

Inquiry into the Animal Care and Protection Amendment Bill 2022

Submission No: 45
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State Development and Regional Industries Committee

Dear Parliamentary Committee,

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

Thank you for the opportunity to make a submission on the proposed amendments.

My name is Clinton Wehmeier, I participate in multiple dog sports with my dogs and also teach weekly classes at Rockhampton Dog Obedience Club. I have been a member of the dog sports and training community for 10 years.

I write to submit feedback on the proposed amendments to the *Animal Care and Protection Act (2001)*. My position is such that I believe certain particulars of the proposed changes (detailed below) should be disregarded and not passed into law.

It is my understanding (detailed below) that due parliamentary process has not been followed in the lodgement of all tabled amendments. As a result, key stakeholders and the wider community have not been afforded the opportunity to be consulted on the proposed amendments to the Act.

The Queensland Government Guide to Better Regulation May 2019 states that:

- *The COAG Best Practice Principles for Regulation Making include:*
 - a) *Consulting effectively with affected stakeholders at all stages of the regulatory cycle*
 - b) *Ensuring that government action is effective and proportional to the issue being addressed*
 - c) *Considering a range of feasible policy options including self-regulatory, co-regulatory and no regulatory approach*
 - d) *Adopting the option that generates the greatest net benefit for the community*

Evidence that the government has not followed its own best practice guidelines

I refer to the 'REVIEW OF THE ANIMAL CARE AND PROTECTION ACT 2001 CONSULTATION OUTCOMES REPORT', prepared by the Department of Agriculture and Fisheries and published in October 2021.

I refer to page 37 of the report, section titled "Relevant E-Petitions". It is acknowledged that "*there were six animal welfare related e-partitions that were tabled in the Legislative Assembly during the consultation period. Issues raised in these e-partitions (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 remain 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. All three petitions listed above closed on 23rd May 2021. The closing date for feedback on the review of the Animal Protection and Care Act, as detailed in the Outcomes Report, was 21st May 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

I would consider here that key stakeholders would include, but are not limited to:

- Members of the Queensland Government currently utilising these training tools, including Police and Military units
- Certified Animal Training Professionals, working to improve standards of pet ownership and care, community safety and education around responsible pet training and ownership
- Members of Dog Sport Clubs dedicated to the training of pet and competition dogs for the benefit of the community
- Members of the public who own pets or have pet dogs living in their community

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 18), 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 of the position that changes to the Animal Care and Protection Act (2001) are serious in nature and have far-reaching implications for the wider community. I am in agreement with the closing remarks made in the Outcomes Report:

“The Queensland Government is committed to maintaining strong and effective animal welfare laws. It is important that the community and stakeholders have an opportunity to comment on animal welfare laws”.

As there has been no opportunity for the community and stakeholders to make comment on the proposed banning of the training tools listed in the above petitions, I do not consider due parliamentary process to have been followed. As such I petition the committee that changes pertaining to the legality of these tools not be considered as part of the proposed amendments.

Thanks you for your consideration of this submission.

Yours Sincerely

Clinton Wehmeier