

11<sup>th</sup> June 2024

E: DEW.dogandcatreform@sa.gov.au

**RE: Dog and Cat Management (Breeder Reforms) Amendment Bill 2024**

Animal Care Australia (ACA) is a national incorporated association established to consult with government in advocating for real animal welfare by those who keep, breed and care for animals. Our goal is to promote and encourage high standards in all interactions with the animals in our care.

Animal Care Australia is astounded to note the level of ideological influence within this Bill.

It is clear that the Dog and Cat Management Board rely far too heavily on organisations such as the RSPCA that have ideological-based policies and not science-based policies like those used by the relevant species stakeholders.

Of particular concern is the lack of direct stakeholder consultation with dog groups that will be affected by the proposed changes related to ‘a dangerous dog;’ ‘attack dog & dog sports.’

It is not acceptable the South Australian Government had not consulted with any of Australia’s three long-standing IGP associations before releasing the Draft Bill.

Animal Care Australia highlights the following points which are of highest importance, outcome, and impact:

1. Animal Care Australia opposes the RSPCA as Authorised Officers enforcing this, Bill. ALL authorised officers MUST be employed by the State and not charitable organisations.
2. Animal Care Australia opposes the RSPCA holding a seat on the Dog and Cat Management Board. We have no objection to them contributing in a consultancy role.
3. Animal Care Australia supports the inclusion of animal welfare into the Objects of the Bill.
4. Animal Care Australia **categorically opposes** the insertion of IGP Dog Sports and their dogs into the definition of ‘attack trained dog.’
5. Animal Care Australia questions the requirement of an owner of a semen/ova provider to be registered as a breeder. The functionality of this is not clear and raises doubt as to how it will viewed/considered by the Dog and Cat Management Board when samples can be frozen and not used for up to a decade.
6. Animal Care Australia supports publishing and adopting standards and guidelines BUT only AFTER public consultation.
7. Animal Care Australia recommends provisions that allow for a period of time to appeal the revoking of the breeders’ license – to ensure animals are not immediately seized until said appeal is heard and a determination finalised.
8. Animal Care Australia supports a register of breeders – BUT – not where private details of breeders can be accessed by the public. Suitable precautions (such as blind linking) must be implemented to protect the breeder’s privacy.

Animal Care Australia provides the attached submission for further explanation of our position. This submission can be publicly listed.

Animal Care Australia welcomes the opportunity to meet with the department and/or the Minister in order to ensure an appropriate Act is produced.

Kind regards,



Michael Donnelly  
President  
0400 323 843

# **South Australian - Dog and Cat Management (Breeder Reforms) Amendment Bill 2024**



**Animal Care Australia submission**

**Approved: 11<sup>th</sup> June 2024**

**“Animal welfare is animal care”**



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## ACA Background

Animal Care Australia Inc. (ACA) represents the interests of all hobbyist and pet animal keepers nationally. Our members are comprised of most major animal keeping representative bodies including those representing dogs, cats, birds, horses, small mammals, reptiles, fish and exhibited animals. Some individual members also work in the rescue, care, and rehabilitation sectors.

## Opening statement

As a nationally recognised animal welfare organisation, Animal Care Australia is astounded to note the level of ideological influence within this Bill.

It is clear that the Dog and Cat Management Board rely far too heavily on organisations such as the RSPCA that have ideological-based policies and not science-based policies like those utilised by the relevant species stakeholders.

Of particular concern is the lack of direct stakeholder consultation with dog groups that will be affected by the proposed changes related to 'a dangerous dog;' 'attack dog & dog sports'.

**It is not acceptable** the South Australian Government had not consulted with any of Australia's three long-standing IGP associations before releasing the Draft Bill.

- [Working German Shepherd and Dog Clubs of Australasia Inc \(WGSDCA\)](#)
- [Working Dog Federation Australia \(WDFA\)](#)
- [Working Malinois Australia Inc \(WMA\)](#)

## Responses to the Draft Bill.

### Section 3 Amendment of Objects

*Insert: (d) to require breeders of dogs and cats to adhere to standards and guidelines that provide for the welfare of dogs and cats involved in breeding programs.*

It is a shame that the Dog and Cat Management Board do not appear to understand the difference between animal welfare and animal rights when applying this within the Bill.

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**Animal Care Australia supports the inclusion of animal welfare into the Objects**

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### Section 4:

*definition of attack trained dog—delete "training, to attack a person on command;" and substitute:*

*training—*

*(a) to attack a person on command; or*

*(b) in the sport of Internationale Gebrauchshund Pruefung (however described).*

*Note— This sport is also known as Schutzhund, IGO or IGP*

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### **Animal Care Australia categorically opposes the insertion of part (b) into the definition of attack trained dog.**

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Firstly, Animal Care Australia notes the convenient absence of the inclusion of the IGP amendment within the Explanatory Guide utilised for the purpose of the public answering the online survey.

