

Strong dog laws: Safer communities

Australian Pet Welfare Foundation (APWF) submission

August 2023



Strong dog laws: Safer communities consultation

Thank you for the opportunity to provide feedback on the Queensland *Strong dog laws: Safer communities* consultation.

Australian Pet Welfare Foundation

The Australian Pet Welfare Foundation (APWF) is a peak research body and advocate for pet welfare in Australia. As a not-for-profit organisation, APWF uses science-based research to enhance community well-being and improve the health and welfare of animals and people. APWF specialises in evidence-based solutions to prevent euthanasia of healthy companion animals in shelters and pounds and the associated mental health damage to staff and community residents, and ensure all adoptable animals find a home. We share research knowledge with the community, shelters and pounds, state and local governments and veterinarians to create change and save animal and human lives.

APWF is led by Chief Scientist Dr. Jacquie Rand, Emeritus Professor of Companion Animal Health at The University of Queensland (UQ) and a registered specialist veterinarian in small animal internal medicine. She has worked extensively in shelter research over the last 16 years, including collaborative studies with the RSPCA, Animal Welfare League and local governments. While at UQ Dr Rand taught Urban Animal Management and since 2013 has co-authored 21 peer-reviewed articles on urban animal management including management of semi-owned and unowned cats.

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Dog behaviour

Dog behaviour is determined by a combination of genetics (inheritance), life experiences (including training and socialisation with other animals and humans) and their environment (RSPCA 2023).

Dog training

a) Puppy school

Puppies should attend puppy behaviour classes (puppy school) at a reputable establishment with learning that is based on reward-based positive reinforcement. Humane training and socialisation beginning early in an animal's life, can help to prevent the emergence of behaviour problems.

b) Training

Training should be based on reward-based positive reinforcement (AVA 2021). Dog training methods must be humane and must not cause pain or suffering to the animal.

Please see the following link for more information: <https://kb.rspca.org.au/knowledge-base/how-can-we-help-to-prevent-dog-attacks-in-the-community/>

Breed-specific legislation

Dogs should not be declared dangerous on the basis of breed or physical features (physical looks or appearance). Each individual dog should be assessed based on their actual behaviour.

For more information please see: <https://kb.rspca.org.au/knowledge-base/what-is-the-rspcas-view-on-breed-specific-legislation/>

Dog behavioural assessment

- All dogs need time to habituate in a non-stressful environment.
- Pounds and shelters can result in behaviours associated with stress.
- Behavioural assessment should be continuous – i.e., assessment should not be a one-off behaviour assessment.
- Dogs that are obviously stressed by the pound environment should be moved to foster care for more accurate assessment of adoptability and a veterinary psychiatrist or postgraduate with training/qualifications in dog behaviour consulted on dogs prior to consideration of euthanasia for behaviour.
- All dogs entering pounds (or similar facilities) must receive a veterinary health assessment by a registered veterinarian to rule out any physical health conditions which may affect behaviour such as for e.g., a painful physical condition (Overall 2013).

Dogs involved in alleged aggressive encounters

1. Who is an expert who can assess a dog involved in an alleged attack?
 - To understand what motivates a dog to be aggressive requires more than experience training dogs. Aggressive behaviour can be motivated by many things from the dog's health, its developmental experiences and the situation in which it was involved. Assessing an animal's physical health is the responsibility of veterinarians, assessing mental health is the responsibility of the veterinarians, specifically veterinary psychiatrists.
 - Understanding how health affects behaviour falls under the expertise of the veterinarian. One veterinary psychiatrist, who frequently serves as an expert witness, observed an assessment of a dog in NSW by a very experienced trainer who did not touch the dog or mention its obviously painful gait and lack of exercise tolerance. Chronic pain affects an animal's mental health and well-being, resulting in many being irritable.
 - All dogs involved in an alleged aggressive encounter should receive a veterinary health assessment by a registered veterinarian to rule out any physical health conditions which may affect behaviour such as for e.g., a painful physical condition.
 - The developmental experiences of the dog can also affect its mental health and the strategy it uses to navigate through social situations. Again, these are things studied in detail by veterinary psychiatrists.
 - The assessment of these dogs should be done by veterinary psychiatrists or postgraduate with training/qualifications in dog behaviour as they are uniquely qualified to understand how normal dogs develop, how this is affected by genetics and deficits in their natal and early life environments, how psychopathology presents in dogs and how to diagnose it. The veterinary psychiatrist or postgraduate with training/qualifications in dog behaviour is also uniquely qualified to provide management advice to minimise the risk of further incidents.

2. Scope of the investigation for dogs who have caused injury to humans or other animals
 - In many cases, the brief of evidence does not provide information about the dog's body language preceding the alleged incidents. Many times the witness accounts start at the aggressive behaviour or just before, and there is no evidence of any questions to try to elucidate the body language of the dog preceding the events. When the incidents involve 2 or more dogs, there is generally not good descriptions of the body language of the dogs. In some cases, the preceding behaviour indicates that the aggressive incident was initiated by the other dog. When the incident involves a person, it may be obvious that the dog reacted to aggressive behaviour by the person.
 - Unfortunately, there does not seem to be efforts made to gather all the information important to understanding how incidents unfold. Again, the veterinary psychiatrist or postgraduate with training/qualifications in dog behaviour is trained to ask about behaviour preceding aggressive interactions and to interpret the behaviour.
3. Removal of the process from the courts
 - For many cases, the Dangerous Dog laws do not result in justice and repatriation for victims commensurate with the injuries experienced in the incident. In some cases the punishment does not fit the crime. For many cases, suitable solutions could be found at a local level. This would allow more rapid resolution of cases and management plans to be put in place. Where the injuries are minor, an investigation at the local council level involving a veterinary psychiatrist or postgraduate with training/qualifications in dog behaviour would allow understanding of the causes of incidents, suitable risk management strategies to be put in place with follow up to check for compliance. This avoids lengthy, and costly, impoundment of the dog which results in poor welfare for many dogs.
4. Having an advocate for the impounded dog who is independent.
 - Where dogs are impounded they need to have an independent advocate whose role is to oversee the dogs' welfare. APWF understands that some councils use access to the dog as a lever to force owner compliance. This is often at the cost of the well-being of the dog and damaging to the bond they have with owners.
 - Many impounded dogs are seen as "Dangerous" and are handled with protected contact despite not showing any aggressive behaviour. Dogs may have had their health and physical and mental well-being compromised by these handling procedures. These dogs may not have anyone to check on them and advocate for their well-being.
 - This advocate should be a veterinarian who is independent from the place of impoundment, the Council and the owners.

Please contact the Australian Pet Welfare Foundation (APWF) if you would like to discuss these important issues further.

References

1. Australian Veterinary Association (AVA) 2023: <https://www.ava.com.au/policy-advocacy/policies/companion-animals-dog-behaviour/the-use-of-punishment-and-negative-reinforcement-in-dog-training/>
2. Overall, K. (2013). Manual of Clinical Behavioral Medicine for Dogs and Cats - E-Book. United Kingdom: Elsevier Health Sciences.
3. RSPCA Australia (2023) Companion animal management policy: <https://kb.rspca.org.au/knowledge-base/rspca-policy-a07-companion-animal-management/>