
SERVICE DOGS – A NATIONAL APPROACH TO CONSISTENCY OF POLICY AND LAW REFORM – PART I



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Foreword

A very special thank you to:

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To our family and friends who helped with the writing and editing of the document; your work made all the difference and is valued and appreciated.

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PREFACE

This submission is important for those people with a disability who use service dogs¹; the aim has been to ensure that the law effectively supports their right to use a service dog throughout their daily life. The submission is also important for organisations that train guide, hearing and assistance dogs, and to employers, service providers and the wider community.

The submission makes recommendations designed to clarify and improve the legal protection provided by the State and Federal legislation for people who use guide, hearing and assistance dogs. The submission also recommends a simple regulatory scheme for the training, assessment and qualification for Public Access Testing registration, as well as the identification of service dogs.

The submission is seeking to present a ‘ONE CARD ONLY’ solution to accreditation and Public Transport issues on a national level and the need for each of the States to recognise the ‘ONE CARD ONLY’ instead of having their public transport parameters that handler teams need to comply with – confusing, wasteful, and very stressful.

This submission was written in the hope it will bring greater transparency and ease of application to the law governing service dogs, enhance the rights of people with a disability and provide clear guidance for service providers, users, trainers and the wider community.

The guidelines will be there to protect those that are to be protected, people with disabilities that can benefit from a professionally Handler-trained SD, without the creation of a ‘box system to fit in’ and the guidelines may need adapting to meet the needs of the handler dog team, rather than the end-user – the handler dog team fitting in the system.

¹ For the ease of this submission we consider service dogs as the umbrella word to describe the family of skilled and trained dogs to help alleviate disability issues for the genuine handler needing these dogs to empower them to lead a more fulfilling life. See attachment SDTv2.0220.

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EXECUTIVE SUMMARY

This submission refers to the reform of the law concerning service dogs in Australia.

The submission aims to clarify, for all stakeholders, the existing legal rights of those people with a disability who require and can access a service dog under the DDA92. This Federal Act provides guidelines without too fine a detail, hence allowing a system to be designed to meet these guidelines yet offering – controlled - some flexibility.

Service dogs are specially trained by performing tasks that can help alleviate the effects and symptoms individuals live with every day caused by a wide range of disabilities and medical conditions. These might include developmental, sensory, mental, psychiatric and physical disabilities. People with medical health issues like epilepsy and diabetes also use service dogs. Growth of the use of these creatures is only limited by our imagination and further development (e.g. scent detection dogs, cancer dogs, dementia dogs, etc.).

Federal and state laws protect from discrimination for people using service dogs; however, the protection is patchy, inconsistent and is often left open to interpretations with a bias to trainer trained SD's. State laws contain many inconsistencies. Besides, there is no legal framework for regulating the quality of on-going training and assessment of service dogs working across the Nation. (I.e. National Quality Assurance and National Quality Control), offering better protection of the public.

Regretfully the same applies to Public Transport access, making e.g. a trip by train from NSW, via VIC and SA to WA an unbelievable stressful and confusing compliance journey.

Most states are now considering State alternatives based on taking the best from the QLD GHAD system and other State legislation examples. That is a great start, and recognition of the soundness and validity of this legislation, however, it will still not offer a NATIONAL STANDARD for training and assessment and use of public transport, to deliver the beneficiaries at large a confusion-free consistent system great outcomes for ALL stakeholders affected by this matter.

This submission examines and makes recommendations concerning the rights and obligations of service dog partnerships under the Federal ***Disability Discrimination Act 1992*** (DDA92). It also makes recommendations establishing a simple regulatory scheme for the training, registration, accreditation, identification and public transport access of service dogs. (Referring to State Laws to implement this state-wide, yet fully consistent and working in with the Federal Legislation and implementation scheme).

This submission has been developed through a process of targeted consultations with all those stakeholders² directly affected by current problems with the law. This includes both service providers and people with disability and stakeholder that represent either/both groups.

Significant momentum for reform has built through the consultation process. The hospitality industry, transport operators (including public transport), service providers, local government, transport regulators, disability advocacy organisations, service dog training organisations and trainers and above all people with disability all support law reform in this area.

