



Australian Veterinary Association

Queensland Division

Strong Dog Laws: Safer communities  
Consultation

Submission of the  
Australian Veterinary Association Ltd

August 2023



*Veterinarians are an integral part of the fabric of our community. They manage the health and welfare of our livestock that are crucial to our international trade and to the safety and security of our food, and they work in our public health sector on managing disease risks to animals and people alike. They care for the companion animals that are increasingly part of our families.*

### [The Australian Veterinary Association \(AVA\)](#)

The Australian Veterinary Association (AVA) is the national organisation representing veterinarians in Australia. The AVA consists of over 7600 members who come from all fields within the veterinary profession. Clinical practitioners work with companion animals, horses, farm animals, such as cattle and sheep, aquatic animals, and wildlife. Government veterinarians work with our animal health, public health, food safety and quarantine systems while other members work in industry for pharmaceutical research and development and other commercial enterprises. We have members who work in research and teaching in a range of scientific disciplines. The Association also has strong membership amongst our future veterinarians who are currently training in Australia's veterinary schools.

### [Discussion](#)

The AVA welcomes the opportunity to provide feedback to the Queensland Government's consultation on *Strong Dog Laws: Safer communities*.

The survey questions will be addressed in the below submission.



Q1

**The development and implementation of an evidence-based community education campaign for responsible ownership is a high priority as a key primary prevention strategy.**

***Strongly Agree***

Dog bites are the result of a complex behaviour caused by the interaction of many factors.

While regulation is an important foundation, to reduce dog bites an effective policy response must encompass several strategies. This includes a well-planned and evidence-based community education campaign.

There is a significant gap in community knowledge about how to live alongside and interact with animals, particularly dogs. This lack of understanding can lead to unsafe interactions and increase the risk of dog attacks.

The importance of being proactive rather than reactive when it comes to addressing dog behaviour issues cannot be overstated. Reactive measures come with numerous downsides, including harm already incurred to victims, difficulties in rehabilitating dogs with long-standing behavioural problems, increased harm caused by impoundment, and the time-consuming and costly nature of implementing penalties. By prioritizing community education, particularly for dog owners, carers, and handlers, these campaigns can effectively prevent dog attacks from occurring in the first place.

The proactive approach of such a comprehensive education campaign for pet owners, dog breeders, all parents and all children, is likely to result in long-term cost savings and, more importantly, the avoidance of serious incidents caused by reactive measures.

The Australian Veterinary Association (AVA) holds concerns regarding the lack of regulation in the dog training industry. This lack of oversight can lead to the dissemination of misinformation and outdated training techniques, such as aversive methods, which can contribute to behavioural problems in dogs.

An evidence-based community education campaign can inform the public about the importance of positive reinforcement training and steer them toward qualified trainers who use effective and humane methods.

To ensure the campaign is evidence based and effective, it is essential to collaborate with relevant organizations and veterinary subject matter experts, such as Veterinary Psychiatrists (previously known as Behavioural Specialists), the AVA, and accredited providers offering courses in animal behaviour and training.

These partnerships can help establish a regulatory board for the dog training industry, ensuring that trainers have the necessary qualifications and regularly update their knowledge based on international scientific evidence.

This can significantly contribute to preventing dog attacks and promote responsible dog ownership, thereby benefiting both human and animal welfare.



Q2

**Do you support dog breeds that are restricted under Commonwealth legislation being banned in Queensland?**

***Strongly Disagree***

Breed-specific legislation generally refers to laws that target specific breeds of dogs. This legislative approach has been used by a large number of jurisdictions in an effort to address the issue of aggressive and dangerous dogs in the community. The legislation has generally taken the form of either banning or placing stringent restrictions on the ownership of certain breeds of dog.

The AVA does not believe that breed-based approaches reduce public risk. The AVA is opposed to breed-based dog control measures because the evidence shows that they do not and cannot work. The national veterinary associations of Britain, the United States and Canada, and major animal welfare organisations internationally also hold this view.

Jurisdictions are recognising this through experience and opting to repeal breed-specific legislation where it is in place.

The failure of breed-specific legislation to prevent dog attacks is due to a number of factors;

- breed on its own is not an effective indicator or predictor of aggression in dogs,
- it is not possible to precisely determine the breed of the types of dogs targeted by breed-specific legislation by appearance or by DNA analysis,
- the number of animals that would need to be removed from a community to have a meaningful impact on hospital admissions is so high that the removal of any one breed would have negligible impact,
- breed-specific legislation ignores the human element whereby dog owners who desire this kind of dog will simply substitute another breed of dog of similar size, strength and perception of aggressive tendencies.

