

AFFIDAVIT OF MICHAEL SHANE KENNEDY

IN THE MAGISTRATES COURT OF QUEENSLAND

REGISTRY: BRISBANE
NUMBER: M6213/08

APPLICANT: Geraldine Fooi Fong ROBERTSON

AND

RESPONDENT: CHIEF EXECUTIVE, DEPARTMENT OF PRIMARY INDUSTRIES AND FISHERIES

AFFIDAVIT

I, Michael Shane KENNEDY, of Woolloongabba Veterinary Hospital Woolloongabba Queensland, solemnly and sincerely affirm and declare:

Was not aware of flooding

1. I am a legally qualified Veterinary Surgeon in the State of Queensland, having gained the qualification of Bachelor of Veterinary Science at the University of Queensland in 1988. I am currently a member of the Veterinary Surgeon team at the Woolloongabba Veterinary Hospital Woolloongabba Qld.
2. On 1 Feb 08 about 3:00pm, Inspector Stageman and Inspector Towers-Hammond of the RSPCA Qld attended the Woolloongabba Veterinary Hospital and asked me to view a video tape. During my conversation with the Inspectors I was advised that the images on the tape were that taken by RSPCA Inspectors at a dog kennel located in the Brisbane area. The tape was marked 'Lauries Poodles'. I was requested to make comments and opinion as to my observations made after viewing the tape. Inspector Stageman then connected a HI 8 video taping system to the Surgery TV monitor and commenced to play the inserted tape. I viewed the tape without sound which went for a number of minutes.
3. From the opening segment of the tape I saw what appeared to me to be a large number of poodle breed dogs living in putrid unsanitary conditions. I observed the dogs being kept in pens and cages living in what appeared to be their own faeces and excrement.
4. A number of the animals did not appear to have any form of bedding or place to sleep without lying on faeces or discarded dog hair. I saw puppies and small dogs crowded in cages which had built up news paper covered in dog excrement.
5. I saw what appeared to be large open pen areas which enclosed a number of the dogs which was literally covered in animal faeces and dog hair as the dogs walked in it. I also observed a kennel area which had a large number of these dogs in individual dog enclosures. Some of these dogs were coupled with other dogs in the same enclosures.

(2)



AFFIDAVIT

Filed on behalf of Respondent



Michael Clarence J (Qual)
3-10pm
05/08/08
Department of Primary Industries and Fisheries
80 Ann Street, Brisbane Qld 4001
Telephone: 3239 3285
Facsimile: 3239 3949

AFFIDAVIT OF MICHAEL SHANE KENNEDY

All pens that I observed had large amounts of animal excrement and dog hair throughout them. Outside these enclosures was discarded hair and what appeared to be dirty still water in drainage gutters. I saw rubbish from what seemed to be old dog food packaging and old bags lying just outside the kennel and at its entrance. The overall condition of this kennel as an area to store animals in my opinion was woeful.

- 6. The overall conditions of the individual animals from the video in my opinion were astounding. I saw some of the poodle types with filthy matted contaminated hair that appeared to be so tightly matted that it must have been this way for months. Due to the living conditions I observed in the video I would recommend immediate removal of all of the animals from that location to gain immediate veterinary examination to establish the extent of what exposure to these living conditions may have caused.
- 7. It is in my professional opinion that the dogs living at this establishment in the video were being kept in grossly inappropriate living conditions to say the least. I did not observe any clean food or water or any appropriate bedding or area for any animal to sleep without being effected by the scattered faeces and filth. From the extent of the condition I can state that no real cleaning or appropriate caring regime was evident for a long period of time. One could acquaint these conditions of a 'Third World' rating.
- 8. Due to the observed living conditions of these animals I saw in this video I can state that the possibility of skin infections and parasite infestations would be a very likely result for these animals. The amount of faeces present that the animals would be laying in would also present serious health concerns and cross contamination would also be likely. The drainage concern in the kennel area also promotes the concern of stagnant water issues.
- 9. In closing, I wish to state that I believe this is one of the worst cases of animal neglect I have seen. I sincerely believe that to keep animals in conditions like I observed on the video is 'Cruel and Inhumane'. It must have been blatantly obvious that the animals living conditions at this establishment were pathetic. For this condition to have got to such a state I believe that it has occurred over an extended period of time in excess of a number of months.
- 10. At the conclusion of viewing the video Inspector Stageman retained the video tape in his possession, and both he and Inspector Towers-Hammond left the surgery.
- 11. All the facts and circumstances set out in this affidavit deposed to are within my own knowledge save such as are deposed to from information only and my means of knowledge and sources of information appear on the fact of this my affidavit.

gk m
Affirmed by BRISBANE at SA on the 11.15.02 day of AUGUST 2008 at in the presence of: gk

DEPONENT

Merle Clancy JP (Qual.)
BARRISTER/JUSTICE OF THE PEACE/SOLICITOR 3-10-02