From the Explanatory Guide:

*(4—Interpretation) Attack trained dog*

*Amend the definition of an attack trained dog to accommodate the various types of attack training. The amendment will place additional obligations on the owners of these dogs.*

This convenient omission is clearly relying on the public not reading the actual Draft Bill – in order to get away with such an amendment that would not otherwise be supported.

Animal Care Australia does not support such under-handed manoeuvres.

This amendment is not supported by logic, science or evidence. In fact there is no evidence of IGP-trained dogs being involved in bite incidents in South Australia. Studies show IGP-trained dogs pose less of a bite risk (2%) compared to untrained dogs (88%).

Animal Care Australia questions the true reason this is being proposed and by whom? Especially given that the South Australian government reviewed IGP in 2006 and 2016. On both occasions it concluded that it does not fall under the definition of attack dog training.

Furthermore, less than 100 IGP-trained dogs are currently in South Australia. No data indicates these dogs have been involved in a dog bite incident.

This is reflected in the fact that IGP is a highly regulated sport that assesses a dog's working abilities, physical and mental soundness, trainability, and willingness to follow commands. The training

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program promotes the welfare of working dogs owned by civilians, emphasising positive reinforcement and responsible ownership.

IGP competitions adhere to strict rules prioritising participating dogs' well-being, health, and welfare.

The animal welfare impacts due to this reclassification will be immense. These will include:

### ➤ **Lack of Mental Stimulation**

IGP training and competitions provide significant mental stimulation for dogs. Without this outlet, dogs may experience boredom, leading to anxiety, excessive barking, and destructive behaviours.

### ➤ **Reduced Physical Exercise**

IGP training keeps dogs in peak condition. Restrictions in training will lead to decreased physical activity, weight gain, health issues, and associated mental stress.

### ➤ **Behavioural Issues**

Without the structured environment of IGP, dogs might develop behavioural problems due to a lack of routine and insufficient outlets for their energy and drive.

### ➤ **Loss of Purpose**

Working dogs, particularly those bred for specific tasks, thrive on having a job. The inability to train frequently will lead to a lack of purpose, causing frustration and mental distress.

### **Again, this prompts the question: Why the sudden and 'secretive' inclusion now?**

See Appendix 1 for further information regarding IGP.

### **Section 12 - Amendment of Composition of Board**

While Animal Care Australia supports the reduction in the level of bureaucracy we do question the ability of the Dog and Cat Management being able to remain neutral and retrospective of the necessary experience (covering both dogs and cats) with a reduced Board – of particular concern is the inability of sufficient numbers on the Board to vote down animal rights rhetoric when the make up of the Board also requires at least two members (likely more) who will without question represent animal rights ideological viewpoints and goals.

In order to ensure a balanced viewpoint on the Board Animal Care Australia strongly recommends that at least one position appointed by the Minister is to be filled by a member of a dog/cat keeping and breeding association, or a qualified professional dog trainer.

Animal Care Australia does not support the RSPCA occupying a seat on the Board. The RSPCA should only be consultants to the Board due to the obvious conflict of interest and their animal rights-based policies.

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### Section 45C—Greyhounds

*(1a) A person who owns or is responsible for the control of a racing greyhound must ensure that, at any time the racing greyhound is not confined in premises of which that person is the occupier—*

*(a) the greyhound has a muzzle securely fixed on its mouth capable of preventing it from biting any person or animal; and*

*(b) the greyhound is under the effective control of a person by means of physical restraint.*

While Animal Care Australia can see where the ‘fear factor’ of protecting a person or animal from being attacked by a greyhound – this is completely unfounded. Animal Care Australia does not support mandating muzzling in Subsection (1a) (a) – especially if (b) is being adhered to. Animal Care Australia acknowledges there may be a circumstance where an individual greyhound may need to be muzzled, however this is no different to any other dog breed and can be dealt with by other measures within this Act.

### Part 7

#### Section 68 - Meaning of to breed and bred

*(1) For the purposes of this Act, the owner of a dog or cat will be taken to have bred any puppy or kitten (as the case requires) sired or birthed by the dog or cat.*

With the majority of breeders obtaining semen from within Australia or overseas it is ridiculous that the sire be included in the meaning of breeding. Remembering that semen can be stored for 10+ years, this means if a stud dog owner allows their dog to be used by another breeder now or in years to come, they would then be required to sustain registration as a breeder even if they are no longer breeding themselves. If they were to cease the permit would this then mean those intending to use the semen would no longer be able to?

