

The Animal Welfare Act Amendment Bill 2022

We work for the Association of Responsible Dog Owners which is devoted to training dogs and their owners. We are science-led and have been involved in policy discussions in multiple jurisdictions in Europe as well as in Australia and New Zealand. Our moral imperative is safeguarding dogs and other animals from the often fatal consequences of attacks.

This note addresses in turn:

1. The text of the legislation
2. The welfare imperative for training dogs
3. The international debate

The text of the legislation

The proposed amendment to Section 8 prohibits the use of “a pronged collar, or a similar collar.” No definition of “similar collar” is given.

We are concerned that this wording could be used to ban electronic training collars along with virtually any type of collar and lead. The risk is that a future minister might be tempted to push through such a ban without the calm reflection that this important animal welfare issue merits.

The current text gives too much power to officials and to judges who would be asked to decide on the appropriateness of a device. We instead suggest that the wording of the 1993 Act is sufficient to deal with any misuse of aversive devices as it prohibits any behaviour which “abuses, beats, torments or terrifies an animal”.

The welfare imperative for training dogs

Effective training does not restrict the dog but ensures it can be safely let off the lead. This enables it to get the exercise which is critical for its wellbeing – while ensuring the owner still has control. So it is no surprise that 25% of Australian government dogs are trained with e-collars. [1]

In Tasmania dogs are the single biggest killer of wildlife after cars. [2] The BBC reported how in just one dog attack 58 penguins were mauled to death. [3] The Tasmanian media reports on the extraordinary number of sheep being killed - and the number of dogs shot by farmers. [4] The failure to properly train dogs lies behind this animal welfare tragedy.

This is not the dog’s fault. Selective breeding over many millennia means that most of today’s dogs have strong instincts for attacking or herding animals. The consequences for defenceless species such as sheep are extreme. Even ‘low level’ chasing leads to ewes aborting and sheep being crushed to death in panics.

The use of basic leads is useful in reducing dog attacks. However, not only does regular use of leads compromise the liberty of the dog, it also fails to prevent the vast majority of attacks. That is because they occur after the dog has escaped human control. [5] Leads also provide no training which is the heart of the problem as an untrained dog will follow its instinct at any opportunity. This leaves its owners forever restraining a liability. Dogs are opportunistic predators and unless they have been trained to

think differently about chasing or attacking other animals such as sheep, they will never *act* differently when the opportunity arises.

So, the duty of policymakers is to enable owners to access effective training.

A widely touted alternative to aversive training is “reward-only” training. Sadly, there is no scientific evidence that it reduces predation. [6] That is because once the powerful prey-drive of a dog has been activated by the sight or smell of its target, the prospect of a biscuit has no influence. The safety of the dog and its prey is then down to the strength of the person holding the lead. This in turn is a major issue for elderly and disabled owners who often get injured trying to restrain their canine companions.

By contrast aversion training links in the dog’s mind unwanted predatory behaviour with an unwelcome outcome. Repeated academic studies have demonstrated the high level of efficacy of e-collar training. [7] Even when the dog is off-lead and its owner absent, it will tend to avoid even approaching former predatory targets.

If aversive training measures like e-collars are prohibited, more livestock and wildlife will die – and more dogs will be shot and euthanised. That is genuine cruelty to animals.

International debate

This year has seen real-world evidence confirming the science: insurers in the UK disclosed that in Wales (where e-collar training is banned) attacks on sheep are four-times the level of Scotland (where it is permitted). [8] This data has started a debate among Welsh politicians about whether the ban should be lifted. [9] Over a hundred Welsh sheep farmers have demanded a review of the ban. [10]

Campaigners for bans in Queensland and the UK have been unable to offer any real-world evidence of harm being done by e-collars. [11] An English academic paper they cite as a justification for a ban has been dismissed by a top professor at the University of Auckland as being “very seriously flawed”. [12] It was written by campaigners against e-collars. [13]

We note that in New Zealand the Department of Conservation mandates the use of e-collar training for dogs before they enter protected areas. [14] This is to safeguard kiwi.

Finally, we are also aware that the governments of Victoria and Western Australia seem satisfied with their precise regulation of e-collars. [15] Both the devices and the users are regulated.

We wish you well with your consideration of this Bill and are happy to answer any questions.

Sources

[1] 25% of working dogs used by Australian Government agencies were trained with e-collars: Australian Government survey: p33 <https://elkana.info/downloads/working-dog-survey.pdf>

[2] Dogs are the single biggest killer of Tasmanian wildlife after cars: University of Tasmania <http://www.australasianscience.com.au/news/january-2012/domestic-dogs-are-bigger-problem-cats-our-native-wildlife.html>

[3] 58 penguins mauled to death in a single dog attack: "This will have a catastrophic impact on the colony." <https://www.bbc.co.uk/news/world-australia-45892076>

[4] One Tasmanian farmer has “had lost up to 2500 sheep, worth more than \$100,000, to dog attacks” and has had to shoot “hundreds of dogs.” <https://www.examiner.com.au/story/623866/domestic-pets-maul-sheep/>

[5] Leads would not prevent the vast majority of attacks

- Police evidence in the UK shows that in up to 89% of attacks the dog owner was not present: p12 <https://www.npcc.police.uk/Publication/livestock%20worrying.pdf>
- A study from Australia shows that “dog walking in woodland leads to a 35% reduction in bird diversity” with the dogs still disturbing birds when on leads: Banks 2007: <https://royalsocietypublishing.org/doi/10.1098/rsbl.2007.0374>