² **'Stakeholders' refers to a large variety (non-conclusive) of stakeholders contacted and involved with this submission. Please see page 20 for more details.**

NATIONAL CONSISTENCY OF POLICY AND LAW REFORM FOR SERVICE DOGS

Many people, while welcoming a submission on service dog law, highlight that **reform is needed on *National* level.**

As noted by the Qantas Group "it would be preferable for the introduction of a regulated assistance dog system, and its interaction with discrimination, safety and other legislation and standards to be a nationally consistent system" (Victorian Law Reform Commission, 2009)

Most Civil Aviation Authorities (USA, UK and others) are currently going through a similar process to try and protect those that need protecting yet simultaneously ensure the overall safety and comfort that other users of the service pay for.

Although each state can currently reform their service dog laws to promote clear and effective State regulation, each of the States has different levels of implementation, assessment and accreditation. The same applies to public transport requirements.

Reforming National laws to remove current anomalies will certainly help to address the problems identified in this submission and go some way towards affording all those people with a disability equal and consistent protection, whilst offering huge savings and economies of scale in the usage of State resources, with this becoming a Federally financed and managed scheme.

A review and alignment of the current State and Federal law provides the Australian Government with an ideal opportunity to enact such reform. Similarly, Quality Assurance makes for national consistency and transparency for service providers, users and the community at large.

The law governing the use of service dogs should be the same in each Australian jurisdiction. People who use service dogs to travel throughout Australia. They should be able to do so with confidence that their right to use a service dog will be supported and promoted consistently, in all aspects of daily life wherever they may be in the country. Therefore the 'One Card does it all' approach would be of great benefit to all. It should be the same consistency provided by the Federal Australian Passport – used, accepted and recognised in all states.

PROPOSED NATIONAL SCHEME FOR THE REGULATION OF SERVICE DOGS IN AUSTRALIA

The submission legislative proposals aim to recognise and promote the rights of people with a disability by establishing a scheme for the regulation of service dogs in Australia, providing certainty for service providers, training organisations and trainers and users of service dogs by:

- clarifying the meaning of "service dog" in Federal law (see footnote 1)
- removing existing inequities for users of service dogs trained and supplied by the very few large established charity organisations, to be the only ones recognised at DDA and in State Legislation, thus creating uncertainty and inequality for others
- ensuring consistency with the ***Australian Human Rights Commission Act 1986*** and ***Disability Discrimination Act 1992***
- establishing a simple national accreditation system for service dog trainers providing services to Australian handler teams, available to be accessed by specialist trainers specialising in "service dog training" services to Australians
- establishing quality trainer parameters, to remove discrimination between Trainer Trained Dogs and those schooled by their handler under the guidance of a qualified trainer (Handler Trained Dogs), offering more options and choice to those needing help and bridging the financial and time restraints working as deterrents linked to the large organisations
- providing a simple and consistent means of identifying properly sourced, trained and accredited service dogs, regardless of training method, source or means
- protecting the community from poorly trained service dogs by establishing clear standards that service dog partnerships must meet to have legal protection and national recognition
- promote community education about service dogs and the rights of people with disability to fully participate in all aspects of community living at a national level

The submission recommendations are framed in such a way that the right to be accompanied by a service dog is grounded in Federal legislation. Besides, consequential amendments will need to be made to (State and) other Acts and regulations where guide dogs or assistance dogs are currently mentioned or where the right to be accompanied by a service dog are cited.

The submission also proposes a statutory scheme for accrediting trainers and requiring service dogs to be trained to a minimum standard. This scheme would be established under the new legislation: ***Service Dog Act (SD Act)***

Under the submission's proposed scheme, only those service dogs trained by an accredited trainer and are certified as meeting a minimum standard for public access would enjoy national legal recognition extended to national free use of public transport Australia wide with their ID card as the access key to this service.

Trainers and Training organisations would be accredited by the Federal Government Department to be "service dog training organisations or trainers". Accreditation standards for trainers would be set out in regulation. These would be broadly based on the existing accreditation standards for the ***Guide Hearing and Assistance Dogs Act 2009 (Qld)***.

A National accreditation scheme would be administered by the Federal Department of Social Services. This would not be resource-intensive because there are so few training organisations. To the contrary, this would save a lot of resources at the State level, supply large economies of scale for the States, and consistency for ALL stakeholders.

It is recommended that the Federal Minister for Social Services establishes an advisory panel, from which he or she may seek advice regarding applications for accreditation, public transport access, industry development issues and animal behaviour and welfare standards.

