

Inquiry into the Animal Care and Protection Amendment Bill 2022

Submission No: 1098
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[REDACTED]
[REDACTED]

ATTN: State Development and Regional Industries Committee

Dear Qld Parliamentary Committee,

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

I'd like to take the opportunity to make a submission on the above.

My name is [REDACTED], I run and own [REDACTED] where I do 1:1 Dog Obedience & Behaviour Modification helping Dog Owners who are invested in giving the best they can to their dog. Their dog could be a Puppy, or an older Dog from a Shelter, or Rescue showing various behaviours that require training to become a social and balanced dog.

The 1:1 Training I offer is tailored to the specific dog's behaviour and the lifestyle of the owner. We meet every 2wks and I help them progress using Balanced Training Methods (Scientific use of the 4 x Quadrants of Operant Conditioning) which can alter a Dogs behaviour or enhance desirable behaviours. Of which, I've had many successes and happy clients.

I am NDTF Qualified (National Dog Training Federation) and I frequently attend Dog Training Seminars & Workshops to keep my skills up to date. I also have a circle of Trainers who are mentors to me, and I also subscribe to online learning of Trainers in Australia, US, UK & Europe.

I am a qualified Pet First Aid Respondent too.

I am also part of a GRC Dog Sport Club who meet weekly to practice for GRC Trials – these meetings help dogs become 'social' and 'balanced' through techniques of Game, Relationship & Control (GRC). The GRC Club was founded by a US Trainer called Jay Jack

As mentioned earlier, I am writing to make a submission to object against the proposed amendments to the **Animal Care and Protection Act 2001** because:

- a) The Qld Government have **not** followed their own best-practice guidelines for the amendment of legislation. This has led to key stakeholders and the wider community not being given an opportunity to be consulted on the proposed amendments.
- b) The lack of community consultation means the impacts on the community have not been adequately assessed.
- c) Conclusions drawn regarding restraint-based tools, have been made based on **unsubstantiated** research, **without** consultation of key stakeholders and I believe the decision to ban the Prong Collar is based on an **emotionally biased opinion regarding the look of a tool called 'Prong Collar'**

I further explain the above points;

POINT A - *The Qld Government have not followed their own best-practice guide for the amendment of legislation. This has led to key stakeholders and the wider community not being given an opportunity to be consulted on the proposed amendments.*

The Qld Guide to Better Regulation May 2019 states;

- 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

The above has not been followed which has led to a decision being made without consultation to 'actual' science based research of Animal Behaviour and Animal Ecology

POINT 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 several adverse impacts on the community, which have not been considered due to insufficient consultation with the community (as evidenced above).

Impact on Business – If a Leash **and** Collar (ie **Basic** Dog Training Tools) are to be classed as prohibited 'Restraint Devices' how can an owner walk their dog **safely** and **reliably under effective control** – It makes no sense whatsoever to ban 'Restraint Devices' note; ('Dog Trainers' call these items 'Tools')

If these tools become prohibited, I will have to close my business, and so will many Dog Trainers all over the Country, as it will be physically impossible to train any dog without some kind of 'tool' fitted on the dog and use it **correctly**.

Pet shops won't be able to sell what you deem to be 'Prohibited Restraint Devices' causing a negative impact of millions of \$'s to the Pet Industry and ultimately to the Economy.

How are Shelters meant to re-home Dogs if these 'Tools' are to be prohibited?

How can Puppy owners teach their dog without the tools?

Impacts on Competition - Scientific Research shows that 'Operant Conditioning' is made up of 4 x Quadrants (P+ Positive Punishment, P- Negative Punishment, R+ Positive Reinforcement and R- Negative Reinforcement)

*What does "Operant Conditioning" Mean? → Operant Conditioning (also known as instrumental conditioning) is a process by which **humans** and **animals** learn to behave in such a way as to obtain rewards and avoid punishments.*

As Humans we all go through life avoiding some sort of 'Punishment' – Example; We drive at the speed limits to avoid a fine (A Fine being a Punishment). Our reward is we arrive safely at our destination.

