

Inquiry into the Animal Care and Protection Amendment Bill 2022

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Cause and Effect Dog Training

State Development and Regional Industries Committee

Dear Parliamentary Committee,

Submission on proposed amendments to the Animal Care and Protection Act 2011

My name is Linda Cause. I am a professional dog trainer in Toowoomba, Queensland. I have worked and trained dogs for over 30 years, competed in Obedience Trials, Conformation Showing and Nosework sport over this time as well as run my business helping families train their pet dogs of all breeds, working with behavioural issues and the training of therapy dogs.

I am strongly against the proposed amendments to the *Animal Care and Protection Act 2001* (detailed below).

I have 3 major concerns in the process of these amendments.

- (1) The Government has not followed its own best practice guidelines for the amendment of legislation. As a result, key stakeholders and the wider community have NOT been afforded the opportunity to be consulted on the proposed amendments to the Act.

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.

Evidence that the government has not followed it's own best practice guidelines:

I refer to the "REVIEW OF THE ANIMAL CARE AND PROTECTION ACT 2001 CONSULTATION OUTCOMES REPORT", prepared by the Department of Agriculture and Fisheries and published in October 2021. I refer to page 37 of the report, section titled "Relevant E-Petitions". It is acknowledged that "there were six animal welfare related e-petitions that were tabled in the Legislative Assembly during the consultation period. Issues raised in these e-petitions (listed below) are also being considered as part of the ACPA review process". Of these six petitions, the relevant subject matter of three of these petitions was also included as part of the initial discussion paper; as such, stakeholders and the community were provided the opportunity to give feedback on these matters. I have included the 3 relevant petitions below:

- Make suitable shelter mandatory for all farmed animals (Petition no. 3499-21)
- Tethering of dogs must be prohibited (Petition no. 3501-21)
- Continue the use of all methods, including dogs, to control feral pigs (Petition no. 3515-21) There remains three relevant e-petitions, for which there was no correlating 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) These three petitions were made to the Hon. Mark Furner, with closing dates in May 2021 and a response due date in June 2021. I wish to note that, since the closing of these petitions, there has been no opportunity provided to relevant stakeholders or the community to be surveyed on these matters.

All three petitions listed above closed on 23rd May 2021. The closing date for feedback on the review of the Animal Protection and Care Act (2001), as detailed in the Outcomes Report, was 21st May 2021.

With reference to the "Animal Care and Protection Amendment Bill 2022 Explanatory Notes", page 33, section titled "Consultation". The use of prong collars or any other restraint based tools is in fact missing from the key consultation outcomes of the discussion paper. It is of concern to me that the following has been stated in the bill (I refer to page 18), given adequate community consultation has not been completed:

“New section 37A allows for the possession of additional types of collars or devices to be prescribed. The amendment is required because continuous developments in collars and devices for animals means that some existing and new collars and devices become unacceptable to the community”

- (2) There has been a noticeable lack of community consultation which means that the impacts on the community at large has not been adequately assessed.

The “Queensland Government Guide to Better Regulation May 2019” states that “The depth of analysis and consultation undertaken for a proposal should be proportional to the complexity and significance of the problem and the size of the potential impacts”. To quote from page 14 of the bill: “New section 37A prohibits the possession of a prong collar or another restraint device prescribed by regulation, unless the person has a reasonable excuse” The proposed banning of restraint-based training tools presents a number of adverse impacts on the community, which have not been considered due to insufficient community consultation (as evidenced above). To quote from The Queensland Government Guide to Better Regulation May 2019, these include:

Business Impacts.

My business is primarily around the training pet dogs and working with dogs with behavioural issues.

There are a range of reasons that prong collars, due to their unique design, offer a clarity of communication to the dog which is both humane and far less stressful for the animal than more traditional tools, whilst having the ability to be used successfully with a minimal of effort needed by the handler.

Many clients are older people who have purchased large powerful breeds. These people are not physically able to have adequate control over the dog simply due to the strength/size ratio. The prong collar, because of the unique design, enables these clients to effectively walk their dogs without the issue of pulling or risk of injury to either dog or handler.

