

The Board Model for state-wide dog and cat management: Does it work?

2010 AIAM CONFERENCE PAPER



Government of South Australia

The Dog and Cat Management Board

Replacing roles once held by, or in conjunction with Government Departments, Ministers, Local Government Associations and Local Councils, the Dog and Cat Management Board provides the oversight to the management of cats and dogs in South Australia.

Some strengths of the Dog and Cat Management Board are:

- The nine member Board is comprised of equal nominees by the Minister and the Local Government Association with an independent Chair jointly nominated.
- Appointment to the Board is based on skills and expertise not representation.
- The State and Local Government work hand-in-hand with the State having influence over state-wide policy and dissemination with Local Government input on enforcement.
- The existence of the Board provides political distance between dog and cat management decisions and both the Minister and the LGA.
- There is consistent administration of the Act across the state though the development of agreed policies and guidelines.

Brief history of dog control legislation

- When the first immigrants arrived here at Holdfast Bay in 1836, they probably brought a dog or two with them. The dogs were able to run loose both by day and by night and it was not possible to know to whom they belonged. In many cases they were expected to hunt and catch their own food and bred indiscriminately among themselves and soon became a public nuisance and a threat to stock and animals.
- It is a measure of the importance of the dog nuisance which was by then evident, that within three weeks of the opening of the new Legislative Council in 1851, Captain Bagot asked the Colonial Secretary "if it is intended by the Government to bring in a bill this session to control the dog nuisance."
- The first Dog Act "*for abating the nuisance and damage to property occasioned by the great number of dogs which are loose in the Province of South Australia*" was granted Royal Assent in October 1852.
- That first Act of 1852 only applied to dogs that were over four months old and had been kept in the City of Adelaide or within ten miles of it, for more than fourteen days and simply required that a registered dog "shall have a collar round its neck with the number corresponding to the register of the same, legally inscribed thereon."
- By 1867 the law had been extended to cover the whole Province and the collar also needed the number of the district in which the dog was registered and the name of the owner engraved on it. A penalty of between five shillings and forty shillings was prescribed if such a collar was not provided.
- Crown Land Rangers were introduced and registrars outside towns and council areas could claim travel expenses for the long distances they had to cover on horse back or buggy.

The Dog Control Act 1979

- After numerous additions and amendments to the legislation over the ensuing years, the Dog Control Act was introduced in 1979 and established the Dog Advisory Committee. The functions of the Committee were to “advise the Minister in relation to the making of grants from the (Dog Control Statutory) Fund” and to “advise the Minister on any other matters related to the administration of this Act”.
 - The Dog Advisory Committee realised the need for an acceptable and high standard of dog control and recognised that there was indeed scope for improvement on the quality of administration and enforcement of dog control in South Australia.
 - In 1992 Ken McCann was commissioned by the then Minister for Environment and Planning, to undertake a state-wide administrative review into dog control.
 - It was significant that although the current legislation to control and contain dogs was widely recognised as comprehensive, all of the originally identified dog problems in 1979 were still evident in all communities.
 - In 1992 there was a minimum of 60,000 unregistered dogs. These unregistered and therefore unidentifiable dogs undoubtedly contributed to the ~12,000 unwanted dogs destroyed each year in shelters.
 - At the time of the Dog Control Review, there had been no specific training course available for dog control personnel. There was the general perception that dog control was a menial type task which could be performed by almost any person.
- The amendments dealing with this issue were predominantly contained in the negotiated agreement dated February 1994 between State and Local Government which outlined the transfer of responsibility of administering the *Dog Control Act* to local government.
 - Administration of the Act was funded by a percentage of metropolitan council registration fees.
 - Under the negotiated agreement, the following responsibilities were transferred to local government;
 - Executive support to the Dog Advisory Committee or its replacement
 - Advice to local government and the public
 - Responsibility for setting registration fees
 - Determination of the level of council contribution to the Dog Control Fund
 - Financial management of the Dog Control Statutory Fund.
 - Both state and local government agreed there should be a Dog Management Program. The Dog Advisory Committee and its replacement Board were to be responsible for the development, monitoring and evaluation of a Dog Management Program. The Program was to be a strategy for implementing provisions of the new Dog Management Act.
 - The Dog Advisory Committee was to be replaced (once the legislative changes had been enacted) with a new Local Government Dog Management Board.
 - A Dog and Cat Management Board would be established as part of the proposed legislated amendments and be established as a body corporate under this Bill. The Board would have the power to perform the following functions:
 - Contract and hold property in its own name
 - Advise Local Government on a wide range of issues relating to dog and cat management, including the development of dog and cat management programs
 - Distribute funds collected on behalf of the Dog and Cat Management Fund for purposes associated with dog and cat management.
 - Make recommendations on the setting of fees under the legislation which were uniform for all councils.
 - The principal function of the Board would be to assist and liaise with Local Government on the administration of dog and cat management and to achieve a high standard of consistency in the management of dogs and cats in SA.

