

WEC ✓/12 (19)

**From:** Neil Wells  
**To:** oneilb@ra.maf.govt.nz  
**Date:** 9 May 1997 3:14pm  
**Subject:** TERRITORIAL AUTHORITIES AND ANIMAL WELFARE

Dear Barry

Thanks for talking to me this morning.

I want to recap on the main points of our discussion.

The policy issue of whether Inspectors under the Animals Protection Act 1960 can be appointed from territorial authorities really goes to the core of the empowering provision (section 9(2)) - what is a "suitable person".

In establishing the criteria for the Waitakere City pilot programme the determination of suitability was based on the character of the applicant, the standard of training, the accountability of the controlling organisation and the installation of a quality assurance system, all of which was subjected to audits by MAF-RA Compliance Group.

These criteria have been well met and have passed the scrutiny of MAF-RA Compliance.

There seemed to be no impediment to extending the programme to other territorial authorities. But before that could happen there needed to be some rationalisation of training standards. That has been achieved through the involvement of the Public Sector Training Organisation (PSTO) with a MAF group (David Bayvel, Kay Howard and Jay Lamburn of PSTO) that is setting the standards for a National Certificate in Animal Welfare Compliance. This Certificate will be hooked onto the National Qualifications Framework of the NZQA.

There is now a formal consultative process for training standards which involves MAF and PSTO. There are three expert panels (MAFQM, RNZSPCA, and Territorial Authorities). This process has involved a large number of individuals, organisations and hundreds of hours of time.

Jay Lamburn of PSTO has just spent 4 days in Auckland consulting with the three expert panels and there is consensus on how the Certificate should be made up. The criteria for registering a National Certificate in Animal Welfare Compliance is almost ready for accreditation with the NZQA.

To reach this stage the Animal Care and Handling Standards Setting Body, which is the old AnTech Board, has been consulted and have written additional unit standards for emergency euthanasia which are now being registered with the NZQA.

The next stage that had to be addressed was how the training could be delivered. And that needs to be addressed in terms of all three sectors - MAFQM, RNZSPCA and territorial authorities. While MAFQM is an accredited government training establishment and could incorporate the Certificate into its training programmes neither the RNZSPCA nor territorial authorities can do this.

I have looked carefully at the requirements of the NZQA for the accreditation of a Private Training Establishment and concluded that the better option is to integrate training into establishments that are set up to do this. The logical place is a technical institute.

Unitec is ready to teach another course - the Certificate of Animal Care - as an extension to the AnTech course they have been delivering. One-third of the proposed Certificate of Animal Welfare Compliance will be in animal care and handling. It makes sense to teach the whole course at a place where some of the teaching is already in place.

Unitec has embraced the concept and has been fully supported by PSTO in this. Unitec has applied to be accredited to teach the Certificate in Animal Welfare Compliance and PSTO has only this week carried out a sight visit to support the accreditation.. Unitec is

ready to offer the Certificate Course from 1 July to trial the unit standards with the full support of PSTO.

I know it could be said that none of this development should have happened until the policy was finalised, but in fairness this has been dragging on for more than a year and windows of opportunity don't wait around. There were reasonable grounds for believing that all the policy considerations had been met until Catherine Petrie came back on the scene.

I have a vested interest in the establishment of a professional training course. If this programme does not proceed or is delayed I stand to lose a lot in terms of development time already spent and in future earnings from training. Unitec has offered me a part-time position to set up and direct the Certificate course and that contract needs to be confirmed this month. But it goes far beyond just my interests.

To meet the deadline for approval by their own academic board, the Animal Technology and Nursing Department of Unitec needed to complete their application this week otherwise there could not be a training course in place until 1999. Without territorial authorities as a catchment there is no commercial base for the course and Unitec will need to reconsider whether they can run the course or not.

There have been many hundreds of hours spent by a lot of people to put all the strands in place - MAF, NZQA, standard writing experts, PSTO, Waitakere City, the AnTech Board of NZVA, the Animal Care and Handling Standards Setting Body - only to be, it seems, stymied by what appears to be the entrenched opinion of one policy analyst. While it could be argued that whether there is a territorial authority component or not the standards will still be there for MAFQM and RNZSPCA, it needs to be noted that none of this development would have taken place without the development of the territorial authority programme and my involvement in that.

I repeat again - the core issue is one of suitability of appointment and there has been no issue raised with me that objectively challenges this central issue. Every query from MAF has been met.

It seems to me that there might be a hidden agenda. The personal views of a policy analyst that might arise from association with dog breeding or as a ratepayer are not relevant to the duties of a government officer in determining policy.

Questions have been raised by MAF Policy as to whether it is within the powers of territorial authorities to commit ratepayer funding to animal welfare compliance. That question has been answered. The Dog Control Act 1996 is unequivocal in that a territorial authority is empowered to "undertake such services and programmes as it considers desirable to promote the welfare of dogs." And the Local Government Act allows territorial authorities to promote community welfare which can include pet ownership. There is hardly a Council in New Zealand that can operate dog control entirely from the dog control account so there is already ratepayer funding supporting this activity. And that has not been challenged by the Auditor General.

I don't understand though why this should be an issue at all. Surely it is for the territorial authority and its elected councillors to rationalise the best use of ratepayer funding. To me it makes as much sense as questioning whether the RNZSPCA is empowered to train and employ inspectors when their constitution does not specifically empower it.

In the end I believe that the only question that needs to be addressed is the suitability of nominees from territorial authorities to be appointed.

I have seen no evidence that supports the notion that they may be unsuitable.

The Local Government Division of Internal Affairs has been consulted and is supportive of the expansion of animal welfare compliance into territorial authorities.

Local Government New Zealand too is supportive of the expansion of animal welfare compliance into territorial authorities provided it is an option for each territorial

authority rather than a compulsion.

The Local Government ITO supports what PSTO is doing in terms of establishing a Certificate in Animal Welfare.

The New Zealand Veterinary Association also supports the programme for its promotion of animal welfare generally but also as a precursor to the wider issue of non-Government veterinarians being accredited by the CVO.

A question has been raised that there is a Parliamentary review of rating empowerment and a decision should be delayed until the outcome of that is known. That is years away. I really don't understand what this has to do with this policy issue. Surely it is for territorial authorities to determine what they are empowered to do and defend it if need be. If a territorial authority exceeds its powers the Auditor General will determine it is not MAF Policy.

Time is of the essence. If this does not proceed or if there is yet another delay the window of opportunity will be lost. There is a commercial reality in offering a qualification course. Unitec needs to base its course on the potential of compliance officers working for territorial authorities. There is also a catchment area for SPCA officers. Without the catchment of territorial authorities there is an insufficient commercial base to proceed. If Unitec withdraws we lose the best option for delivery of training. There is then a prospect of having an accredited National Certificate in Animal Welfare Compliance without the means of delivering the training. And that would destroy years of effort. I cannot afford to carry the development costs much further. If this is not proceeding or if there is delay I need to reconsider my earning options.

Barry, I apologise for the length of this and I hope this sets out my thoughts on the issue. I cannot stress the importance of getting a favourable policy decision within 2 weeks -- not just for me but for all the other stakeholders.

Best regards

Neil

CC: [bayvel@fa.maf.govt.nz](mailto:bayvel@fa.maf.govt.nz)

RELEASED UNDER THE OFFICIAL INFORMATION ACT