

## **Inquiry into the Animal Care and Protection Amendment Bill 2022**

**Submission No:** 609  
**Submitted by:** Sonia Jack  
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**Submitter Comments:**

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**Sonia Jack**

Dear Parliamentary Committee,

My name is Sonia Jack, I am a participant of a number of ANKC dog sports such as tracking, obedience and scent work. I am also a volunteer at Eastern Shore Dog Club, and have almost completed my Certificate III in dog behaviour and training with the National Dog Trainers Federation. I have a passion for dogs, their welfare and have a strong interest in dog behaviour and behaviour modification.

I am strongly against the proposed amendments in the *Animal Care and Protection Act 2001* (detailed below), specifically the proposed changes to the use, availability, and legality of tools such as the prong collar (and other restraint-based tools).

My reasons for being opposed to these amendments include:

- a) The government has not followed its own best practice guide 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.
- b) Lack of community consultation means the impacts on the community have not been adequately assessed.
- c) Conclusions drawn regarding restraint based tools, specifically the prong collar, have been made based on unsubstantiated research and without consultation of key stakeholders.
- d) My own personal experiences with the tool, which I have detailed in the last section of this document

**a) 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. 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”*

**b) Lack of genuine community consultation means the impacts on the community have 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:

Social and environmental impacts

These changes will impact public safety by compromising the safe management of dogs in the community. There will be members of the community who will be unable to provide adequate mental and physical fulfilment for their dog without said safe equipment, which is a welfare concern. It is also a safety concern, as owners that no longer have access to said safe equipment, will not be able to take their dog out in public, without their dog being an increased risk to themselves and to others in the community.

**c) Conclusions drawn regarding restraint-based tools, specifically the prong collar, have been made based on unsubstantiated research and without meaningful consultation of key stakeholders.**

*“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.

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.

**d. From my own personal experience,** I do understand that due to the way a prong collar looks, it is easy to assume the tool is cruel and would inflict harm if

used. I understand people's assumption about the tool as I did once share similar opinions myself. Like many others, at one time my only experience with prong collars, is what I saw on social media, and I viewed the prong collar as being cruel and barbaric. Had I have not come into ownership of a large dog, that had aggression issues, I would likely still have the same opinion. I wish to share my own journey, as my story is all too common. There are many dogs, and dog owners like myself, who have been failed by the positive only and force free dog training movements. The RSPCA puts down thousands of dogs every year, due to behaviour issues that they have been unable to modify through their positive only / force free methods.

My own story starts with living and owning a large dog, that was (fear) aggressive towards all other dogs, and sometimes people. I spent almost 9 months working with a 'positive only' dog trainer trying to resolve my dog's aggression issues, which included: barking, lunging, growling and snapping. These behaviours are often grouped into the term 'reactive'. Despite many people labelling my dog as 'reactive', I understood that it was aggressive and anti-social behaviour, which had the potential to get my dog into trouble if the behaviour wasn't stopped. I sought help from a professional dog trainer. Like many others, I had been conditioned to believe that 'positive only' was the only option for training my dog. The trainer I was working with specialised in working with 'reactive' dogs and has very good reputation as a dog trainer in my local area. I was excited to begin working with someone who worked with dogs like mine all the time and was going to be able to help us finally make some progress in the right direction. Unfortunately, this was not what happened. After almost 9 months of working with this dog trainer, my dog's behaviour was getting worse, not better. I can't describe the disappointment and hopelessness I felt at this point. I was hardly walking my dog at this stage, as she was so explosive that I was struggling with physically being able to handle her when she saw another dog. I was terrified of her pulling me over, or her getting away from me. Any time I had to take my dog out in public, I was filled with anxiety and dread. When the training wasn't working, the trainer suggested I talk to my vet about medication.

I desperately loved my dog, and believed she was a good dog, but that I was missing something fundamental that was contributing to her behaviour. I felt like I was failing her. I started to research other dog trainers, who weren't of the purely positive persuasion, and saw some of the work they were doing with dogs with similar behaviour issues to mine, and the improvements they were able to make to these dog's behaviour. I wanted to know more. At this point, all I wanted what was best for my dog, and I did not believe being locked in a yard for the rest of her life, was a good life for a young, active and smart dog. So, I contacted a dog trainer that used 'balanced' training methods and had demonstrated real results with resolving aggressive behaviour.

I went and met with the trainer, and he evaluated my dog, and uttered the words I never expected to hear; "I think we can fix this, she's a really nice, sweet dog."

He could see straight away that one of our major struggles was my lack of confidence in handling the dog, and that due to my dog's size and strength using a harness was not working. The dog was physically too strong for me in a harness. The trainer suggested several options for training tools we could try using instead of the harness, and one of them was the prong collar. Now at this point, I was still quite averse to using a prong collar, and the trainer was sensitive to my feelings, and at no point pushed me to use one if I wasn't comfortable. Once I was talked through all the options, I started to get more curious about the prong collar. I was surprised to learn that they are safe to use even on dogs with spinal injuries, and unlike many other tools such as the correction collar, flat collar and martingales, do not put pressure or cause damage to the dog's neck and airway. The prongs are blunt / rounded and are NOT intended to cut into the dog's skin or bruise the dog. If they did, I would never ever use one, or support their use. The tool is designed to apply pressure evenly around the dog's neck. While it was not the prong collar alone that resolved my dog's behaviour issues, this tool combined with a comprehensive and effective training plan, my dog's behaviour dramatically improved in a matter of weeks.

It is three years later now, and I am so grateful that I had access to the training tools that we did. My dog is not medicated, she is not stuck in a yard, and she is



not a danger to herself or others. She gets taken out almost every day, and I frequently get compliments on what a well behaved, lovely and calm dog I have. We have been able to trial in several dog sports, and people have no idea that she used to be aggressive (unless I choose to tell them). But more important to any of this, she is so incredibly happy now. She is no longer an anxious mess when I take her out. She is optimistic, happy, and living a fulfilled life. She is also my best mate. I am so pleased for her that I didn't give up, and we were able to access the tools and help that she needed. We don't use the prong collar anymore, as her behaviour is so reliable now, that a flat collar and lead are all that is needed.

Anecdotally, when walking my dog, I frequently come across other dog owners who are trying to walk their aggressive / reactive dogs. They are using the 'positive only' methods that I once tried with my dog, and the dogs are always in harnesses (sometimes head collars). Often it takes two people to walk the dog, one to hold on to the lead and keep the dog restrained, while the other one tries to use food and a clicker. No wonder people give up on their dogs. How long can you keep this up for when improvement isn't forthcoming?

Please keep our options open for helping dog owners with their dogs. While not every dog needs a prong collar, for some it can save them from being surrendered to a shelter, or from being euthanised. It can save their lives.

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

Yours sincerely  
Sonia Jack