Another Example: We may touch a hot stove and receive a 'punishment' and get burnt, but from that **learning**, it's unlikely we won't touch a hot stove again – ie; our behaviour is modified and the likelihood of touching a hot stove is reduced – therefore, our reward of not touching a hot stove is we are safe.

In the Dog Training Community there is 2 x groups of Trainers. Balanced Trainers and PP/FF Trainers (Purely Positive or Force Free).

The main difference between Balanced Trainers (who use Scientific 4 x Quadrants of Operant Conditioning), and the PP/FF Trainers only use 2 x Quadrants (Reward based only – using 'science based' methods)

I want to touch on the word Punishment and it's meaning; *A punishment in psychology is a consequence which reduces or aims to reduce the likelihood of a targeted and undesirable behaviour from happening again. Punishment is part of operant conditioning, or the use of rewards to encourage certain behaviours and use of negative consequences to discourage unwanted behaviours.*

Punishment in Dog Training comes in various forms. A 'Pop' to a leash is classed as punishment. Stepping into a dog's space can be classed as Punishment.

Punishment in Dog Training is not about 'inflicting pain' or 'causing fear' in a Dog to reduce a behaviour – Punishment is SCIENCE. We as humans are 'punished' and when we are, our behaviour changes.

If 'Trainers' are using Punishment only to train dogs – they shouldn't go near a Dog!

The FF/PP Community say a dog should be ignored if it's being aggressive – but ignoring the aggression is allowing the dogs behaviour to be reinforced therefore, makes the aggression worse.

In 2021, there was a group of trainers, across America (Larry Krohn) & UK (Danny Wells, James Penrith), who between them offered \$50,000(USD) to a PP/FF Trainer who could rehabilitate an aggressive dog using only Purely Positive/Force Free Methods – Not one PP/FF Trainer came forward and accepted this challenge – this is because it simply cannot be done!

Positive Only or Force Free Training can work to a certain point – but when they run out of options, they then move to medication, and or send the dog to be PTS (Put to Sleep) – this is NOT Animal Welfare – this is cruel!

To rehabilitate any dog, you need all 'tools' to be available that are **suitable** for the dog in-front of you **AND** use all 4 x Quadrants of Operant Conditioning, that can help rehabilitate a Dog to live a happy life.

There are cases where Dogs simply cannot be helped due to genetic traits that can come from terrible Breeding Lines, and an awful negative start in a puppy's life.

Impacts on Social and Environmental - In the Act, a Muzzle is being classed as a 'Restraint-Device' – when in fact a Muzzle can be a lifesaver in some scenarios, and is a very useful tool to keep owners, trainers, & other animal professionals (ie; Vets, Groomers) safe.

A dog can be Muzzle Trained to prevent the dog from picking up baited meat that is becoming an increasing problem!

An Emergency Muzzle can be a lifesaver too – if a Dog is injured (broken leg for example) it will try and bite if you try to help it – but applying an emergency Muzzle can save a humans life, as well as the Dogs – as the Emergency Muzzle can help with transportation of the injured dog to the Vet and allow immediate assessment.

If restraint devices are prohibited – there will be a negative impact on public safety, not forgetting livestock in rural areas. Dogs at large will increase. Dog fights will increase. Dog Professionals will be at risk of being bitten (Trainers, Vets, Groomers, Shelter Staff etc)

Dogs are predatory animals! Afterall, they're an animal, not some fluffy stuffed toy. – they need to be treated as an animal and have their needs met through biological fulfilment.

How many Dogs have attacked and sadly killed an adult, child or other dog because it hasn't been trained properly? Or where Purely Positive, and Force Free hasn't worked?

