

**Submission  
No 303**

## **INQUIRY INTO ANIMAL WELFARE POLICY IN NEW SOUTH WALES**

**Name:** Ms Sirkka Harrison

**Date Received:** 28 February 2022

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**Re: NSW Animal Welfare Reform – Public consultation draft NSW Animal Welfare Bill 2022 (version dated 22 December 2021)**

Dear Standing Committee of Animal Welfare Policy in New South Wales (NSW),

I would like to thank you for the opportunity to voice my concerns about the draft NSW Animal Welfare Bill 2022.

I am the mother of an avid dog sport enthusiast (my daughter). We both live in NSW. My daughter has spent a quarter of her life involved in IGP dog sport governed by World Canine Organisation, FCI under the FCI Utility Dog sport Scheme. She has not only trained and competed dogs to a very high level (three times National Champion under the Fédération Mondiale Bergers Belges (FMBB)-recognised Working Malinois Australia) but learned many valuable skills during her time in the sport. She recently had a knee injury in an unrelated incident for which she had to spend 12 months off the field. I saw her rehabilitation, she had to re-learn how to walk three times. The agony and pain was horrible, she suffered great depression because she was unable to train dogs, but now, with sheer determination she is back on the training field with her sights firmly set to represent Australia in International competitions under the FCI Utility Dog sport Scheme. I help care for her dogs and do so with the highest welfare standards, the dogs owned by my daughter are considered high level athletes.

I recently reviewed the draft version of the NSW Animal Welfare Bill 2022. I have become extremely concerned about the definition of animal fighting has been changed and what the unintended downstream implications of this will be with respect to the FCI Utility Dog sport Scheme (see below).

Division 2 Animal fighting and live baiting

31 Definitions In this Division—

**animal fight** means an event at which an animal is caused, encouraged or incited to **fight another animal or a human**.

**animal fighting implement** includes— (a) a spur, or similar implement, and

(b) an implement used for the purpose of causing or training an animal to fight another animal or a human, and

(c) an implement used for the purpose of increasing the ability of an animal to inflict damage on another animal or a human during a fight, whether or not the implement is attached to the animal during the fight.

**rodeo** has the meaning prescribed by the regulations.

The draft Bill then exempts specific activities from the law in this section, namely rodeos, sheepdog trials or mustering stock/other routine animal husbandry activities; the Act does not apply to these specific activities (see below).

## Division 2 Animal fighting and live baiting

31 Definitions In this Division— animal fight means an event at which an animal is caused, encouraged or incited to fight another animal **or a human**

### 32 Prohibition on animal fighting

- (1) A person must not—
  - (a) cause, encourage or incite an animal fight, or (b) train or otherwise prepare an animal for an animal fight, or (c) possess or sell an animal for fighting another animal **or a human**, or (d) manufacture, possess, transport or use an animal fighting implement for the purpose of causing or training animals to fight, or (e) organise, advertise or otherwise prepare for, or admit a person to, an animal fight, or (f) be present at an animal fight or preparations for an animal fight. (g) allow premises owned or occupied by the person to be used for an animal fight. Maximum penalty—category 1 penalty.
- (2) Subsection (1) does not apply to— (a) conducting a rodeo in accordance with a standard prescribed by the regulations for this section or a person who does all that the person could reasonably be expected to do to conduct the rodeo in a way that complies with the standard, or (b) mustering stock, working stock in yards or another routine animal husbandry activity, or (c) conducting sheep dog trials.
- (3) To avoid doubt, neither of the following is an act of cruelty— (a) conducting a rodeo in accordance with subsection (2)(a), (b) participating in a rodeo conducted in accordance with subsection (2)(a).

My concern is that FCI-recognised performance working dog sports such as the above-mentioned Scheme are not specified as exempt categories under the draft Bill.

The FCI Utility dog sport Scheme is made up of three phases, tracking, obedience and a character assessment phase. The character assessment phase is designed to test the dog's ability to obey the handler's commands in a simulated high excited phase, achieved by the presence of a helper carrying a sleeve on their arm, made of jute. The sleeve is used to activate and satisfy a dog's genetic prey drive and the 'character testing' entails demonstrating that the dog can express their individual "dogness" but at the same time will obey the commands even in the presence of this high motivator. The training carried out by handlers like my daughter not only results in very obedient dogs (to elite level) but also happy dogs as they are allowed to use and satisfy their genetic traits in a safe and positive manner. The dogs express their feelings of contentment and joy when on the field. The dogs develop, through their training, an incredible sense of self-identity. The partnerships that the sport creates between handlers and dogs are a joy to witness. The clubs associated with the FCI Utility dog sport scheme are run by experienced handlers; my daughter spends a considerable amount of time volunteering her time for FREE to help other handlers achieve the same success.

The FCI Utility Dog sport Scheme promotes and enables a working dog to express its individual "dogness" (character) in a sporting environment that is clearly defined by rules and context and for their contentment and joy. I truly believe through having witnessed it, that the FCI Utility dogsport scheme and its community promotes high-end welfare outcomes for working dogs breeds through its ability to give the necessary skills to integrate these canines into the community safely and appropriately.

The fraternity represented under the FCI Utility Dogsport Scheme condemns ANY person who, or ANY activity that teaches dogs to fight and hurt humans.

I note that the draft Bill has an exemption in the handling of Police Dogs and Correctional Services Dogs; the Act does not apply to these dogs. Police and Correctional services dogs are of the same genetic and physical material as many of the dogs that are owned by normal civilians, like my daughter.

I believe that all Working dogs are sentient creatures that have feelings and genetic needs, regardless of who owns them. **They are someone, NOT something.**

The Act must take into consideration not only the species-specific needs of an animal but also must recognise that animals such as canines can have very different genetic needs even though they fall into the same species. As clearly stipulated in the draft Bill, Working dogs (police officers and correctional services officers) are considered to be different to such a degree that they have been exempt from the Act. What about the majority of Working dogs that are currently owned by normal civilians?

The FCI Utility Dog sport Scheme is a world-wide recognised SPORT that promotes a safe sporting environment for breeds classed as Working dogs with a foremost interest in meeting the genetic (physical and mental) needs of such dogs.

I therefore ask that the Committee amends the above section to specifically include in the list of exempted activities all FCI-recognised performance sports, especially the FCI Utility Dogsport Scheme.

Best regards,

Ms Sirkka Harrisson