think should become regulations immediately, which are not included in the regulatory proposals in Part B?*

Yes - see below.

**Animal Hoarding** - There do not appear to be any specific provisions to deal with the issue of animal hoarding where there are many (usually un-neutered) animals in poor health where minimum standards of care have been breached. Animals are usually kept in filthy situations and are not given the care that they need. (There is also a mental health issue that needs dealing to.) There also needs to be a mechanism for effective follow up to prevent a hoarder from starting up again with more animals.

**Ban on owning animals** - There do not appear to be any specific provisions to ban/prevent those prosecuted for animal cruelty, animal hoarding or multiple offences from ever owning or being in a position of taking care of another animal again - there also needs to be a mechanism for effective follow up.



Breeding animals (specifically dogs and cats) - Only registered breeders should be able to breed puppies and kittens for sale. Registered breeders should be inspected regularly to ensure that the conditions in which the breeding animals and their offspring are being kept comply with regulations and standards. Pet shops must be able to prove that any animals for sale have come from a registered breeder and are of the appropriate age to be taken from their mothers. This will help to shut down puppy and kitten mills.

Catteries and kennels - there are highly variable standards of care. These need to be held to a consistent standard with penalties including being able to shut down offending places for multiple offences.

*Questions 4: Are there any minimum standards or additional matters that you think should be considered for regulation in the future, once the implications of regulating these areas are better understood?*

Yes - my points above in response to Question 3 if these are unable to be brought into regulation immediately.

Consideration should be given to tracking animal offences (similar to that brought into play in January 2016 by the FBI - the motivation being that those committing offences against animals are also likely to commit offences against people) <https://www.fbi.gov/news/stories/2016/february/tracking-animal-cruelty>

#### 4.1.1 Infringement

*Question 9: Are the infringement offences and respective fees proposed for breaches of the proposed regulations, outlined in Part B, appropriate? Should any of the proposals attract higher or lower fees or penalties?*

There does not appear to be any proposal for dealing with repeat offenders. Cases made public by rescue groups seem to highlight instances where the offender was known for this behaviour or had been prosecuted before. In these cases, there should be a more severe penalty / criminal conviction imposed for any subsequent offence, even if this next offence is considered a minor infringement, and the offender must be banned from owning another animal again.

#### 5.2 What happens to the existing minimum standards/requirements?

*Question 15: How should the codes of welfare be amended by the proposed regulations to ensure the codes continue to work effectively within the legislative scheme?*

*Question 16: Which of the approaches as outlined above, or combination of approaches do you support?*

*Question 17: What other options to amend the codes are there?*

I support the second approach outlined - ie that the codes of welfare would be amended only where the regulations provide a higher standard in order to align the minimum standards in the codes with this higher standard. This would mean that the codes of welfare would continue to operate to a fuller extent in their evidential and defence functions in prosecutions for Act offences.

### Care & Conduct and Surgical & Painful Procedures

#### MPI Discussion Paper No: 2016/12

#### Part B Specific Regulatory Proposals

##### 10.0 Care and Conduct Regulatory Proposals

##### 10.2 The Proposals

5 - Dogs. Injuries from collars and tethers

7 - Dogs. Dry and Shaded Shelter

I do not think the regulations go far enough. There needs to be a specific regulation to deal with cases where dogs have been tied or chained up or confined to crates virtually the whole time. This prevents the dog from being able to express its natural behaviours and is inhumane. In many cases a barking complaint by