Let's say, an owner is in a wheelchair, and has a dog as a service dog, or assistance dog – the Service Dog will be wearing a **harness** and a **collar** with a **leash** attached – if these tools become 'prohibited' – this will have an impact on the mental health of the owner, and their ability to live a fulfilling life.

Dog Professionals and Owners need Leashes, Collars (of all types), and Muzzles to keep everyone safe, and to teach a dog to be social in our human-world.

EDUCATION of any 'Tool' is key here. Banning a tool is not the answer.

Anyone can be cruel to a dog using a rolled-up newspaper – so does this mean you'll ban or prohibit newspapers too?

The 'items' being labelled as 'Restraint Devices' are a 'TOOL' and with any 'TOOL' it comes down to how the handler uses that 'TOOL' and they need EDUCATION on how the tool works.

A Prong Collar DOES NOT cause fear or pain to a dog – Uneducated & Untrained people do!

We (Trainers) need to educate owners how to use tools effectively to achieve results with their dogs.

POINT 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.

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”*

To me – this is like saying, Scissors will be banned because they can cause fear & pain. Hairdressers will be up in arms about it. Hairdressers go to college to learn their craft and are EDUCATED and taught how to handle them, and how to use them to cut hair – EDUCATION is key!

The statement on Page 25 of the Bill clearly demonstrates a lack of understanding of behavioural science and how dog training tools are most commonly used as a means of -R (Negative Reinforcement) (ie; guiding the dog towards the correct behaviour), **not** Punishment.

Having adequate conversations & meetings with key stakeholders, such as;

- Members of Police and Military units Australia wide and worldwide
- **Certified** Animal Training Professionals
- Speaking to the Directors of the IACP (International Association of Canine Professionals)

Having those conversations would generate a more comprehensive understanding of the use of training tools in canine behaviour modification and Animal Welfare overall.

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 **incorrect** – the tool is **not** designed to bruise or pierce an animal's skin. IF this is happening, the tool is being used incorrectly!

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 a prong collar. It is reasonable to state that incorrect use of any tool (for example a leash, flat collar or harness) does have the potential to cause injury.

It would be useful to see the 'research' and/or 'studies' done that bring the Qld Govt. to the conclusion that Prong Collars cause harm and physical injuries.

Also, it is reasonable to state that **correct** use of the prong collar does **not** cause injury to the dog.

I have seen a Dog rehabilitated by using a Prong Collar – the transformation was mind blowing. The dog began to understand the release of pressure from the Prong Collar = (-R) Negative Reinforcement and the alternative behaviour was heavily rewarded using (+R) Positive Reinforcement. Over time, the Dog began to make better choices and became happier, more content, and the Owner was delighted to walk their dog with safe control in and around their neighbourhood.

Additionally, it is of great concern that as per the wording of the amended bill, “the use of potentially any and all restraint-based tools is considered to be inhumane” – makes no sense whatsoever!

I am especially concerned by this wording given key industry 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.

Without correct EDUCATION people will mis-use tools of all kinds – not just in the Dog Training/Ownership Community.

Builders are educated on how to use nail-guns safely.

Hairdressers are educated on using scissors correctly and safely.

I close my submission by asking that ALL Key Industry Stakeholders are given an opportunity to speak up and I would encourage you to speak to Professional Trainers to get an un-biased understanding what the changes in the Bill will mean for the Safety and Welfare of all Dogs, and not just from 1 side of the Dog Training Community ie; Force Free/Purely Positive Groups.

Everyone says, having a dog in your life makes it a happy one – not having Tools will have an impact on this well-known saying and change the future of owning dogs to the detriment of the Dogs!

I close my submission in the hope, that ALL tools being labelled as ‘restraint-based tools’ are not banned, or prohibited and PLEASE – speak to Dog Professionals who use Balanced Training Methods in the field/on the ground who can show their work on how a dog CAN be rehabilitated using all 4 x Quadrants of Operant Conditioning while using all Tools SAFELY and NOT injuring the dog.

Thank You

[REDACTED]

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[REDACTED]