

Submission
No 1

**INQUIRY INTO 2023 INQUIRY INTO THE OPERATION
OF THE APPROVED CHARITABLE ORGANISATIONS
UNDER THE PREVENTION OF CRUELTY TO ANIMALS
ACT 1979**

Organisation: Professional Dog Trainers Australia

Date Received: 21 February 2024



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We are writing on behalf of the members of Professional Dog Trainers Australia (PDTA) Inc., to provide a submission to the NSW Government to address the 2023 Inquiry into the approved charitable organisations under POCTA Act, and in particular comment on:

- (a) The matters contained in the annual reports of the approved charitable organisations, including their financial statements.
- (b) The exercise by the approved charitable organisations of their compliance and enforcement functions under the Prevention of Cruelty to Animals Act 1979
- (c) Any other related matters.

About Professional Dog Trainers Australia (PDTA)

The PDTA represents numerous Australian dog trainers and behaviour consultants, along with their substantial clientele. All our members are dedicated to achieving positive outcomes for both dogs and owners through effective education and training.

As a collective of the most experienced and educated dog trainers and behaviour consultants in Australia with deep knowledge and expertise in dog behaviour, training, and psychology, dog industry experts possess a wealth of insights that can drive effective policy.

Our members boast a combination of formal education, practical experience, and notable achievements in working with dogs. We consistently stay updated on the latest developments in our field and are frequently sought after for our opinions, advice, and consultation.

We are dedicated to sharing knowledge through various avenues such as writing articles, giving talks, conducting research, participating in conferences, and providing training and consultancy services. By fostering education and informed decision-making, we play a pivotal role in advancing the field of dog training, behaviour



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modification and overall management. This directly benefits dog owners, both current and future, within Australia.

Annual reports of the approved charitable organisations, including their financial statements

Given the substantial funding and donations received by the RSPCA, it is imperative for the charity to maintain complete transparency and undergo annual audits.

However, the PDTA highlights a lack of transparency in the RSPCA's annual reports since 2021, particularly regarding the omission of details about the number of euthanized dogs.

This omission is considered highly unacceptable. Notably, in the RSPCA Annual Report for 2021, 7 out of 10 dogs labelled as "euthanized" were put down due to behavioural issues.

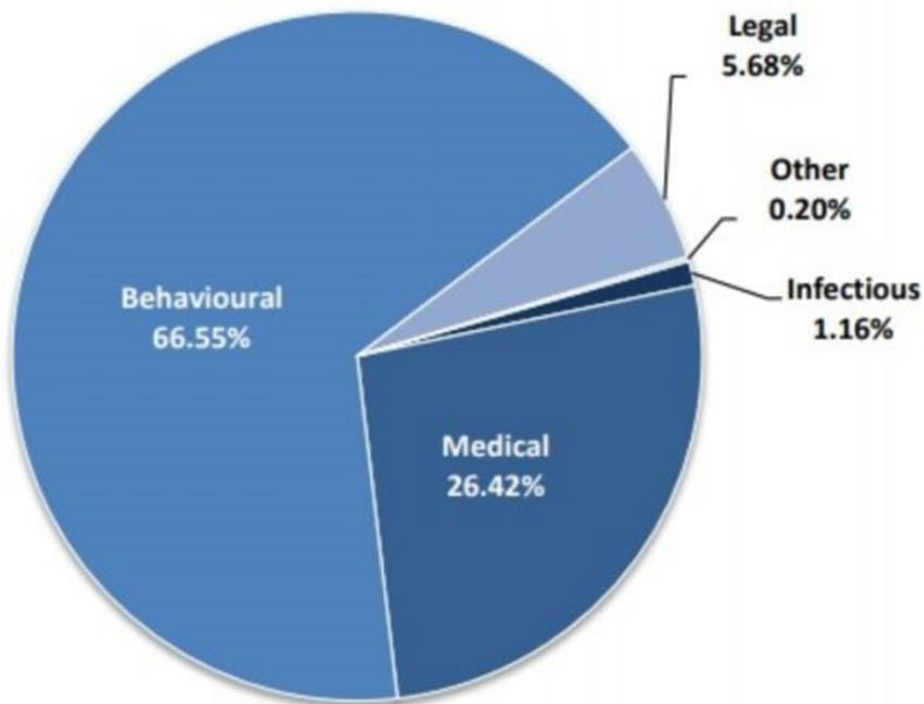
In their own words:

“Of the dogs euthanised, the majority of cases were euthanised due to severe behavioural issues which made them unsuitable for rehoming (66.55%). These included aggression and severe anxiety that the RSPCA was not able to successfully treat through behavioural modification programs. Such issues can compromise the dogs' welfare and quality of life, as well as being a safety risk to adults and children and other animals in the community.”

RSPCA 2021



Figure 5: Reasons for euthanasia of dogs 2020-2021



Total dogs euthanased 2,502

rspca.org.au/sites/default/files/RSPCA%20Report%20on%20Animal%20Outcomes%202020-2021.pdf

Report on Animal Outcomes 2020-2021.pdf

4 / 14 | 100% | [Icons]

65%
13/14 14/15 15/16 16/17 17/18 18/19 19/20 20/21

Many more owners reclaim lost dogs from the RSPCA than they do lost cats (8,478 or 38.00% of dogs compared to just 2,519 or 5.92% of cats).

The increasing numbers of dogs identified with microchips facilitates reuniting lost dogs with their families.

Unfortunately, despite our best efforts to rehome dogs and help return them to their families, 11.21% (2,502) of dogs/puppies were euthanased (see Figure 5). We remain focused on rehoming all animals who are suitable for rehoming.

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Exercise by the approved charitable organisations of their compliance and enforcement functions under the Prevention of Cruelty to Animals Act 1979

Charities are commonly non-profit organizations dedicated to tackling social issues, offering humanitarian aid, or promoting specific causes. Despite their vital role in society, there are six compelling reasons why they should not be involved in enforcing legislation.

1. Lack of Authority

Charities like the RSPCA lack governmental status and legal authority to enforce legislation, a role typically reserved for government agencies responsible for creating, implementing, and enforcing regulations. While charities can collaborate with government bodies and advocate for policies, they are not empowered to enforce laws themselves.

2. Potential for Conflicts of Interest

Charities rely on donations from various sources including individuals, corporations, and governments. Granting them the authority to enforce legislation could potentially create conflicts of interest. Their enforcement decisions might be swayed by the preferences of their donors, undermining the impartiality necessary for effective legislation enforcement.

3. Expertise and Training

Law enforcement demands specialized knowledge, training, and expertise in legal affairs, criminal justice, and investigative techniques. Charities may lack the resources or expertise required to effectively perform law enforcement duties. Relying on trained professionals ensures a more proficient and impartial application of the law.

4. Accountability and Transparency

Government agencies are accountable through democratic processes, checks and balances, and transparency requirements, ensuring accountability. Charities, though often transparent about their activities and finances, may lack similar oversight mechanisms and be solely accountable to themselves.

5. Risk of Vigilantism

Granting charities the authority to enforce legislation could foster a form of vigilantism, wherein non-governmental organizations assume control outside official



channels. Such actions may lead to an inconsistent application of the law, potentially causing conflicts and undermining social order.

6. Legal and Ethical Concerns

Enforcing legislation entails making decisions with substantial legal and ethical ramifications, necessitating a delicate balance between safeguarding individual rights, and upholding public safety. Government agencies are generally better equipped to navigate these complexities within a legal framework.

While charities can indeed play a vital role in advocating for legislative changes, raising awareness, and collaborating with government agencies, the enforcement of laws should remain the responsibility of authorized governmental bodies to ensure fairness, accountability, and adherence to established legal processes.

Charities and their role in Animal Welfare Matters

Regarding animal welfare, it's crucial to acknowledge the significant role charities play. However, it's important to note that they may lack expertise in animal behaviour and the necessary training for assessing animals or providing behavioural training.