**This is the only Australian legislation of this veracity that Animal Care Australia is aware of.**

#### Section 68 - Meaning of to breed and bred

*(2) For the purposes of this Act, a person will be taken to breed, or have 10 bred, a dog or cat if the person does any of the following:*

*(a) causes or allows (whether by act or omission) 1 or more dogs or cats owned by the person, or for the control of which the person is responsible, to mate.*

*(b) provides a dog or cat owned by the person, or for the control 15 of which the person is responsible, to another person for the purpose of mating the dog or cat with another.*

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*(c) artificially inseminates a dog or cat, or causes a dog or cat owned by the person, or for the control of which the person is responsible, to be artificially inseminated; 20*

*(d) provides semen or ova from a dog or cat owned by the person, or for the control of which the person is responsible to another person.*

*(e) any other act or omission of a kind prescribed by the regulations.*

**Again, Animal Care Australia finds this to be overreaching.**

Is the stud dog owner required to be a permitted breeder at the time of the mating or collection?

While in theory this would stop back yard breeders just using the neighbours' dogs - the unintended consequence could be for registered breeders to be restricted and unable to maintain genetic diversity given the implications that the semen may not be permitted to be used at a later date.

**Determining whether an owner of a dog that has provided a semen sample having been frozen and used some time later still needing to be a licensed breeder will also have ramifications throughout the remainder of this Part.**

### **Section 69 —Board may publish or adopt standards and guidelines**

*(1) The Board may, by notice in the Gazette, publish or adopt standards and guidelines for the purposes of this Part*

*(2) The Board must cause a copy of any standards and guidelines, as in force from time to time, to be published on a website determined by the Board*

Animal Care Australia supports this section and **recommends the addition** of part (3):

***(3) The Board must, when reviewing any standards and guidelines, as in force engage public consultation on the review. The consultation to be published on a website determined by the Board and promoted to the public.***

### **Section 71 71A—Terms and conditions of licence**

*(c) a condition setting out the number of litters that may be bred 20 by the holder of the breeder's licence (whether from a particular female dog or cat, during a particular period, or otherwise)*

While Animal Care Australia acknowledges there may be some merit in being able to approve licensing on a case-by-case basis – this does raise doubt how the Board will justify each finding – given the Standards of no more than 2 litters in an 18month period and no more than 5 litters in a lifetime. How is this to be monitored, scrutinised and how will that be used as part of the approval determination?



### Section 71E—Dealing with dogs and cats where breeder's licence suspended or cancelled

*Subject to this section, any dog or cat owned by the holder of a breeder's licence that is suspended or cancelled is to be dealt with in accordance with the scheme set out in the regulations (which may, without limiting the generality of this subsection, provide that the Board, a council or an authorised person may give directions to as to how such dogs or cats are to be dealt with, and provide for the recovery of any costs associated with dealing with such dogs and cats from the licence holder).*

Animal Care Australia strongly recommends a requirement of a time limit in which the breeder can appeal the decision or make arrangements for their dogs. This should not just be the instant a license is revoked and the animals seized or moved on the same day.

### Section 71F —Register of licensed breeders

*(1) The Board must keep and maintain a register (which may be incorporated into another register kept under this Act) for the purposes of this Part.*

Animal Care Australia does not object to the Board keeping a Registry however - listing certain details of breeders, such as their address in a Registry that is accessible by the public would constitute a privacy and security concern. A system must be considered as part of any such public register that allows for a prospective pet owner to simply search for a breeder's license number or microchip numbers and then via a 'blind' link send that buyer to the registered breeders email address.

Given the enhanced concerns around leaking/hacking of private details this must be given paramount priority.

### Regulations relating to the new Part 7

Animal Care notes a considerable portion of this Part refers to regulations. Any drafting or reviewing of these regulations MUST be undertaken following consultation with the public – especially given the impacts of this Part.

### Rescues

Animal Care Australia notes neither the Draft amendments nor the actual Act itself specifies anything relating to rescue dogs/cats. Further information should be included to include the circumstances when a rescue takes in a pregnant cat/dog?

Animal Care Australia does not support rescues being exempt from these provisions given this would provide an incentive for some breeders to simply become rescue services in order to breed and sell dogs and cats. Rescues must equally be regulated in how they operate.

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Animal Care Australia welcomes any questions you may have as you continue to finalise this review. We welcome the opportunity to meet with the department and/or the Minister in order to ensure an appropriate Act is produced.

This submission can be publicly listed.

On behalf of the Animal Care Australia Committee,

A handwritten signature in black ink that reads 'M Donnelly'. The signature is written in a cursive, flowing style.