Dog and Cat Management Act 1995

- In November 1994, the Minister for the Environment and Natural Resources, introduced a Bill for an Act to provide for the management of dogs and cats, to repeal the Dog Control Act 1979.
- The purpose of the Dog and Cat Management Bill was to implement the following changes:
 - A transfer of the full administrative responsibility for dog control from State Government to Local Government.
 - Amend existing regulatory provisions and include additional provisions relating to the management of dogs.
 - Include new provisions for the identification, control and regulation of cats.

- The Board was to be the focal centre and disseminate information and knowledge to all councils, and be responsive to the needs and requirements of councils at all times.
 - The title change to the legislation from Dog Control to Dog Management would emphasize the focus on management rather than on control of the same issues.
 - The powers of the Board were to include the power to establish advisory committees and the power to require councils to provide certain information.
 - Does the Board model for state-wide dog and cat management work? Not in isolation, a statutory authority Board requires a sound foundation of legislation on which to operate.
 - On 1 July 1995 the *Dog and Cat Management Act* was introduced, and with its inception came the establishment of a statutory body located in the LGA under the control of the Minister.
 - The Act was amended in 2004 to reform the Board structure and make it a true partnership between local and state government.
 - The Board would consist of 9 members appointed by the Governor, of whom:
 - Four to be nominated by the LGA
 - Four to be nominated by the Minister
 - One to chair the Board, is jointly nominated by the LGA and the Minister.
 - A strength of the Board is its composition based on skills and expertise not representation.
 - The members of the Board nominated by the LGA must together have the following attributes:
 - Practical knowledge of and experience in local government, including local government processes, community consultation and the law as it applies to local government;
 - Experience in the administration of legislation
 - Experience in financial management
 - Experience in education and training
 - The members of the Board nominated by the Minister must together have the following attributes:
 - Experience in state government processes and the administration of legislation
 - Veterinary experience in the care and treatment of dogs or cats
 - A demonstrated interest in the welfare of dogs and cats
 - A demonstrated interest in keeping and management of dogs
 - Experience in community health or medicine
 - The Chair of the Board must in the opinion of the LGA and the Minister, have the abilities and experience required to promote the effective performance of the Board and its functions.
 - The Chair has access and reports directly to me as Minister. Regular meetings are held between the Chair and the Minister and the Chair and the LGA.
 - The Board has a legislative requirement to report (by 30 September) to the Minister, the LGA and each local council on the previous year's operations.
 - The LGA and Minister agreed the administrative and executive support to the Board was to be provided by the Department for Environment.
- Why does the Board model work?**
- The dissemination of advice, information and material from a central organisation both to councils and the community has been an important step forward for dog management in South Australia.
 - To ensure the provision of uniform information, guidelines and policies have been devised in conjunction with local government representatives and authorities to standardise methodology when addressing complaints/ issues/ queries across council boundaries. The following, are examples of standardised guidelines developed by the Board:
 - a. Training of Dogs subject to a Dangerous Dog Order (the subject of a separate paper for this conference)
 - b. Assessment criteria for disability dogs
 - c. Identification required to register a dog
 - d. The Dog Register
 - e. Guideline for the training of officers
 - f. Procedure for the application of Dog Registration Fee Rebates.
 - The Board provides strategic oversight for state-wide dog and cat management by;
 - a. Developing strategies for effective animal management
 - b. Acting as a conduit for information and ideas and
 - c. Liaising with others from within the industry to discern the best possible outcomes for all.

Has it achieved?

