

INQUIRY INTO ANIMAL WELFARE POLICY IN NEW SOUTH WALES

Organisation: The German Shepherd Dog League of NSW Inc
Date Received: 28 February 2022



THE GERMAN SHEPHERD DOG LEAGUE OF NSW INC.

ABN: 41 377 545 961

Secretary
PO Box 304
Kemps Creek NSW 2178

25th February, 2022

Department of Primary Industry
105 [Prince Street](#),
[Orange](#) NSW 2800

For attention: Animal Welfare Bill 2022 Project Team

c.c. The Hon Dugald Saunders MP
Minister for Agriculture and Western NSW

Email: animalwelfare.submissions@dpi.nsw.gov.au.

Dear Minister,

Re: Draft Animal Welfare Bill 2022 - submission

Please find enclosed our submission for consideration with regard to the above draft legislation being brought before the NSW Parliament.

Having reviewed the draft Bill, as members of the German Shepherd Dog League we are highly concerned for our hobby, and even more so concerned regarding the lack of research and information sourced prior to drafting the bill.

We argue that the one size fits all approach is totally incorrect, our dogs are our pets, and the proposed bill will not only affect those recognised breeders of dogs and livestock, the flow on will have adverse effects on the general population and dog ownership as a whole in our country.

We would appreciate our submission being reviewed and considered by the Department in detail and would be happy to answer any questions.

Kind regards

President
The German Shepherd Dog League of NSW Inc

THE GERMAN SHEPHERD DOG LEAGUE OF NSW INC

SUBMISSION FOR PUBLIC COMMENT ON DRAFT ANIMAL WELFARE BILL 2022

1.1.1. Part 1 Introduction, Division 1 Preliminary section 4 c

The term “exhibition”

We would request a clear definition of what this includes. The current wording of section 10 leaves it unclear as to whether our hobby of exhibiting an animal at a dog show will fall under the draft bill.

1.1.3 Division 3

Prohibited & restricted procedures

Section 22

Prohibited procedures

- (1) A person must not carry out any of the following procedures— (e) surgical artificial insemination on a dog**

It has been widely noted that in February 2022, Minister Saunders announced that Surgical Artificial Insemination would be removed from the draft bill.

Part 7

67 Entry into residential premises only in certain circumstances

- (1) An authorised officer may only enter premises, or a part of premises, used for residential purposes—**

We would request clarification on the following points:

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1. What evidence must there be of concern on the part of the Regulatory Officer?
2. Whether or not hobbyist breeders will require a licence?
3. Whether or not this would negate the operation of the provisions of S67. 1
4. Clarity and further definition of “reasonable” – is the definition to mean a reasonable lay person or is it to be the subjective opinion of a regulatory bias?

Part 7 – Enforcement and Compliance – the rights of the authorised officer are clearly and definitively stated. The alleged offender is not accorded any such rights to gather evidence for a defence.

This is just plain unfair and unjust.

What happened to innocent until proven guilty? Where have our rights gone?

We would expect that should one be put in this position that the following applies:

- The alleged has the right to demand the basis on which the authorised officer is entering the premises

- The alleged enjoys the right to record the visit of the authorised officer, to have counsel or the physical support of at least one advocate on their behalf.
- The alleged be entitled to receive a written statement of cause and a written record of the names of all persons attending the premises for the purposes of inspection and evidence gathering, before the premises is entered

A bill such as this, should not be a one size fits all

The Bill fails to adequately recognise that there are many levels of activity in this sector – commercial, farming, hobbyist, competitor and several others.

It fails to recognise that there are organisations that have for many decades been applying better practice and self-regulation than has ever been required by law.

Our suggestion is that:

1. Where an organisation can provide evidence of self-regulation, effective management and process, they are recognised as a resource and are given standing in this Bill.
2. The provision of separated levels of activity
e.g create a stakeholder “hobbyist” or a stakeholder “competitor” for example and structure realistic standards that these stakeholders should meet and standards that address only the risk they give rise to.
3. The use of the word “Commercial” be carefully adopted to include those real puppy farms out there, not those hobby breeders who own dogs for the love and as a hobby, not for monetary gain

This bill contains very broad definitions which allow for very subjective interpretation.

The proposed pieces of legislation make no allowance for our hobby or lifestyle and assume the worst possible reasons for doing what we do.

The proposed legislation is extremely flawed, favours the aims and objectives of an extreme minority, seeks to further empower an organisation already totally reliant on taxpayer funding for its survival and is discriminatory.

As dog owners, breeders and exhibitor, we are very proud of the standards we set for ourselves and with animals. They are not a commodity, but partners in our sport and are loved, cared for and treated with respect. More often than not, treated better than our own flesh and blood.

Our members choose to belong to the ANKC and the German Shepherd Dog Council of Australia, which has a decades long track record of self-regulation and progressive reform that supports animal welfare and has procedures in place to oversee the practices of members.

We choose to belong because we care about our dogs and animals in general. We wholeheartedly support moves that improve the welfare of animals generally worldwide and more specifically, drive out the profit motivated dealers, however this should not come at the cost of everyday hobbyists doing the right thing.

By way of our credentials – we are a state-wide, single breed organisation that has spent the past 50 years doing exactly what these bills propose; putting the welfare of our animals first and demanding the best from our breeders on all occasions.

Our mission arose because of legislation in the past that was unfair and unjustified. We have over 40 years' experience in our history of extremist driven legislation. We are part of a community of like-minded individuals in the Australian National Kennel Control and as individuals, choose to be regulated, choose oversight and choose a process of continuing improvement.

Currently, our national numbers exceed 2,500 at our core, without considering our extended influence.

In NSW at the present moment, our members are very naturally alarmed and angry with the manner in which the three bills above are being presented to the Parliament. We are angry at being denied any genuine consideration, consultation, respect or inclusion that is meaningful.

The GSDL (The German Shepherd Dog League of NSW Inc.) is overseen by the organisation DOGS NSW.

The welfare of animals is a primary concern of Dogs NSW and its members. Both the GSDL and Dogs NSW have a Code of Ethics and Regulations which set standards and obligations for their members, which includes maintaining responsible care and treatment of animals in the course of owning, showing, breeding and selling dogs.

We are not single-issue individuals or organisations. We are ordinary people about to be robbed of our passion and lifestyle without justifiable cause and we are asking for your help.

Each and every one of us supports improvements for animals and their welfare, but these bills, far from doing so, will hound decent people, driving those who choose profit over passion for animals underground.

The bills are extreme, favouring the bias of one organisation and have gone too far.

We live in a democratic country, and this bill does not represent this.

If the bill targets the correct individuals who are clearly doing the wrong thing by our animals, we would be more than happy to support its ideals.

We thank the committee for the opportunity to provide feedback to the Draft Bill