Michael Donnelly – President,

*This submission has been developed in consultation with a range of members of Animal Care Australia and the Animal Care Australia Dog and Cat Advisory Groups.  
We also fully support the Professional Dog Trainers of Australia submission.*

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### **Appendix I – the facts about IGP Dog Sports:**

#### **IGP does not pose a risk to public safety**

In a 1998 court case involving a dangerous dog decision by the Victorian Casey City Council (Burns vs. Casey City Council), an IGP-trained dog had its initial classification as dangerous set-aside.

The judge described the training as “a sterile and hollow sport”, concluding that it was far removed from “attack dog training” and ruled the dog not to be dangerous. (Burns v Casey CC (1997/20023) [1998] VICCAT (July 17th, 1998))

In 2009, the Victorian German Shepherd Dog Council Australia (GSDCA) Member Club (GSDCV), in conjunction with the Dogs Australia Member State Body, Dogs Victoria, obtained an Order of Council which saw imported IGP/IPO titled dogs to be exempt from the Victorian Dangerous Dog Legislation under the provision.

The GSDCV sought the exemption based on experience proving that IGP/IPO-titled dogs presented no danger to the public due to their breeding, temperament, and training.

In 2012, the Federal Minister for Agriculture and Forestry included IGP dog sport as a recreational canine sport.

#### **IGP stands for responsible dog ownership.**

IGP promotes responsible dog ownership through comprehensive training programs, ensuring well-behaved and well-adjusted dogs. Participants are committed to ongoing education and high training standards, promoting mental and physical wellbeing for the dog from puppyhood to maturity and beyond.

#### **IGP contributes to a reduction in dog bite statistics.**

Irresponsible dog breeding and ownership lead to increased dog bites due to poor socialisation, inadequate training, aggression stemming from dysfunctional genetics and inappropriate selection of dogs for breeding.

In contrast, IGP dog sport prioritises breeding for temperament, stability, and health, resulting in confident and well-balanced dogs that do not risk public safety. IGP training makes dogs safer than untrained dogs because it teaches them rules and context, valuable traits for any dog today.

IGP dog sport is akin to martial arts, highlighting a dog’s exceptional trainability and ability to follow commands under high stimulation. It’s not about teaching dogs to ‘bite’—biting is a natural instinct for all dogs. The sleeve work in IGP, much like controlled sparring in martial arts, demonstrates control and obedience, not aggression. Aggressive dogs are neither tolerated nor trained in IGP, ensuring the focus remains on discipline and mastery.

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This aspect is further reinforced by a German study (**Statistical evaluation of expert reports on dogs involved in biting incidents in Bavaria, Roman Mikus**) that found that only 2% of bites involved service or IGP-trained dogs, while pet dogs caused 88% of bites, highlighting the effectiveness of IGP training in preventing bites.

### **IGP promotes responsible dog breeding practices.**

IGP is a sport and an internationally recognised breed assessment program designed to evaluate and validate the quality and suitability of dogs used in breeding. Dog breeders who embrace the IGP breeding standards differ from other dog breeders. IGP titles are included on the FCI pedigrees of imported dogs and are sought after by ethical dog breeders in Australia.

Dog breeders who compete in IGP thoroughly evaluate temperament, health, and working ability to ensure they only breed quality dogs. They perform extensive health tests, comply with international performance standards, and consistently educate themselves on breeding best practices. IGP breeders adhere to ethical welfare standards and provide an unwavering lifelong commitment to the dogs they breed and their owners to minimise the likelihood of abandonment or surrender to rescues/shelters.

Conversely, breeders who do not conform to IGP standards often choose dogs based on convenience or appearance, conducting minimal health testing and neglecting performance standards. They typically lack expertise in genetics and dog behaviour, invest less in education, and demonstrate limited commitment to dog welfare or supporting the owners of the puppies they breed. This results in elevated health and behavioural issues and a higher incidence of abandoned or surrendered dogs.

### **Assistance Dogs & Therapy Dogs**

Offspring of IGP-titled parents excel in assistance work due to their inherited stable temperaments, high trainability, and robust health. These genetic traits ensure obedience, control, and adaptability, making them especially suited for therapy work or aiding individuals with disabilities in diverse environments. Halen bred by **Vilhelm Kennels** in WA competes in IGP and is also a Youth Therapy Dog. His pedigree has a number of dogs with IGP titles.

### **Environmental Conservation Dogs**

Puppies bred from IGP-titled parents excel in ecological conservation due to their inherited traits of high trainability, focus, and robust health. Their inherited traits ensure their ability to be trained for wildlife detection, poaching prevention, and environmental monitoring in varied and challenging environments while maintaining reliability and precision in their duties. Fonzie, Tasmania's environmental conservation dog was bred by **Garsova German Shepherds** has a pedigree of IGP-titled dogs going back multiple generations.