Dog behaviour standards (equivalent to a public access test) would be made by regulation. The national public access test would be administered by accredited trainers. It would aim to ensure that any nationally accredited service dog is safe, clean and unobtrusive in public.

Upon certification that the service dog handler team has satisfied the National Public Access Test (**NPAT**) a National Standard Identification Card (featuring a Federal Government Logo) would be issued by the accrediting training organisation/trainer. The handler could use this card to establish the bonafide of the service dog partnership throughout Australia. Handlers would also be required to ensure their dog is wearing a matching identifying coat or harness, supplied by the accrediting training organisation/trainer. It makes common sense to extend the national consistency and protection to free public transport access for accredited handler teams, again reducing resource requirements at State level – with funds saved better used for National, consistent education, offering benefits to all Stakeholders.

RECOMMENDATIONS

1. The terms "guide dogs", "hearing dogs" "assistance dogs" and "assistance dog in training" and "service dogs" and "service dog in training" should be included in the **Service Dog Act** and all other relevant Acts, Regulations and policies and replaced with the terms "service dog" and "trainee service dog".
2. "Service dog" should be defined in the **Service Dog Act** and all other relevant Acts, regulations and policies as:

"A guide dog, hearing dog, or assistance dog", certified by a nationally accredited service dog trainer or 'training organisation'³ as trained to perform tasks and functions that assist a person with medically identified impairment to alleviate the effects of their impairment".
3. The **Service Dog Act** should provide that "trained" means trained by a qualified service dog trainer or organisation accredited under the National regulatory scheme provided for in recommendations 10 to 16. 'Trained' does not discriminate between 'Trainer Trained Dogs' (e.g. Guide Dogs, SEDA, Assistance Dogs Australia and similar) and 'Handler Trained Dogs', where the handler is guided/empowered by a qualified trainer to train their dog (provided it meets the breed, socialisation and care and hygiene standard requirements) to the required national standards.
4. The **Service Dog Act** should include a definition of "service dog in training" to mean "A guide dog, hearing dog, or assistance dog certified by a nationally accredited service dog trainer as being in training". The provisions of the Act should apply to these dogs.
5. The **Service Dog Act** should specify that it is unlawful discrimination to treat a person with any impairment less favourably because that person possesses or is accompanied by a service dog/service dog in training unless there are exceptional circumstances where it would be necessary to exclude the service dog. (E.g. operating theatre, food preparation areas etc.)

³ 'Trainer' refers to an individual meeting the training & compliance requirements as a Service Dog Trainer and they are listed as individuals on Governments sites – whereas Training Organisations are used for any registered charity or Pty Ltd that has some trainers employed directly by these organisations as qualified trainers in this specialist field. Trainers engaged by these organisations MUST meet the same training & legal requirements as the individual trainers, whilst the compliance requirements may rest with the organisation that employs them.

6. The **Service Dog Act** should provide that the onus of proving that exceptional circumstances apply to make it necessary to treat the person who has, or is accompanied by, service dog/service dog in training less favourably rests with the person claiming such circumstances exist. (As clarified by the Act).
7. The **Service Dog Act** or guidelines made under the **Service Dog Act** should provide that:
 - "treating less favourably" includes such action that requires a person to be separated from their service dog, or to occupy a specified area in the premises without reasonable cause, or charging an additional fee for entry or service because the person has, or is accompanied by a service dog/service dog-in-training
 - it is not discriminatory to require a person to produce service dog/service dog-in-training identification provided for under Federal legislation, and
 - it is not discriminatory to require a service dog/service dog-in-training to be under the full control of its handler.
 - it is not discriminatory to require a service dog/service dog-in-training to be kept in a safe position (e.g. under table/seat) reducing risk to the public while attending venues that cater for multiple people.
8. That any consequential amendments be made to all relevant Acts, Regulations and Policies that refer to guide, hearing and assistance dogs, so that the definition of a service dog and service dog in training, the rights contained in The Service Dog Act (once written) can be consistently applied.
9. **State laws regarding guide, hearing and assistance dogs are repealed.**
10. That a new Federal law—"Service Dog Act" **SD Act** be enacted to establish a national regulatory scheme for the training and identification of service dogs in Australia.
- 10a The new Federal law will include 'access to free public transport nationwide' upon production of the valid national photo ID card for 'accredited service dog and service dog-in-training' removing any need to meet State transport requirements.
11. That the Federal Minister for Social Services establishes an advisory panel the functions of which include providing advice on industry development issues, training standards and accreditation.