I also have had clients with physical disabilities. The collars provide them with the same ability to train and work their dogs safely and with the minimum of stress to both handlers and animal

Social and environmental impacts.

It is an unfortunate reality that people will purchase dogs and puppies and not give them any serious training until problems occur. Many times, these dogs are large, powerful, very energetic and have a strong working drive. The training of these dogs, using other tools is a very long process with limited success in some circumstances, esp with reactive/aggressive dogs. Simply put, many owners will simply give up on the dog and surrender it. Pounds and Rescues will be overrun with dogs with serious behavioural issues. Many dogs will never be able to safely leave their yard, being unable to have their mental and physical needs met. These dogs will develop more serious behaviour problems, from excessive barking to aggression which in turn can put the family and perhaps the general population at risk of attack. Many, will be euthanised.

All dogs and owners are different. Not 1 training tool will suit everyone.

There is a serious misconception in the general community that you can “fix” behavioural issues solely with positive reinforcement via food rewards. This is simply untrue.

- (3) Conclusions drawn and stated and emotive language such as “causing fear and pain” specifically describing the use of the prong collar have been based on unsubstantiated research. Knowledge and education surrounding this tool has not been sought from key stakeholders who have had vast experience in the humane use of this tool.

I refer to page 25 of the bill, which states: “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 request a more comprehensive review of tools be considered prior to drawing such conclusions, as the above statement demonstrates a lack of understanding of behavioural science and the means in which training tools are most commonly used as a means of Negative Reinforcement (guiding the dog towards the correct behaviour), not Punishment.**

Adequate consultation with key stakeholders, including but not limited to:

- Members of the Queensland Government currently utilising these training tools, including Police and Military units

- Certified Animal Training Professionals, working to improve standards of pet ownership and care, community safety and education around responsible pet training and ownership
- Animal Welfare Organisations
- Members of the public who own pets or have pet dogs living in their community Would generate a more comprehensive understanding of the use of training tools in behavioural modification and the betterment of animal welfare.

I refer to page 3 of the bill, which states: Prohibiting inhumane practices The Bill amends the ACPA and introduces new offences which will prohibit the inhumane practice of:

- possessing or using a prong collar, which is designed to bruise or pierce an animal's skin, or another prescribed restraint on an animal. **The above statement is factually incorrect – the tool is not designed to bruise or pierce an animal's skin.** I refer further to page 25 of the bill, which states: 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. This refers specifically to the incorrect use of the prong collar. **It is reasonable to state that incorrect use of any tool (for example a leash, flat collar or harness) has the potential to cause injury. It is also reasonable to state that correct use of the prong collar does not cause injury to the dog**

I myself have a Rottweiler and a German Shepherd x boxer. Both these dogs are high drive, powerful dogs.

I have utilised prong collars on these dogs, not to cause any sort of stress, pain or injury, but to provide them with clarity in training, using the most humane, gentle and effective tool available.

These collars are not a quick solution. Training with positive reinforcement is also used with the long term view of no longer needing this particular tool.

My dogs both LOVE their collar which can be clearly seen in their behaviour when working in it.

Additionally it is of great concern to myself that, as per the wording of the bill above, the use of potentially any and all restraint based tools is considered to be inhumane. I am especially concerned by this wording given key stakeholders and members of the community have not been given room to provide feedback on this. My understanding is that an individual can currently

be convicted of animal cruelty for the misuse of any training tool. I would request that current and historical data on such convictions be cited and included in the consideration of amendments to regulation.

Based on the above, I would request that amendments to the use / availability / legality of tools not be considered as part of the proposed amendments to the Act, until such time as best practice process is followed and the community is consulted on the proposed changes.

I would also like to add that perhaps instead of banning tools of concern, where best practice processes have taken place, legislation be introduced whereby the possession and distribution of such tools are only able to be obtained from Certified Dog Training Professionals. People who have the education, knowledge and experience to use these tools appropriately.

In my experience, it is NOT the tool that causes harm. It is the misuse by an uneducated person.

Your Sincerely

Linda Cause