

Inquiry into the Animal Care and Protection Amendment Bill 2022

Submission No: 3
Submitted by: MORTEZA NOURBAKHS
Publication: Make my submission and my name public
Attachments: See attachment
Submitter Comments:

16/05/2022

Morteza Nourbakhsh - Dog lover and trainer

Dear Parliamentary Committee,

Submission on proposed amendments to the Animal Care and Protection Act 2001

I am writing a submission to the Queensland Committee Inquiry in relation to the proposed legislation to ban the use of pronged collars. I would like to remind the Queensland members of parliament that according to the Queensland Legislation Handbook, well drafted laws are not developed in a short amount of time and require consultation with relevant stakeholders. I believe that best practice has not been followed in regard to the above mentioned legislation, as it seems like a decision is being made without proper investigation and consultation, and in a rushed manner. I have listed a few of sections from the Queensland Legislation Handbook (The Handbook) and Review of the Animal Care and Protection Act (ACPA) 2001, along with my interpretation, for your reference.

- Section 2.8 Establishing a practical timetable from the Handbook
 - This section states that “well-drafted laws are generally not conceived and drafted within a short period of time”
 - To establish a reasonable timeframe several steps must be considered including consultation with stakeholders within and outside of the government. I believe this step has been bypassed in this instance, as to my knowledge there has never been a liaison with professional instructors in dog training industry.
- Section 2.9 Obtaining appropriate advice from the Handbook
 - This section clearly states that the “well-drafted” legislation requires information and input from subject matter experts, professionals, and skilled people.
 - I believe this step has been bypassed, as from my knowledge there was never an attempt to engage the subject matter experts in dog training to understand this training tool and correct method of use of this tool.
- Review of the ACPA 2001
 - I refer to page 37 of the report, section titled “Relevant E-Petitions” . It is acknowledged that “there were six animal welfare related e-petitions that were tabled in the Legislative Assembly during the consultation period. Issues raised in these e-petitions (listed below) are also being considered as part of the ACPA review process”. Of these six petitions, the relevant subject matter of three of these petitions was also included as part of the initial discussion paper; as such, stakeholders and the community were provided the opportunity to give feedback on these matters. I have included the 3 relevant petitions below:
 - Make suitable shelter mandatory for all farmed animals (Petition no. 3499-21)

- Tethering of dogs must be prohibited (Petition no. 3501-21)
- Continue the use of all methods, including dogs, to control feral pigs (Petition no. 3515-21)

There remains three relevant e-petitions, for which there was no correlating subject matter in the initial discussion paper:

- Ban the use of shock collars on dogs (Petition no. 3526-21)
- Illegal to import - Prohibit the use of prong collars in Queensland (Petition no. 3530-21)
- Prohibit the use of choke collars in Queensland (Petition no. 3531-21)

These three petitions were made to the Hon. Mark Furner, with closing dates in May 2021 and a response due date in June 2021. I wish to note that, since the closing of these petitions, there has been no opportunity provided to relevant stakeholders or the community to be surveyed on these matters. All three petitions listed above closed on 23rd May 2021. The closing date for feedback on the review of the ACPA (2001), as detailed in the Outcomes Report, was 21st May 2021. With reference to the “Animal Care and Protection Amendment Bill 2022 Explanatory Notes”, page 33, section titled “Consultation”. The use of prong collars or any other restraint-based tools is in fact missing from the key consultation outcomes of the discussion paper. It is of concern to me that the following has been stated in the bill (I refer to page 17), given adequate community consultation has not been completed: “New section 37A allows for the possession of additional types of collars or devices to be prescribed. The amendment is required because continuous developments in collars and devices for animals means that some existing and new collars and devices become unacceptable to the community”

I am a dog lover and have been training dogs for a considerable time. I believe the lack of knowledge about these dog training tools, and how to use them correctly, has led to the bad reputation surrounding their use. They can be very effective training and communicating tools, and if used correctly are not cruel and do not cause harm to the dogs. I would like to bring a simple example in my argument, that a screwdriver can be a very effective household tool but can also be used as a weapon. We do not ban screwdrivers for this reason. There will always be people that use “tools” improperly, or with bad intentions, and this should not take away the opportunity for others that are good intentioned and educated to use these tools.

I think this legislation is being rushed through parliament due to unethical political motivations and based on the unhealthy influence of a minority group of people to achieve their agenda. This is very concerning and disappointing, not only for the Queenslanders but also for other citizens in other states.

Yours sincerely,

Morteza Nourbakhsh