Membership *must* include disability consumer representatives, people with expertise in service dog training (equal numbers of Trainer and Handler Trained trainers/organisations), animal welfare and behaviour experts and disability peak

bodies. It is recommended to also include representatives of public transport organisation, breeder representatives, airlines, all representing their stakeholders. The purpose of the committee is to advise the minister on practical items of the National Accreditation Scheme.

12. That the ***Service Dog Act*** provides that Federal Department of Social Services accredits individuals and organisations to breed, select, train and certify service dogs in Australia. Accreditation should be subject to renewal after a reasonable period. (E.g. 3-5 years; equal for all individual trainers and those working for organisations).
13. The Federal Department of Social Services may refuse or discontinue accreditation of a service dog trainer or organisation if they fail to meet or no longer meet the criteria. A trainer or training organisation whose accreditation is refused or discontinued should have the right to appeal the decision.
14. A list of accredited trainers should be publicly available and included on all Federal and State Government websites.
15. Regulations made under the ***Service Dog Act*** should provide that a trainer or training organisation may be accredited by the Federal Department of Social Services if they can demonstrate that they:
 - a. understand how to train vulnerable people and provide services to people with disability (impairment) as underpinned by their recent medical certificate; and
 - b. breed and/or select, or help to select suitable dogs that can be trained to meet the needs of persons with impairment and can operate safely in public; and
 - c. match individual dogs and persons to form an effective service dog partnership and bond; and
 - d. train reliable service dogs that can perform tangible tasks and functions to assist a person with impairment to alleviate the effects of their impairment and are safe and effective in public; and
 - e. use only humane training methods (established positive reinforcement) using humane training equipment that benefits training outcomes whilst respecting animal welfare and comfort for dog and handler alike; and
 - f. administer and certify handler partnerships using the "national public access test" or **NPAT**, including the re-testing of partnerships, at least every three years; and

- g. provide ongoing and regular support to the service dog partnership, including the removal of certification as an accredited service dog where required; and
 - h. have a transparent complaints process that is available to clients in a variety of accessible formats, and
 - i. meet all other Commonwealth and State legislative requirements.
16. That only those service dogs certified by an accredited service dog trainer can:
- a. perform tasks and functions that alleviate the effect of the person's impairment

Tasks are measurable and accountable to assist or alleviate any impairment. It is recommended to have at least three (3) of these tasks
 - b. Operate safely and unobtrusively in public (having passed the public access test - **NPAT**)
 - c. Are of a suitable standard of care and hygiene expected in the public domain (incl a preventative and controlled veterinary regime)
 - d. Adhere to a standard of Etiquette provided for and enforced in the training, reinforced in daily life and shown as normal behaviour in the **NPAT**
17. That accredited trainers be required to review the service dog partnership against the national public access test regularly (recommended every 6 months) as part of the minimum follow up required to maintain accredited trainer status.
18. That the **Service Dog Act** provides that a service dog or service dog in training must be registered by the local council upon receipt of an application accompanied by certification or letter of training agreement by an approved service dog trainer/organisation that the dog has passed or is in or is in the process of being trained for the public access test.
19. That the existing registration fee exemption for guide dogs be extended to all service dogs and service dogs in training on a national level.
20. That the **Service Dog Act** provides that upon certification, the accredited service dog trainer is required to arrange the issuance of an identifying coat or harness and a National Australian Service Dog Identification Card.
- 20.a In the case of 'service dogs in training', training jackets and identification cards should be issued by the trainer/ training organisation (listed on the Governments websites)
21. Regulations made under the **Service Dog Act** should provide that the National Service Dog Identification Cards must be tamper-proof and include the following:

- a. Photo of the handler and dog face on, allowing both to be identified; and
 - b. Name of the handler; and dog
 - c. Date of expiry (which is the next review/renewal date for public access testing); and
 - d. Name and contact details of the accredited trainer certifying the dog; and
 - e. A statement that the dog meets Australian standards for service dogs.
 - f. On the reversed side, the ID card should show a short preamble of the Federal Law details it refers to, in case handler teams are asked.
22. To avoid doubt, a person or trainer must have their identification readily available for inspection on request, and ensure the dog is wearing:
- a. For a guide dog—a harness; or
 - b. For other types of a service dog—an identifying coat; or
 - c. For a service dog in training—an identifying coat.
 - d. Coats need to identify the status of training, have safety reflective strips and should be made only of breathable natural materials to ensure the comfort of the dog; should meet a minimum size to ensure clear visibility for service providers and public alike, and should carry the words 'do not touch' to remind the public to ignore working dogs. All text should be no less than 30mm in height to ensure visibility from a distance.
- NB any equipment used by the handler team must be comfortable, safe and not block affect the visibility of the training coat details.
23. That provisions be included in the ***Service Dog Act*** and all other relevant laws to ensure effective transitional arrangements for existing users of guide, hearing and assistance dogs recognized under the ***Disability Discrimination Act 1992***. Transitional arrangements may require certain handler teams to pass a PAT before being transitioned to a National Accreditation level to ensure Federal Standards are met by all.
24. For the avoidance of doubt, the ***Service Dog Act*** should specify that a person possessing or accompanied by a service dog/service dog in training, does not affect their liability for personal injury or property damage caused by the dog. This will translate into requirements for handlers to have the appropriate Public Liability Insurance cover (proof of which is a requirement of the Federal PAT)
- 24a The ***SD Act*** will allow handler trained teams – upon completion of training meeting the relevant standards will be allowed to work in public access areas accessing their

- ‘Service dog in Training’ rights, provided this assessment has been signed off by their relevant trainer further underpinned by trainer issued ID and coat.
25. That the Australian Government funds the Federal Department of Social Services to undertake consistent national community education to increase awareness of the rights of people with disability to be accompanied by a service dog/ service dog in training. Specific campaigns should be undertaken in partnership with users of service dogs, service dog trainers & training organisations, State stakeholders, industry bodies including those from the hospitality, transport and accommodation sectors, including possible union representation of stakeholders.
 26. The establishment of a national mentoring service that can guide new Service Dog Trainer Applicants on the most professional, efficient, and empowering journey for the client and handler, securing the best possible outcome. This service may be funded by the Department, and or could be paid for through trainer application fees. The right trainer applicant/candidate (having the right personal attributes) should not be penalised for lack of experience in this specialist training field – with very limited formal training available - but helped to advance quickly to deliver a better and appropriate service. This could only work if the remainder of the requirements is met or exceeded by the applicant.
 27. The mentoring service is available to individual trainers only, with the training and support responsibility of training organisations being responsible for these development and support services within their organisation.
 28. The mentoring service should be available for a set period only e.g. 6 months, maximum one year, but should become a crucial part of the development of a well-spread and diverse trainer network to assist with the ongoing growth and demand in this area at a national level (especially in the country areas)
 - 28.a. The Mentor may assist with the building of the business, the required paperwork and communication tools with their clients, guiding in development of assessment tools and expansion of various training approaches. After all, every handler and dog are two different creatures with each different and personal needs.
 29. The Department may rely on the committee to select a relevant Mentor candidate and appointments should be for no less than 24 months, allowing the Mentor to build suitable and beneficial relationships with the trainers depending on this mentor support service.
 - 29.1 The committee will also play a pivotal role in mediation when the framework supplied by the new Act causes possible handler teams to be disadvantaged, e.g., by extended hospital care; treatment that stops the training,

unfortunate circumstances in failing an NPAT, etc. – forcing the situation to be evaluated on its merits, rather than having determinations that are covered by the Act but do not meet the intention of the Act.

- 29.2 It is envisaged that the chairperson of the Advisory Committee will have the final say in mediation on any possible changes or adjustments requested in special cases. All determinations will be advised in writing to the relevant trainer/training organisation. These determinations will be processed within 48 hours of requests in writing as to minimise inconvenience to the end-user.
- 29.3 Most of the current State Acts have these restrictions and have caused many a situation where the supposed beneficiary of these Acts became the victim of Act interpretation – without any means of recall or redress.
30. The suggested concept offers a fairer opportunity for people in country areas to benefit from a Service Dog, which due to lack of relevant infrastructure, they are currently missing out on. This needs to be rectified and the Act will do so; underpinned by a mentor programme for highly suitable, yet inexperienced candidates.

CONCLUSION

This document has outlined a practical, achievable and fair solution to enhance the quality of the lives of people with a disability through a nationally consistent and regulated approach to the training, accreditation, travel and enhanced use of service dogs to the benefit of many Australians.

