

Inquiry into the Animal Care and Protection Amendment Bill 2022

Submission No: 410
Submitted by: Jacqui Zakar
Publication: Make my submission and my name public
Attachments: See attachment
Submitter Comments:

24th May 2022

Jacqui Zakar B.psych, Cert III Behaviour and Training (NDTF)



State Development and Regional Industries Committee

Dear Parliamentary Committee,

Re: Submission on proposed amendments to the Animal Care and Protection Act 2001

I'm grateful for the opportunity to make a submission on the proposed amendments.

My name is Jacqui Zakar, I've been a professional dog trainer for over seven years, certified through The National Dog Trainers Federation of Australia, and own Dog Sense Training and Behaviour, specialising in behaviour modification training, puppy development, and obedience training. I also hold a bachelor's degree in psychology and the position of vice president of Professional Dog Trainers Australia inc.

There are three main points I would like to address with regard to the proposed amendments:

- 1. Key stakeholders have not been consulted on the proposed amendments due to best practice guidelines not being followed by the government.**
- 2. The proposed prong collar ban has been presented without consultation of key stakeholders and presents a biased view of only one portion of the dog training community.**
- 3. Conclusions drawn regarding prong collars are based on unsubstantiated and unrelated research as well as omitting research and expert advice that provides an alternative view.**

POINT 1

Key stakeholders have not been consulted on the proposed amendments due to best practice guidelines not being followed by the government.

The following guidelines have not been followed in the proposal:

The Queensland Government Guide to Better Regulation May 2019 states that: · The COAG Best Practice Principles For Regulation Making include: a) Consulting effectively with affected stakeholders at all stages of the regulatory cycle b) Ensuring that government action is effective and proportional to the issue being addressed c) Considering a range of feasible policy options including self-regulatory, co-regulatory and nonregulatory approach d) Adopting the option that generates the greatest net benefit for the community

Three petitions were not include included in the subject matter in the initial discussion paper:

- Ban the use of shock collars on dogs (Petition no. 3526-21)
- Illegal to import - Prohibit the use of prong collars in Queensland (Petition no. 3530- 21)
- Prohibit the use of choke collars in Queensland (Petition no. 3531-21)

I request that key stakeholders in the training community be undertaken in these three petitions.

POINT 2

The proposed prong collar ban has been presented without consultation of key stakeholders and is based on a biased view of the tool and it's usage.

As stated on page 25 of the bill:

“Imposing restrictions on the use of prong collars and other devices is justified as they are considered to be inappropriate as a training aid because they cause pain and fear in dogs which is used as a punishment. Research has shown that using

aversive training methods including the use of prong collars can cause pain and distress and can compromise the dog's welfare".

I would like to address a number of points from the following portion of the above statement:

"...they are considered to be inappropriate as a training aid because they cause pain and fear in dogs which is used as a punishment."

It is my professional opinion that prong collars are a safe and effective training aid when used correctly and, in many contexts, there is no alternative tool that provides the same level of control:

- Australian Police and Military utilize reward-based training methods as well as aversives, producing dogs at the highest levels of training. Handlers understand that timing and skill is key in using tools such as prong collars. Observing the body language of working dogs demonstrates the confidence this training creates which is essential to the success of the dogs in the field and the safety of the handlers. Clarity of communication is key in training methods regardless of approach and this is demonstrated in working dogs.
- Many members of the community with physical impairments utilize the prong collar as it gives more control than other tools. Off leash dogs, cats etc, can appear from nowhere and even a highly trained dog can lunge in these scenarios. Without the added control a prong collar provides, these handlers are at real risk of injury, subsequently risking dog's opportunity for freedom via walks or a dog even being surrendered. There is no alternative to the prong collar in this context that provides the same level of control with minimal risk to the dog.

POINT 3

Conclusions drawn regarding prong collars are based on both unsubstantiated and unrelated research as well as omitting research and expert advice that provides an alternative view.

Page 3 of the bill states:

"Possessing or using a prong collar, which is designed to bruise or pierce an animal's skin, or another prescribed restraint on an animal"

This statement is factually inaccurate and has no basis in either the history of the tool nor research.

- While the origin of the prong collar is not entirely clear, it is widely published that their original purpose was to have a collar that was effective, while minimizing the possibility of abuse.

Further to the above point from page 25 of the bill:

“If used incorrectly, prong collars can also cause physical injuries, such as bruising, scratching, and punctures to the skin of the dog. Over time, this can lead to scar tissue developing on the dog. In extreme but rare cases, prong collars have been associated with spinal cord injuries and other severe injuries.”

These statements cannot be found in the literature specifically regarding prong collars.

- Among veterinary chiropractors, the prong collar is often the tool of choice. To quote **Dr. Daniel Kamen, one of the most respected veterinary chiropractors in the industry, from his book *The Well Adjusted Dog* p24-27:** *“Most literature suggests that this [the prong collar] is the most effective and least dangerous of restraining collars. The prong collar distributes pressure evenly around the neck, and requires only a small amount of force...Incidence of canine upper cervical subluxations is far less with the prong collar.”* At this point one might argue that an owner can simply switch to a harness. But, Dr. Kamen continues: *“Although harnesses are normally thought of as being easier on the neck, they can be hard on the chest and forelegs. Harnesses have little training value.”* **The nature of the prong collar is such that it is almost impossible to cause injury to the dog, even if misused.** An individual would have to go out of their way to cause physical injury using this tool. It is arguable that any individual who would go through such effort would likely commit the same abuse or worse if a prong were not available. In fact, as Dr. Kamen states, the literature suggests that there is **far greater potential for physical harm from the misuse of flat collars and harnesses than from prong collars. Even if used “improperly” the prong collar is designed to be safe, with the only real risk being slightly less effectiveness than when used with professional guidance.**

Again I refer to page 25 of the bill that states:

“Research has shown that using aversive training methods including the use of prong collars can cause pain and distress and can compromise the dog’s welfare”

“prong collars have been associated with spinal cord injuries and other severe injuries”.