The "*Deed not Breed*" principle needs to be applied, which asserts that aggression in dogs is not tied to any particular breed but is influenced by various individual factors and circumstances, not breed alone.

The AVA recommends that a more effective approach to preventing incidents of aggression is to investigate reported incidents accurately and thoroughly, including the individual circumstances surrounding each incident and focusing on responsible dog ownership and education.



Q3

**Do you support the introduction of a new state-wide requirement for dogs to be effectively controlled in public places?**

**Agree**

The AVA supports the introduction of a new state-wide requirement for dogs to be effectively controlled in public places. The strategy outlined in the discussion paper is considered fair and reasonable and does not appear to pose any immediate risk to human or animal safety or welfare.

However, it is important to approach the implementation of this requirement with care, particularly when addressing potential human or animal welfare concerns that may arise from the finer details of the regulations.

Consideration needs to be given to collecting and understanding data around dog bite incidents in public places.

Evidence indicates that the majority of dog bite incidents occur in non-public places, such that they most commonly occur at the victim's home. Reporting of dog bite incidents is done more frequently where the incident has happened in a public place. Those occurring in homes, and especially where the injury has not required medical attention, are reported less frequently.

Another consideration is required around rural and remote communities, especially where there are indigenous populations, some dogs may not be owned by any single person and may not be confined or restrained. In these cases, imposing a requirement to restrain or confine dogs without providing education on how to help the dogs cope with these limitations on their freedom could lead to severe animal welfare concerns.

Additionally, removing dogs from the care of members of the community based solely on the inability to restrain or confine them, regardless of their aggressiveness, may cause great emotional suffering to people.

Therefore, it is essential to implement strategies that include education and support for members of such communities. These strategies should take into account the unique cultural and community contexts to ensure that the requirement for effective dog control is carried out in a way that promotes both human and animal welfare.

Taking into consideration this information, careful planning, education, and support measures are necessary for the successful and humane implementation of such a new state-wide requirement.



Q4

**Do you support the review of penalties in the Act relating to attacks involving regulated dogs to better reflect community expectations?**

***Disagree***

As outlined in the AVA's response to previous questions, we do not support Breed Specific Legislation, and we recommend that the classification and labelling of dogs (such as dangerous and menacing) should be reviewed from an ethological (behavioural science) perspective to make it clearer and less ambiguous.

We recommend that an individualised approach to dog aggression be adopted. As every aggression incident involving a dog is unique, there should not be a 'one size fits all' approach when it comes to requirements for owners of restricted dogs. Instead, careful consideration of how such restrictions affect animal welfare should be taken into account, recognizing that dogs are sentient beings deserving of respect and kindness even in restrictive environments.

The concept of "community expectations" also requires further understanding and clarification in order to ascertain what is required to meet these expectations.

While the AVA supports the need of penalties for owners who fail to comply with strategies and restrictions provided after a full investigation of a dog bite incident, the details of the penalties should be determined based on knowledge from experts, such as human psychologists and legal professionals, on whether penalties effectively act as deterrents for non-compliance.

The AVA advocates for an evidence-based approach that recognises that the likelihood of any individual dog biting is complex and multi-factorial and is not because of a dog's breed. Control measures that focus solely on breed risks giving the community a false sense of safety.

We encourage collaboration with experts from relevant fields to determine appropriate penalties, including their effectiveness, and strategies for enforcing regulations involving dog bite incidents.



## Q5

**Do you support the inclusion of a new offence in Queensland law including imprisonment as a maximum penalty for the most serious dog attacks?**

### *Neutral*

The AVA believes that before considering the extent of penalties, clear and reasonable strategies and restrictions that prioritise community safety, as well as animal and human welfare, should be implemented. This includes the assessment, when determining the aggressiveness of an incident involving a dog, must take into account the victim, the dog owner, and the dog itself.

We believe there is the need to assess whether the proposed penalties, such as imprisonment, would act as an effective deterrent for dog owners to take reasonable steps to prevent aggressive incidents. It would be advisable to seek input from experts in fields like human psychology and law to determine the appropriate maximum penalty and evaluate its potential effectiveness.

While the AVA supports addressing serious dog attacks with appropriate penalties, there must also be a strong emphasis on considering the welfare of the dogs involved, implementing reasonable strategies to prevent such incidents, and seeking expert input to determine the most suitable penalties to serve as deterrents.

This will help to strike a balance between ensuring public safety and holding dog owners accountable while maintaining a compassionate and welfare-oriented approach to dealing with dog related incidents.

## Q 6

**Do you support amendments being made to the Act to make it clear when a destruction order can and must be made for a regulated dog?**

### *Agree*

The AVA holds concerns about the clarity of guidelines regarding when a destruction order can and must be made for a regulated dog.

