

## The animal management/animal welfare interface in Australia: To what degree could the 'interface' between animal management and animal welfare at a community level become a mutually beneficial 'merger' if we put the right bridges in place

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### Abstract

Companion (pet) animals have a major impact on community quality of life across Australia. There are both positives and negatives involved in this long standing relationship between the Australian community and its companion animals. Getting the best balance of outcome from this relationship for both the animals and the Australian community in general, has proven to require active shaping. History well and truly proves that best outcomes are unlikely to happen spontaneously. The net (animal and community) benefit of pet ownership in the community is dependent on competency of ownership. This includes the competency with respect to care and control, both at home and in the public environment. Owner management for best outcomes routinely requires a combination of Local Government and Animal Welfare oversight. While Animal Management and Animal Welfare are different disciplines in a functional sense, there is nevertheless, a good deal of common ground between the two. It can be argued that there is also considerable potential for mutual benefit if the two can work cooperatively together. Historically, in Australia however, these two disciplines have tended to be held firmly separate for one reason or another. It is perhaps time to review this relationship. Investigating the potential for such inter-disciplinary convergence probably requires the identification of four separate areas of interest:

- a) Potential benefits of convergence
- b) Current obstacles blocking convergence
- c) Bridge mechanisms that might assist convergence
- d) Projects that can serve as pilot studies of convergent activity

This paper sets the groundwork for a workshop session at this Alice Springs conference that is intended to commence this investigative process.

### Introduction

At the Canberra UAM Conference in 1994, David Paxton delivered a thoroughly researched paper on the subject of the evolutionary relationship between people and their companion animals. David's paper at that conference followed the theme of co-evolution which (if summarised into one paragraph) might go something like this: "Animals should be considered

an integral part of the normal "us". We have evolved living in the company of animals and as a consequence, it is perhaps as natural to be living with them, as living without them is not".

It is important to point out that the effects of humans living with animals are not universally good and beneficial. There can be negatives in this relationship and these negatives can be significant. The balancing act between positive and negative is all about animal owner management, and that is all about community. Consider the following points:

- a. While not all of the people in any given community keep companion animals, everyone is affected by them. The balance of net benefit depends on how these animals are controlled and cared for by their owners.
- b. It is the community that determines what is acceptable and what is not when it comes to the owner obligations and responsibilities that pertain to this animal control and care.
- c. Our community as a whole, through government legislative structure, via the regulation of both Animal Management and Animal Welfare, has ultimate influence in setting the "bar" with respect to what is acceptable and what is unacceptable in true reflection of where the community thinks these boundaries should be placed.
- d. The dividends of this balancing act are dependent on how effectively that legislative / regulatory agenda is then enabled and applied.

### The significance of community

Hugh Mackay in his book "Reinventing Australia" discussed the functional meaning of the term community. In doing this, he stepped through the definitions of ethics, social values and morality in this context broadly as follows:

1. Ethics is a sense that has its foundation in taking the rights, the needs and the welfare of others into account – (It seems reasonable to extend this understanding to include the rights and the welfare of the animals we keep as a community as well)
2. Social values are the outcomes of a community's sense of ethics. They are what we learn from living in community with others. They are about understanding the difference between right and wrong

### 3. Morality is an overall sense of combined social values

These same three concepts are central to the business of our understanding what society expects of animal owners with respect to how they control and care for them. In other words, it is our society's ethics and social values that that frame our joint understanding of what actually constitutes fair and reasonable and acceptable animal owner conduct.

## Management and welfare

Historically, in Australia at least, Animal Management and Animal Welfare have been separate enterprises. The AIAM Committee distinguishes between the two as follows:

A. Animal Management involves the regulation of animal ownership so as to ensure that the animals do not impinge negatively on public health, public safety and public amenity. The focus in Animal Management is on the impact animals can have upon humans.

- Animal Management is about the ethical obligation that animal owners have to manage their animals in a way that is sensibly considerate of other people.
- The regulatory duties involved in Animal Management are carried out in each state under legislative authority by Local Government.

B. Animal Welfare, on the other hand, involves the regulation of animal ownership to ensure that the animals are properly cared for. The focus in Animal Welfare is on the impact humans can have on animals with a minimum requirements of cruelty prevention.