Examples of strategies and achievements from the most recent Annual report are:

- Strategic Priority 1: Bold animal management: *Act decisively for better dog and cat management*
 - The Board undertook research to understand the issues relating to the management of cats and produced a well evidenced paper, together with recommendations for legislative amendment, to encourage the responsible ownership of cats.
- Strategic Priority 2: Communication, education strategy and media: *Communicate and use the media to our advantage*
 - In his discussion on the progression of the Board from 1995 to 2000 from a Board member's perspective, Coventry (2000) indicated that one of the most important Board initiatives is to educate the public especially about dog safety.
 - The Board continues to invest in educational initiatives designed to provide consistency, relevance and measurable performance in addressing the causative elements of dog bite injury.
 - Cooperation on training initiatives aimed at improving the performance of dog and cat management officers is common to the objectives as outlined in the Memorandum of Understanding between the Board and the LGA.
 - The Board and LGA appreciate the important educative role performed by local government officers in the community and collaborated on the development of a Professional Development Course to ensure a consistent and fundamental knowledge base is developed amongst animal management officers. The Board continues to support the attendance of Officers to the new course.
- Strategic Priority 3: Measure performance, undertake research and use resources strategically: *Act decisively for better dog and cat management*
 - Coventry in 2000 discussed how the Board has undertaken surveys to facilitate effective animal management. The Board has continued to facilitate and initiate research to provide evidence on which to develop policy or advice to both the Minister and the Local Government Association.
- Examples of DCMB research undertaken for 2009/10 includes;
 - a. Market research report on dog ownership and dog attacks in South Australia, June 2010
 - b. Dog ownership and Purchase Decisions: Royal Adelaide Show Research 2009
 - c. An Analysis of Feline Admission Data from the Royal Society for the Prevention of Cruelty (RSPCA) and Animal Welfare League (AWL) of South Australia for July 2007 to June 2009.
 - d. Semi-owned cat attitudes and behaviours in South Australia, 2009.
- The strength of this Board is its dependence on evidence to support recommendations and ability to initiate meaningful research.
- Strategic Priority 4: Stakeholder relations: *Identify, engage, maintain and partner with stakeholders*
 - The Board has an established Memorandum of Understanding with the Local Government Association which establishes the basis for a true partnership, cooperation and consultation between the LGA and the Board on issues of mutual interest and to achieve mutual objectives in relation to the management of dogs and cats. The MOU acknowledges the existing close relationship between the Parties, based on shared regulatory objectives in relation to dog and cat management issues.
 - Using the collective input of like-minded animal management organisations both locally and interstate, the Board has been more successful in its functional aims than if it was the sole initiator of its animal management strategies.
 - The Board is currently collaborating with interstate agencies on the delivery of:
 - a. A campaign to address the incidence of cat semi ownership.
 - b. A national framework for the consistent identification and training for guide, hearing and assistance dogs.
 - c. Promotion and evaluation of a program designed for expectant parents where pets are pre-existing in the family home.
- Strategic Priority 5: Legislative change and compliance: *Ensure our legislation delivers good dog and cat management*
 - There is no such thing as perfect legislation. All legislation must be reviewed regularly to ensure it is relevant, necessary and equitable.

- The Board have, after considerable consultation with representatives from Local Government, indicated that further minor amendments to the Act are recommended to further improve dog and cat management in South Australia.

Improved performance

- In South Australia we have linked what could be considered the main ingredients for unified management. Legislation, enforcement and administration coupled with promotion, awareness and education cooperatively managed through partnership and agreement between local and state government and overseen by a statutory authority.
- The foundation on which unified state-wide management rests is workable legislation which is periodically reviewed and amended to meet the changing requirements of society and pets.

So do I believe the Board model works?

- In this state, the combination of the legislation, a statutory Board and the partnership with the LGA and local councils together with the operational relationships established with the RSPCA, AWL, AVA and other stakeholder partners has resulted in clear and strategic direction and measurable achievements in companion animal management.

Conferences such as these are valuable in providing opportunity for the sharing of ideas, successes and failures. Thankyou to AIAM President, Dr Dick Murray and the conference committee for inviting me to open the Conference and present this, the first of many papers for this conference. I wish you a successful conference.



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