To Minister Jaala Pulford.

We set out our position and our requested changes as below. Please do not destroy such a worthwhile group of organisations who have very strong public support.

- Remove foster caring from the amendment and immediately garner the support of welfare groups who have a strong voice in the community OR
- If this is not possible exempt CFCN organisations with a view to a further draft Amendment in consultation with those groups.
- Include the right of CFCN organisations to register the pets in their name at the foster carer's address for a minimal fee.
- Remove the need for CFCN organisations to supply a residential address.
- Cancel the repeal of Sections 60, 61 and 62 and arrange for consultations with the groups affected to draft a new Amendment that will regularise the position of our organisations.

It has taken organisations such as Victorian Dog Rescue & Resource Group Inc (VicDRG) many years to obtain recognition both formally and informally. It has taken organisations such as Oscar's Law possibly even longer to be heard and recognised in a Bill put before Parliament by a sitting Government. Recognising that amending legislation is a cumbersome and difficult process, we understand the desire to make as many changes as believed to be required at the one time. However, to include significant revisions to the Act which revolve around foster care of homeless animals with an Amendment subtitled "Puppy Farms and Pet Shops" seems incongruous at best.

The result, as seen by all, was organisations such as VicDRG being forced to object to the Bill as drafted. In our worst nightmares we would never have believed such a scenario to be possible when we are so vehemently anti-puppy farms. Prior consultation would have been our preference, however it is now too late.

Therefore, at this stage, we respectfully request that all changes with regard to foster care be removed from the amendment. We further request that a consultation process be undertaken with VicDRG and like-minded groups with regard to the changes required to regulate foster care.

We and our legal advisers have studied this Amendment and fail to make any sense of it. Whoever drafted the Amendment clearly has no understanding of foster care.

The definition of foster care as it stands encompasses private rescuers rather than foster care as it is understood and used within animal welfare. The definition is also so badly constructed that it is unclear whether the foster carers for shelters and pounds, who do not rehome from their premises, are excluded. As it stands it is totally unconstruable.

Rather than recognising foster carers and the groups that support them, this amendment provides individuals, who may not be operating as they should, with an opportunity to receive governmental approval of their activities that their peers do not afford them. Too often we are aware of individuals who become disenfranchised with the CFCN organisation that they are part of and decide they have sufficient knowledge and passion to do the job on their own. They often eventually become hoarders, or run out of funds and in the best case ask other welfare organisations for help; in the worst case the animals in their care end up back in the pound or dead. Animals in these individual's care may not be desexed prior to rehoming, or receive appropriate veterinary or behavioural treatment due to lack of funds and/or knowledge.

We implore you not to legitimise these activities. Further we point out the enormous workload you are potentially giving to Councils dealing with 5000 or so carers, when CFCN organisations are already well experienced with dealing with the paperwork and compliance issues involved. You are negating the role of our organisations, the work that

we have done for a decade, and treating us as if we were a group of individuals rather than the well-run organisations, nearly all incorporated and most with charitable status, that we are.

We take the responsibility for the lives of the companion animals in our care very seriously. We are making decisions on a daily basis as to who will live and die, simply because we say yes or no to a pound, shelter or private surrender. We afford those in our ownership the best care, and promise ourselves that they will have a good and safe life. We have to live with all the decisions we make, good and bad.

To comply with the law, whilst keeping these promises, is challenging. When the Domestic Animals Act was drafted groups like ours, using the services of volunteer foster carers, did not exist. The Act provides for numerous definitions of 'owner' dependent upon the context. This is not tenable when dealing with pets moving from a pound, to a carer, to a new home. Often there are other stops in between such as kennels, vets, and multiple carers. Surely, if the law continues to see these living creatures as property, the law can develop a single definition, that accords with property law and cannot be mutated by possession, versus microchip, versus registration.

It is distressing that time has been spent preparing this incongruous Amendment to the Act while ignoring our pleas for other vital changes, and in fact seem to derogate from what we have been legitimately requesting for a long time. This is so reminiscent of the attempt by the former Department of Primary Industry to make us all become domestic animal businesses under the then Labor Minister Jo Helper. This was circumvented by the public outcry at the time.

We are sure you have been deluged with letters and appeals by the members of Dogs Victoria, perhaps all ten thousand of them, but we doubt that you have had many letters of support from the general public. CFCN organisations such as ours have a large support basis of individuals. Sadly in this case they are also people who would have otherwise supported the puppy farm legislation.

We must be able to register the pets in the name of the legal owner, which is the CFCN organisation. We cannot have legislation which in fact states the complete opposite. Not to be discounted also is the cost factor. To register a dog in the bayside Council area that is undesexed for health reasons, a current situation, would cost us $208. This is untenable and horrifies our supporters, individual members of the public, when it is pointed out to them.

If you are not prepared to remove individual foster carers from the legislation we ask that you exempt CFCN organisations, but add to the Amendment that these organisations should be allowed to register as owners and given discounted registration, and that a time be set to sit down with CFCN organisations, and other rescue groups operating to a different criteria, to draft an amendment that will both acknowledge and regulate us.

It is also of extreme importance to us that our safety no longer be threatened by being forced to have our residential addresses on the microchip registry. Again when the Act was written we did not exist, and as the animals are not at our residential address, the whole purpose – which is to enable return of the animal to that address – is negated. A number of groups, including ours, have been subject to verbal and physical harassment. Does someone have to be seriously injured or their dogs poisoned for this to make a real impact?

We further express our great disappointment that in this Amendment, hidden away, is the repealing of Sections 60, 61 and 62which take away the need to consult before introducing a Code of Practice, an action unworthy of a government that has just had a bill rejected for lack of consultation.

Victorian Dog Rescue & Resource Group Inc 15 February 2017