There is an imperative need for clear communication with dog owners and we are concerned about the subjective interpretation of the term "cannot be controlled."

Decisions made in the heat of the moment may not be appropriate, and euthanasia is a permanent action that should not be rushed without a cooling-off period. The AVA recommends thorough and effective investigations for each incident involving aggression, as it is of high importance to consider the welfare of the dog along with community safety and owner rights.

The AVA advocates for accurate and effective investigations before making decisions to euthanase where dog bite incidents have occurred. Such investigations must involve individuals with qualifications in veterinary medicine and canine behaviour to ensure a comprehensive and informed decision-making process.

While the AVA supports amendments to the Act to provide clarity on when a euthanasia order can be made for a regulated dog, there is the need for a thorough, informed, and balanced decision-making process that considers the welfare of the dog, community safety, and owner rights.



## Q7

**Do you support limiting when appeals from external review decisions (QCAT) about a destruction order can be sought by owners, including placing greater responsibility on owners to offer proof otherwise?**

### ***Neutral***

The criteria and clarification regarding "limiting appeals" is required to answer this question in an informed manner.

The limiting of appeals from external review decisions (QCAT) about a euthanasia order is supported if it reduces the lengthy seizure of dogs and improves their welfare.

During the course of regulatory due process, the potential negative impact of impoundment on a dog's physical and emotional health must be considered. A focus solely on the victim of the attack during the lengthy legal process can lead to neglect of the dog's welfare.

The AVA calls for a more empathetic and welfare-centric approach to managing the dogs involved in these incidents, acknowledging their sentience and social needs. We are opposed to impounding dogs for extended periods without providing proper care, socialization, and visitation with their owners where appropriate and safe.

If the AVA's recommendations provided in response to earlier questions are implemented, there would be no need to place greater responsibility on owners to offer proof or otherwise, as that should be a standard component of any investigation.

We again emphasise the importance of education and the involvement of veterinary expertise to identify and manage *potentially* dangerous dogs in a proactive manner, which would reduce the need for external reviews. See Q8 for AVA recommendations for Legislative Framework reform including the classification of *potentially* dangerous dogs.

## Q8

### **Additional comments**

The AVA supports the Queensland Government in a desire to improve dog laws to better protect the community and promote responsible pet ownership in Queensland. This must be achieved through a data-driven and evidence-based collaboration with scientific experts in veterinary medicine and canine behaviour.

The AVA would like to see data pertaining to dog aggression incidents better collected, monitored and evaluated, as there is a need for more comprehensive data to inform policy decisions. This includes data on dog bites, including the demographics of victims, dog signalment, and circumstances of the bite.

There is also a highly important need for a well-designed and effective education program directed at all segments of society, particularly children, and dog owners in lower socio-economic areas.

We believe that the government's attention should be focused on prevention rather than consequences.

The capacity to implement and enforce, as well as the effectiveness of, any proposed amendments must also be carefully and thoroughly reviewed prior to legislative changes being made.





Consideration must also be given to dogs that are under the care of people who live in public or government housing, and especially those in remote Indigenous communities where dogs may be “community owned”. The provision and maintenance of appropriate containment measures, such as adequate fences (high enough, no holes), locking doors and gates, as well as the “community ownership” of some dogs can make control of individual dogs extremely challenging. In some situations, this may be impossible without the housing providers commitment to maintaining the properties appropriately.

The AVA would also like to highlight the need for greater resourcing and “higher level” support for responsible staff (eg urban rangers) who deal with some of the aggressive dogs and incidents “at the coal face”. Such services are traditionally under resourced. Such resourcing includes staff numbers, and very importantly training and skills (including specifically the understanding of dog behaviour). Staff selection (for patient and compassionate people, and for resiliency due to the high risk of compassion fatigue, anger including physical attacks from dog owners, etc) is also important.

A shift in emphasis from "strong" to "effective" dog laws would be welcomed, with the involvement of scientific experts in the decision-making process.

To assist with this, the AVA document “ [Dangerous dogs – a sensible solution](#)” contains a model legislative framework which sets out sound principles for regulating dangerous dogs as well as describing a system to identify and control potentially dangerous dogs.

This framework encompasses:

- Determination of a dangerous or potentially dangerous dog
- Review of potentially dangerous dog classification
- Identification and registration of dangerous dogs
- National database and mandatory reporting
- Temperament testing of dogs
- Enforcement – including adequate resourcing
- Comprehensive education programs

#### Contact:

The Australian Veterinary Association would welcome further discussion on the initiatives outlined in this submission.

For further information please contact Robyn Whitaker, Senior Advocacy Officer on [robyn.whitaker@ava.com.au](mailto:robyn.whitaker@ava.com.au)