I request citations be provided for these statements as I argue they are based on cherry-picked and biased interpretations of research and there is in fact no research regarding prong collars that makes these claims.

- In his letter to the city of Toronto in 2017 addressing the proposal to ban prong collars (which did not go ahead), Tyler Muto, President of the International Association of Canine Professionals (IACP) at that time, stated: “There are countless books written by actual dog trainers and behavior specialists which elaborate not only on the benefits of these specific tools, but on the value and necessity of an approach to training that involves both positive reinforcement, as well as negative reinforcement and punishment. What we do know is that **there is a gaping hole in the research of modern training methods. However, for a more balanced view of the existing research (not just cherry-picking the pieces that happen to support the narrow viewpoint of a polar extreme)**”
- On reviewing the reference lists of position statements provided by organisations such as the RSPCA and Pet Professional Guild, none of the claims made about prong collars which mirror statements made on page 25 of the bill as quoted above can be found.
- On requesting information from the RSPCA regarding abuse claims regarding prong collars and other tools on May 10th of this year, I was answered within 24 hours with the following references:

Rooney NJ & Cowan S (2011) Training methods and owner-dog interactions. Links with dog behaviour and learning ability.

This is an owner survey so causation cannot be claimed. The study does not specifically look at prong collars and lists aversives as: shoving, hitting, tapping, rubbing the nose waste, collar lift (which collar type is not advised) or yank. Tools are vaguely mentioned in a list but there are no numbers are provided.

Overall KL (2007): “Editorial: Considerations for Shock and “Training” Collars: Concerns from and for the Working Dog Community”

This is an opinion piece by researcher and behaviourist Karen Overall mentions prong collars/choke collars but does not separate the two. She mentions data which show the medical concerns of

using choke/prong collars and references specific studies. However, on reading these studies, and looking further to the studies they then reference, no mention of a prong collar is found.

Blackwell EJ et al (2008) The relationship between training methods and the occurrence of behaviour problems, as reported by owners, in a population of domestic dogs.

Another owner survey which does not look at tools what so ever. In fact this study provides factually incorrect statements about which categories of operant conditioning training methods fall under, i.e. “time-out and other techniques’ described as negative reinforcement (R-), are in fact Negative Punishment (P-). And again, the study lists Positive Punishment as techniques such as Shaking, Scruffing, smacking etc., hich have nothing to do with training tools or legitimate training techniques.

Grohmann K, Dickomeit MJ, Schmidt MJ et al (2013) Severe brain damage after punitive training technique with a choke chain collar in a German shepherd dog.

This is the last reference supplied in my query about training tools which is a case study of a single German Shepherd Dog that was hung (helicoptered) by a choke chain causing brain damage. Again, prong collars are not mentioned in this case study and the abuse described has nothing to do with legitimate training techniques. This is not how choke (or check chains), should be used and it’s concerning that these types of case studies are used as evidence against training tools at all, let alone generalised to other training tools such as the prong collar.

The above case study was mentioned in the **2017 literature review by Fernandes et. al ‘Do aversive-based training methods actually compromise dog welfare?’** Fernandes refers to the above case study and explains why it was not included in the literature review because the: “case report was excluded from the sample, because it reports an isolated incident, which clearly limits the strength of the conclusions that can be drawn. Yet it is clearly cherry-picked by the RSPCA to strengthen their position.

- I refer to the above references provided by the RSPCA but this cherry-picking and misleading referencing to studies is prevalent across all welfare groups that argue for the Force Free training approach.

- What is not referenced in the position statements of welfare organisations and the current bill, is evidence that supports the use of training tools; and specifically prong collars, for example:

Salgirli (2012) Comparison of Stress and Learning Effects of Three Different Training Methods: Electronic Training Collar, Pinch Collar and Quitting Signal stated: “The research resulted in high learning effect for the pinch [prong] collar and electronic training collar, on the other hand [force free] quitting signal showed a lower learning effect.

A force free quitting signal means to end the session and is the approach taken in positive reinforcement only training that avoids aversives. The force free quitting signal was also found to cause more stress than aversive methods, meaning physical discomfort via electronic and pinch collars was less stressful because the dogs enjoyed the training so much, to have the session ended was the most stressful event to them.

Dinwoodie (2021) An investigation into the effectiveness of various professionals and behavior modification programs, with or without medication, for the treatment of canine aggression stated: “success achieved by owners using a slip, choke, or prong collar. Many owners are impressed with the immediate control effected by such training equipment”.

- Clearly there is evidence that shows benefit to the prong collar and other tools and further investigation via consultation with key stakeholders is required to provide a clear understanding from all sides.

CONCLUSION

As a professional trainer with experience in both positive reinforcement methods of training and the inclusion of negative reinforcement and positive punishment to my programs, I am concerned at the language used and the lack of through consultation with key stake holders in the training industry and community in this bill.

I see the benefits inclusion of negative reinforcement and positive punishment provides at strategic points of behaviour modification programs based on positive reinforcement and the physical control and peace of mind tools such as prong collars bring to my clients. I am concerned at the impact on these clients and their dogs should their access to these tools be removed.

Without an element of aversive control in dog training, dogs will be surrendered or euthanised and people hurt or worse.

I request that the Parliamentary Committee not consider restricting the use and availability of tools as proposed amendments to the Act, until such time as best practice process is followed and key stakeholder are consulted.

Yours sincerely

Jacqui Zakar