[6] Reward-only training does not stop attacks

- Expert dog trainers are “pessimistic that it would be possible to prevent predatory behaviour in dogs using only positive, reward-based methods”. Howell and Bennett: see page 6: <https://www.sciencedirect.com/science/article/abs/pii/S016815912030071X>
- training dogs must go “beyond the use of food”: University of Southampton. See p3: <https://www.nfus.org.uk/userfiles/images/Campaigns/Control%20Your%20Dog/McBride%20and%20Williams%202019%20Why%20do%20dogs%20chase%20livestock.pdf>
- 34% of dog owners using e-collars had previously tried a ‘reward-only’ trainer. <https://joinardo.com/ongoing-e-collar-survey-results/>

[7] Academic studies consistently show e-collars stop predatory attacks:

- “All 1,156 dogs displayed avoidance... after the first training session”: Dale 2017 <https://www.sciencedirect.com/science/article/abs/pii/S0168159117300746>
- “The collar averted all 13 attempted attacks on lambs” Andelt: https://www.researchgate.net/publication/258098937_Coyote_predation_on_domestic_sheep_deterred_with_electronic_dog-training_collar
- e-collars “resulted in complete and permanent elimination of aggression in all of the 36 dogs tested” Tortora: <https://cpb-us-w2.wpmucdn.com/about.illinoisstate.edu/dist/6/45/files/2019/10/tortora-1983-safety-signal-training-elimination-of-avoidance-motivated-aggression-in-dogs.pdf>
- “No dogs showed interest in or attacked a lone sheep in the path test” Christiansen: <https://www.ncbi.nlm.nih.gov/pubmed/11278032>
- the aversion response “lasts at least 1 year after training” Dale and Statham: <https://www.researchbank.ac.nz/handle/10652/2630>
- e-collar training “shows stronger ‘learning effect’” Salgirli 2008: <https://leerburg.com/pdf/comparingecollarprongandquittingsignal.pdf>
- “the most effective” training, Howell and Bennett: see page 6: <https://www.sciencedirect.com/science/article/abs/pii/S016815912030071X>

[8] NFU Mutual found losses from attacks in livestock were 4.5 times higher in Wales than in Scotland: <https://www.fwi.co.uk/news/crime/dog-attacks-on-livestock-cost-farmers-1-5m-in-2021>.

[9] A former Secretary of State for Wales said the NFU data showed that the Welsh ban had “failed”. The Telegraph: <https://www.pressreader.com/uk/the-sunday-telegraph/20220327/281797107498632>
Farmers Weekly: <https://www.fwi.co.uk/livestock/sheep/welsh-ban-upheld-on-electric-sheep-worrying-dog-collars>
FarmingUK: https://www.farminguk.com/news/dog-attacks-on-sheep-due-to-failed-e-collar-training-ban_60113.html
Farming Guardian: <https://www.fginsight.com/news/news/tackle-sheep-worrying-by-lifting-e-collar-ban-says-dog-group-126881> and Nation Cymru: <https://nation.cymru/news/bring-back-dog-shock-collars-in-wales-says-welsh-conservative-mp/>
Celebrity farmer Gareth Wyn Jones calls for Wales to lift the ban

https://www.farminguk.com/news/gareth-wyn-jones-joins-call-for-review-of-contradictory-ban-on-e-collars_60313.html

[10] Over 100 Welsh farmers including the “nation’s favourite” farmer Gareth Wyn Jones call for review of e-collar ban

Sunday Telegraph p3: <https://www.telegraph.co.uk/news/2022/06/11/gareth-wyn-jones-joins-farmers-calls-reversal-electric-dog-collar/>

[11] No evidence of harm from e-collars:

- “We have never ... had a prosecution that involved use/misuse of training equipment”: Email from RSPCA Queensland to Dog Training Queensland, pictured here: p22
<https://documents.parliament.qld.gov.au/com/SDRIC-F506/ACPAB2022-D15B/220624%20-%20Dog%20Training%20Queensland%20-%20enclosing%20brief%20of%20evidence.pdf>
- No prosecutions ever required for e-collar misuse: Scottish Government Review 2021
<https://www.gov.scot/publications/guidance-dog-training-aids-review/pages/5/>
- The British Veterinary Association had “no direct evidence of abuse” by e-collar users:
https://consult.gov.scot/animal-welfare/electronic-training-aids/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&q_text=British+Veterinary+Association&uuld=622589211
- The Kennel Club had no evidence of e-collars being misused: https://consult.gov.scot/animal-welfare/electronic-training-aids/consultation/view_respondent?show_all_questions=0&sort=excerpt&order=ascending&q_text=kennel+club&uuld=907963365

[12] Professor Douglas Elliffe said University of Lincoln research was “very seriously flawed and should not be relied on.” <https://joinardo.com/wp-content/uploads/2020/12/D-201127-Lincoln-Review-Professor-Elliffe.pdf>

[13] University of Lincoln lead researcher Daniel Mills campaigned for a ban prior to conducting his research: <https://questions-statements.parliament.uk/written-questions/detail/2021-01-06/133638>.

Two other researchers Nina Cracknell and Hannah Wright also called for a ban:

<https://web.archive.org/web/20090821171442/http://www.gopetition.co.uk/online/27913/signatures-page14.html>

[14] In New Zealand e-collar training is mandatory before dogs are allowed onto sensitive areas:

<https://www.doc.govt.nz/parks-and-recreation/know-before-you-go/dog-access/avian-awareness-and-avoidance-training/>

[15] In Australian two states have detailed regulation for e-collars: Victoria: see p20

https://content.legislation.vic.gov.au/sites/default/files/9cc60c2d-63c4-35b6-95ad-c39254a5d170_19-133sra%20authorised.pdf Western Australia: See p20:

<https://www.agric.wa.gov.au/sites/gateway/files/Standards%20and%20Guidelines%20for%20the%20Health%20and%20Welfare%20of%20Dogs.pdf>