Therefore, it's advisable that the authority to euthanize any animal for behavioural reasons be vested in qualified professionals with the appropriate training and expertise in animal behaviour and welfare, and only after all avenues for rehabilitation are exhausted.

The PDTA advocate for addressing concerns surrounding the RSPCA and the necessity for expert assessment prior to euthanasia.

We propose the mandatory involvement of industry experts in all evaluations concerning dogs earmarked for destruction by the RSPCA. Through consistent application of this protocol, we aim to achieve more favourable outcomes for the dogs and potential adopters.

Incorporating industry experts without existing government affiliations into the assessment process will:

1. Enrich the knowledge base concerning 'difficult' dogs,
2. Improve decision-making,
3. Enhance transparency,
4. Promote fairness.



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This approach ensures that evaluations are conducted by professionals possessing a comprehensive understanding of dog behaviour, which is crucial for making well-informed decisions regarding a dog's disposition. This approach aligns with the overarching goal of enhancing responsible dog ownership and fostering safer communities.

Other related matters

Ideologies

The PDTA caution against the RSPCA's exclusive promotion of "positive-only" dog training, emphasizing positive reinforcement without considering consequences or punishment. While positive reinforcement holds value, it may not address all situations or behaviours universally.

Our approach endorses an inclusive use of effective and humane training tools, methods, and techniques, acknowledging that no single method suits all dogs and behaviours. Prioritizing safety, we advocate for a comprehensive toolkit to address various behavioural challenges, preventing unnecessary euthanasia.

The absence of industry expert assessments by the RSPCA can lead to unintended consequences, placing dogs in unsuitable homes and triggering behavioural issues. Emotional decisions based on abuse stories may neglect proper training and rules essential for successful dog integration.

Mandatory assessments by industry experts, along with education for RSPCA and adopters, can bridge knowledge gaps and ensure a more informed approach to dog adoption. Individual assessments are crucial, recognizing that not all dogs have the same needs or rehabilitation potential.

The goal is a system where dogs are assessed, matched with suitable homes, and provided with necessary resources for well-being. Collaboration between RSPCA, industry experts, and adopters contributes to safer communities and better dog-owner relationships.

Implementing standardized, expert-led assessments can set a precedent for effective regulation, safeguarding the rights and welfare of dogs and adopters.

Tools

The debate over tools like electronic and prong collars often revolves around concerns about causing fear and pain to animals. There are two main groups with differing viewpoints on this issue.



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Group One, including PDTA Board, Behaviour Consultants, and members, prioritize dog well-being and advocate against anything perceived to inflict pain, injuries, or fear. However, their support for these tools does not imply endorsement of causing harm. PDTA's confidence in the safety and effectiveness of these tools comes from direct communication with manufacturers and extensive hands-on experience.

On the other hand, Group Two opposes the use of these tools based on misconceptions and emotional reactions, despite lacking direct experience. Organisations like the RSPCA perpetuate misleading narratives about pain, fear, and injury associated with these tools, despite a lack of substantiation and cruelty charges from reputable sources.

Effective dog rehabilitation aims to foster confidence and reduce anxiety without resorting to fear or pain. However, decisions regarding dog training tools should involve input from experienced professionals who understand their safe and effective use. PDTA offers certification courses to ensure responsible usage of these tools, but some government bodies have declined these offers, opting for alternative methods endorsed by organizations like the RSPCA.

Considering these complexities, it's essential to prioritize evidence-based approaches that prioritize both animal welfare and effective training methodologies. PDTA seeks to ensure that decisions regarding dog training tools are guided by expertise and compassion, rather than sensationalism and misconception.

In conclusion, PDTA extends its services to NSW Government to contribute to the creation, implementation, and management of a successful adoption programs for the thousands of dogs that are currently euthanised by the RSPCA for no reason other than the ideologies they promote, do not work.

We believe that by leveraging our collective knowledge and expertise, the NSW Government can set a new standard for reduction of unnecessary euthanasia of dogs by the RSPCA and ensure true accountability.

Your sincerely,

Steve Courtney

President