- Animal Welfare is about the ethical obligation that all members of the community have to manage animals in a way that is sensibly considerate of the animals themselves.
- There are many organisations at national, state and regional levels in Australia that have regulatory roles in Animal Welfare under legislative authority different to that for Animal Management.

Although these definitions delineate where animal management has traditionally stopped and animal welfare has traditionally started in Australia, Animal Welfare has always been (of necessity) a core concern of animal management teams – and vice versa.

## Convergence

In Australia at least, Local Authorities are no more animal welfare agencies than animal welfare agencies are councils. Urban animal management does however, in many instances, deliver direct animal welfare outcomes. Three immediate examples:

1. Fence laws are front line urban animal management business. But, besides acting to prevent public nuisance and public danger being caused by roaming dogs, they also (if resolutely enforced) effectively prevent dogs being hit by cars on the road, prevent them breeding indiscriminately, prevent them attacking other animals and prevent them getting lost
2. Registration laws are also front line urban animal management business. But, as well as providing essential animal to ownership data linkage, they also (if resolutely enforced) do two other things:
  - a. Create an environment in which there are no strays and every animal has an identified owner ie. someone who has to sign off on being the person responsible for its care as well as its control and restraint
  - b. Allow the application of desexing incentives through differential registration fees that effectively encourage desexing, without all the difficulty of mandating it
3. Limits on the numbers of “pets permitted per residence” are another example of frontline urban animal management business. It is how Local Authorities facilitate pet access while minimising the nuisance caused by over zealous levels of ownership. But at the same time, they also serve to provide a better deal for the animals themselves by positively reducing the welfare issues that are associated with pet hoarding, indiscriminate breeding etc.

If it is true that competently cared for animals cope better within themselves and therefore make better pets at home, it can also be said that they will most likely make better neighbours too. In this sense, the theme of (Animal Welfare) competent ownership channels to Animal Management outcomes and vice versa. At the end of the day, both Animal Management and Animal Welfare regulation is about our Australian community requiring animal owners to be sensibly responsive to standards set in legislation that are consistent with the general population expectations.

Community regulation for the prevention of cruelty to urban animals (Animal Welfare) - and the prevention of public nuisance being caused by animals (Animal Management), both involve the following same four functions:

1. Having codes of expected conduct for animal owners – public education and community awareness
2. Ensuring that these codes are consistent with community (distinct from minority interest group) values
3. Having adequate authorised oversight / review capability for ownership competency

4. Having regulatory powers that provide remedy where necessary for nonconforming transgressors.

If the theme of there being similar ethics and social values underpinning both Animal Welfare and Animal Management issues is valid, it may well be that non-compliant elements (the 80/20 rule) that require supervision under each regulatory discipline turn out to be the same people. If so, dealing with one set (Welfare or Management) of “incompetent owner” issues, just might also address the other package at the same time.

***What’s blocking the power of cooperative endeavour?***

Two interesting papers on the convergence theme were presented at the Darwin AIAM conference (Maloney L. 2008 & Chandler PG. 2008 ). Both Peter Chandler and Laura Maloney described to delegates at that conference how other countries, including the USA and the UK, routinely work Animal Management and Animal Welfare business out of the same agencies at a community / Local Government level. If this kind of convergence of regulatory powers is a proven concept in other places, it seems a pity if we can’t at least look carefully into the possibility of doing the same for Australia?

One of the common findings from both of these authors was that animal management officers who perform welfare functions, such as AMOs often do in the USA, are looked upon more favourably by the community because they are seen as being “there” for the animals. This assists them with enforcement when it is necessary. The current trends of Australian communities (conversely) sees AMO’s as unpopular, purely a “people - enforcement” person rather than saviour or protector of animals. This “bad guy” AMO image anecdotally brings with it a lot of stress and anxiety to those in the industry – and it impacts negatively on performance and productivity. Having two (merged) regulatory roles could be a considerable operational advantage for AMOs.

Historically however, these two disciplines have tended to be held separate in Australia. As a rule, different state government departments administer separate Animal Management and Animal Welfare Acts. Officers authorised under these different Acts have different role definitions and none of these Acts are the same from state to state. It is difficult to see how Councils might be able to work the same officers with merged regulatory roles (as happens in the UK and the USA) under the concurrent authority and constraint of separate Acts of Parliament.

