

KILLER PROSECUTIONS Puppy Farms

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City of Casey





Legislation

- ➤ Domestic Animals Act 81/1994
 - The purpose of this Act is to promote animal welfare, the responsible ownership of dogs/cats and the protection of the environment by providing –
 - ➤ A registration scheme for Domestic Animal Businesses which promotes the maintenance of standards of those businesses -



- » Casey has thus far prosecuted 4 illegal Domestic Animal Business's (puppy farms)
- » Seized 200+ dogs (+27 born in captivity)
- » Total of 284 charges laid for all 4 'puppy farms'
 - » Domestic Animals Act = 194
 - \Rightarrow POCTA = 84
 - » Local Laws = 6
- » All 4 prosecutions successful

Puppy Farms

Case Study 1

- Large scale 'farm' undertaking breeding of dogs for pet shop market
- No permit in place as Domestic Animal Business
- Has been operating for many years
- Animals in relatively good health
- Facility clean and hygienic
- Accurate records and history
- Offender cooperative and helpful



- > Officers did not find any cruelty concerns
- Accurate Vet records on every dog
- > Accurate Sale records for past several years
- Orders awaiting completions



- » Offender cooperative
- » Made full admissions

- » Willing to comply with relevant Code of Practice
- » Stopped breeding animals immediately

Puppy Farms

Outcome

- Company and Individual charged 117 counts
- Plea of guilty by both Company and Individual
- Company Convicted and Fined \$8700
- ➤ Individual No Conviction placed on bond
- Ordered to comply with Council Directions and relevant Codes of Practice



Case Study 2

- > Information received from 'customer'
- Council undertakes Investigation and finds 'puppy farm' operating
- > Several ads found on;
 - ➤Gum tree
 - ➤ Trading Post
 - > Facebook



Investigation

- Operational Order completed
- > 2 x Officers (plain clothes) attend subject property and purchase 'puppy'.
- Officers gather enough information and evidence to obtain search warrant





- » Many dogs found tethered around the property
- » Several litters found
- » Several dead puppies found
- » Little to no water available

Puppy Farms



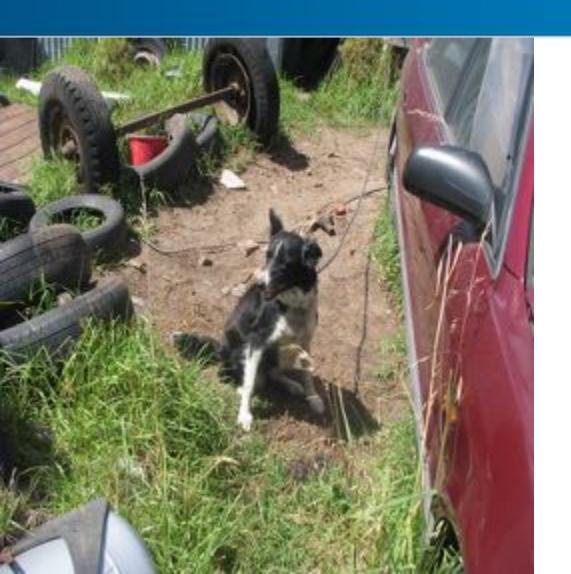
» Officers greeted by many dogs at time of warrant execution





- » Putrid food left in full sun
- » Maggot infested
- » No water





» Dogs tethered with little to no shelter

» No water



- » Over 50 derelict vehicles on property
- » Property generally very untidy and unsightly





- » All Animals seized and conveyed to holding facility
- » Council sought and obtained order from Court awarding 'custody' of all dogs
- » New homes found for all dogs and puppies

Puppy Farms

Prosecution

- » Charged with 51 offences under DAA, POCTA & Local Law
- » Offender un cooperative during investigation
- » Plea of 'not guilty' entered
- » Matter booked in for full contest
- » Offender enters plea of 'guilty' at commencement of hearing



Outcome

Matter Proven

- > 10 Year banning order put in place
- ➤ No Conviction

> \$7400 fine



Case Study 3

- Information received from Animal Welfare Org regarding this property
- Attend site and undertake inspection in support role capacity
- 52 dogs found housed in sub-standard conditions
- Facility not compliant with relevant Code of Practice

Puppy Farms

» Council informed by welfare agency that no further action to be taken

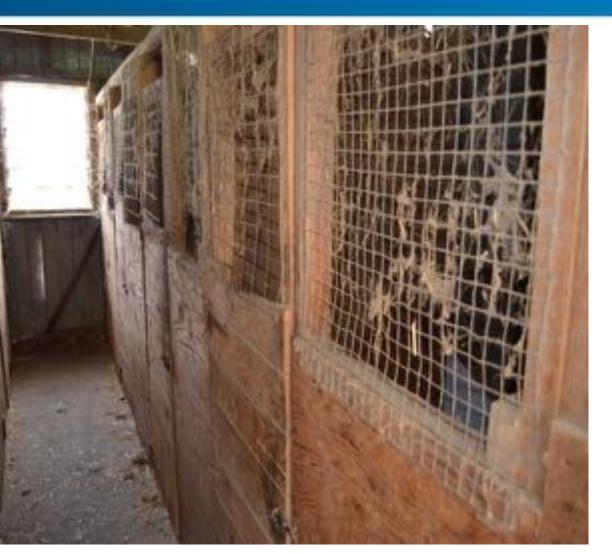
- » Decision made by Casey to investigate further
- » Due to complex nature of investigation 2 x members tasked full time to investigate

Puppy Farms



» Several dogs found to be in need of urgent vet treatment and care

Puppy Farms



None of the existing facilities come close to compliance with Code of Practice

Puppy Farms



» Pens covered in faeces & urine, no bedding, no natural light, very small with two dogs in each pen



Challenges with this investigation

- Offender has undertaken this activity for approx 30 or more years
- » Did not believe she was doing anything wrong
- "This is my hobby"
- » Total denial of any wrongdoing whatsoever
- » Older lady with serious medical issues
- » Very aggressive offender family members



Charges

- » 54 POCTA offences detected
- » 25 Domestic Animals Act Offences
- » 1 Local Law Offence

» Enters plea 'not guilty'

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Outcome

- » Matter proven
- » No conviction
- » Banning order denied
- » Placed on Undertaking
- » \$4960 fine
- » Banned as member from applicable organisation
- » NOTE* Undertaking breached, charges pending



Case Study 4

- » Information Received concerning 'puppy farm' being conducted inside rental premises.
- » Gathering evidence proves difficult
- » Landlord/agent undertake inspection AMO accompanies landlord & agent (civilian clothing)
- » Evidence gathered concerning operation during inspection by officer
- » Search warrant obtained

Puppy Farms



» All 22 dogs seized from inside dwelling – including 8 puppies

- » Execution of Search Warrant proves challenging
- » Offenders un-cooperative and aggressive
- » Substantial criminal history
- » Police Assistance required



- » Forced entry required
- » Police and AMO's involved in 'scuffle' with offenders
- » Police seek 'back up' additional 18 police attend
- » Police deploy OC Spray inside dwelling

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Charges

» Record of Interview conducted in Police Station

- » Each offender charged with 32 offences
- » Offenders also charged with 'hinder'



Outcome

- » One offender pleads guilty
- » Second not guilty final hearing yet to be held
- » Guilty plea receives following
 - » Conviction
 - » \$1900 fine
 - » All dogs surrendered to council for re homing
 - » Costs \$8942

Local Laws and FV prevention



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