Committee members of AIAM believe another principal reason for this “convergence blockage” involves funding. As a rule of thumb, Local Government across Australia struggles to properly fund Animal Management services as it stands.

- ❖ It is difficult for Councils to see how they can be expected to fund an additional (Animal Welfare)

role while current budgets for Animal Management are routinely so stretched already.

- ❖ It is difficult for Councils to predict what precisely might be encompassed within a new Animal Welfare service role. eg. Are Local Authorities going to be expected to turn out for injured animals and be obliged to care for them indefinitely? Are Local Authorities going to be expected to provide animal shelter services? etc.
- ❖ It is difficult for Councils to predict how their (rate payer) clients are going to feel if told they have to pay additional rates on top of the ones they already pay.
- ❖ It is difficult for Councils to see how an additional Animal Welfare services will not end up with “Animal Management Peter being robbed to pay Animal Welfare Paul” when Peter is well and truly on his knees in a financial sense as it is.

At the Geelong AIAM conference in 2009, the author presented a paper on the need for credible funding models for Animal Management services (Murray RW. 2009 ). In this paper a dissection of Animal Management service components, users and billing options was offered as a means of understanding the complexity of what might be called genuinely “user pays” Local Government Animal Management service. Perhaps Animal Welfare could be an additional service component (#14 in the dissection table as presented in that paper) – all possible - though it would be a Local Authority governance issue to see if rate paters did in fact want that to happen.

For regulatory convergence to work, would the same authorised officers be required to carry out both roles? If so, two main changes would probably be necessary:

1. First of all, there would need to be new (amended) legislation that accommodates and enables the changes envisioned.
2. Secondly there would need to be a funding model that is acceptable to all parties and sufficient to support whatever new/different/additional regulatory Local Government roles are anticipated.

Alternatively, to have an operationally cooperative and mutually beneficial approach between Animal Management and Animal Welfare (without there being joint regulatory operation) would require a thorough understanding between both sectors as to what this understanding might entail.

To begin an investigation into the potential for convergence between Animal Management and Animal Welfare in Australia at least the following four items need to be defined by well qualified representatives from both sectors:

- a) Potential benefits of convergence
- b) Current obstacles blocking convergence
- c) Bridge mechanisms that might assist convergence
- d) Projects that can serve as pilot studies of convergent activity

## Acknowledgements

There is an element of “change process” suggested in this paper. Prompting change can be difficult yards at any time and the subject environment here, that includes both Animal Management and Animal Welfare together, is a daunting one. The AIAM Committee believes the “convergence” theme is a discussion we should nevertheless be having at this time. The input of the AIAM Committee, Mandy Paterson, Nell Thompson and Jacqui Mills has all been invaluable.

## Appendix 1. Workshop framework

### 1. Identify the **potential benefits** of operational convergence & allocate weighting (priority)

- Being able to work together on problem owners whose cases impinge coincidentally on aspects relevant to both Animal Management and Animal Welfare – preparing stronger cases for tougher / quicker / more lasting / more efficient outcomes
- Operational allegiances have shown that community support equals more volunteers and more funding to assist AM to achieve their objectives.
- Interlinking animal care and control (Welfare and Management) in routine regulatory service operations can (anecdotally) engender a more respected status for authorised persons who are involved
- Applying shared resources can enhance the value of (joint) advocacy of universal pet owner competency and responsibility messages
- Linking resources can provide a more coordinated (productive) services to the community in times of emergency
- The structure and content (with cooperation) might be jointly shaped to better train staff
- Development of cooperating stakeholder groups might be able to better review overall strategy development for community animal issues

### 2. Identify the historical obstacles to operational convergence - allocate weighting and value

- What exactly are we discussing – which is the “same page” we are all trying to look at here?... Merge both regulatory services under the same roof?... or what?
  - We probably don't yet have – never have had? a solid and transparent funding model that can provide an ongoing revenue stream sufficient to do either job properly
  - Historically, there have been occasions of cross purpose and negativity between both Animal Management and Animal Welfare regarding who should be doing what and whether they in fact are
  - So far any examples of this cooperation thing has been on a separate municipality to municipality basis... ie one welfare organisation negotiating with one Council... this is an unworkable arrangement in a global sense
  - Expectations from those in AW and those in AM – there has never been a one voice for either discipline at any level
- ### 3. Identify mechanisms that could be expected to facilitate the cooperative - convergence effect in Australia
- Formally cooperating to find the right words (MOAs) between participating organisations - linking care & control in published (joint) strategic service delivery plans- mission / vision/ objectives etc etc
  - Formally cooperating to rewrite SOPs that flag opportunities for cooperation in routine operations where there is a clear advantage to both parties in doing so and without either Welfare or Management carrying additional cost
  - Formally cooperating in the design of operational initiatives that focus specifically on deriving tangible benefits from joint input
- ### 4. Identify specific cooperative initiatives that might serve as good AM / AW convergence pilot projects
- Trial joint promotion for a 100% Council registration strategy (owner /animal) for dogs (or cats) that includes effective oversight and enforcement with registration at point of acquisition ... to see if this (seriously full compliance commitment) can measurably alter down local / regional shelter admission stats in a sustainable way
  - Advertise preparedness to cooperatively address animal hoarder situations with any Council when they arise ... and flag a commitment to track outcomes for beneficial indicators by so doing
  - Advertise preparedness to cooperatively address blatantly bad breeder situations with any Council ... and flag a commitment to track outcomes for beneficial indicators by so doing

- Advertise preparedness to jointly write new SOPs for disaster response cooperation in terms of materials, manpower, facilities and command structure with any Council ... and flag a commitment to track outcomes for beneficial indicators by so doing
- Advertise preparedness to jointly write SOPs for animal road accident pickups (24/7) with any Council that wants to define who gets called out and who ends up getting billed for the service depending on what is involved with regards to injury status and ownership (or apparent lack thereof)
- Advertise a preparedness to jointly write and share the same “universal owner competency” marketing strategy in which Animal Welfare publically backs Animal Management and vice versa re eg:

1. Improving welfare standards in the breeding of companion animals
2. Increasing purchaser confidence in the source of their companion animals
3. Reducing the number of surrendered animals and by extension, euthanasia numbers
4. Increasing public awareness of animal welfare issues and the associated owner responsibilities
5. Increasing public awareness of animal management issues to do with neighbourhood health, safety and harmony issues and the associated owner responsibilities

5. Agree to a draft (workshop) Position Statement on the convergence theme that can serve to publically head up this record of workshop outcomes... Perhaps start as follows DRAFT for a start point of discussion and editing...

*“The separation of regulatory powers between Animal Management and Animal Welfare that is commonplace in Australia today is perhaps an anomaly in a global sense. There is strong anecdotal evidence that both Animal Management and Animal Welfare in Australia may be missing out on something good by not being better linked in an operational sense.*

*While it is understood that Animal Management and Animal Welfare do have different operational objectives, the possibility of developing joint protocols to enable better community management methods for both, does exist. Examples of this probably can and should be identified and trialled and evaluated.*

*Expecting to see some merging of regulatory functions under all the current State Animal Management and Animal Welfare Acts is considered a “bridge too far” at this stage in proceedings in Australia. It is however noted, that this merging of regulatory function does happen overseas and*

*adopting this position at this time is not to say that joint regulatory function shouldn't or couldn't happen at some time in future. It is also noted that there is no reason why all of the various legislation for both disciplines could not be gradually amended to enhance consistency and convergence of outcomes.*

*Understanding the reasons that have historically prevented greater Animal Management and Animal Welfare **service** convergence in Australia is a logical way to begin the process of mapping where the most (strategically) effective bridges might be built between the two - provided that looks to be a useful initiative in the first analysis.*

This Position Statement is intended to summarise the **consensus outcomes** of the workshop session, as outlined above, at the 2013 Alice Springs AIAM conference.

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### **About the author**

Dick Murray BVSc, MSc, MACVSc, FAVA, OAM & current President of AIAM, has been until recently a practicing small animal veterinary clinician for some 40 years. He graduated from the University of Queensland in 1973 and alongside veterinary practice commitments, has been heavily involved with urban animal management in Australia for much of that time. Dick's MSc (JCU) was on the subject of urban animal management and his membership of the Australian College of Veterinary Scientists is in the Animal Behaviour Chapter of that organisation. He was awarded the Gilruth Prize by the Australian Veterinary Association and the Medal of the Order of Australia in 2004 for service to the veterinary profession and the community, largely to do with his work with urban animal management.

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