We request for this submission to be considered as a matter of urgency, as the aftermath of the fires and floods in Australia, and now the Covid 19 pandemic, will see an urgent hike in demand and need of these services to assist affected people (with PTSD) to start the recovery process, which includes maybe charity /government funding, but the mental scars of these events will take more than just funds.

We have prepared a list of questions have been asked again and again (FAQ – **FAQ-Part II**), addressing the main points related to the new National **SD Act**. There is much detail that needs to be addressed. Several Addenda – Draft Solutions **DS-Part III** that further explain the benefits that meet all the operational requirements and allow Government and stakeholders to take a decision to take this proposal forward and implement it ASAP.

APPENDIX

Discrimination of Service Dog Handlers

With the emergence of more service dogs, the silence of Australian law on standards has significant consequences for public safety and the reputation of service dogs. A consistent theme that keeps recurring is continued public acceptance of service dogs. This is dependent on better regulation, including legislative standards for quality and safety.

The *Disability Discrimination Act 1992* (DDA) operates alongside state legislation, imposing additional requirements and obligations. Section 13(3) of the DDA explicitly provides that the Commonwealth law does not exclude state laws if they are consistent and able to operate concurrently. However, if there is any inconsistency, federal law will override state law.

The legislation does not clearly define the term "service dog" **SD**. Besides, there are no uniform training standards for service dogs in Australia. Currently, people who train service dogs are not legally required to have any qualifications or experience. This may lead to the community losing confidence in service dogs.

There is no uniform identification system for service dog partnerships. People who use service dogs are not legally required to carry identification. Because no uniform identification system exists; businesses and service providers must be able to recognise a wide variety of different identification features. This is an unreasonable burden on businesses. At the same time, people with disability may be subject to humiliating questioning about the nature of their disability. They may also be denied access to places, goods and services to which they have a legal right.

Instances of discrimination are much more prevalent than the numbers of complaints that are made to either commonwealth or state human rights bodies indicate. People who use service dogs experience high levels of discrimination, particularly when accessing public premises and using public transport. This is where incorporating the **NPAT** and apply 'One card only' would eradicate a lot of this, with added large resource economies.

Service dog organisations and trainers generally find that the level of discrimination experienced is significantly higher than what has been reported by the Australian Human Rights Commission and other bodies.

Organisations and trainers are also contacted frequently by service dog owners who are told that they are not allowed to enter taxis or other means of transport with their service dog. One young female service dog owner was told by a taxi driver that her dog would have to travel in the boot of the car for the one-hour journey home. This is inexcusable and is happening more frequently than what has been reported.

Efforts to improve accessibility have been acknowledged. In 2007 Victorian Equal Opportunity and Human Rights Commission released a report titled; *Time to Respond: Realising Equality for people with a disability utilising taxi service*. This research noted difficulties some taxi users faced when accompanied by a service dog.

The point was made during a consultation that people may not complain about discrimination because they are worried that they may alienate themselves from the service providers upon whom they rely. As a result, discrimination is tolerated. When asked if they had faced any problems, one person told that he had not, but then went on to mention that he had been denied access to supermarkets, taxis, trams and a Centrelink office. Other people told that although local service providers were helpful, problems were more likely to arise when the person is outside the local area in which the service animal is regularly working.

Targeted training with the Taxi Directorate and major Tram organisations in Melbourne have resulted in some better understanding, but the training required should be underpinned by a simple easy to recognise the consistent national system. This also assists the high level of discrimination we see in the country, where the use of service dogs pro ratio may be less and therefore ignorance is often accepted.

Service dog users have highlighted that consumers are unable to complain in some instances because the (usually) taxi or tram simply does not stop and there is no way of identifying the vehicle number. Service dog trainers and organisations also reported that service dog users were more likely to contact them so that an organisation providing the dog/training could advocate on their behalf, then use time-consuming discrimination complaints mechanisms.

Service dog user, social media groups and community forums have reported that refusal of access is a significant problem. However, it is felt that the refusal of access is not always

malicious and is often due to a misunderstanding of the law. It was also suggested that any reforms should be aimed at preventing discriminatory behaviour in the first place rather than focusing on complaints after the event.

There are many problems with the laws relating to service dogs in Australia. Despite the existence of anti-discrimination laws for many years:

Because various Victorian state and federal legislation, are not in harmony and often unclear, lack adequate prescription, and are silent on proactive measures, people with disabilities partnered by a service dog, all too frequently are refused entry to spaces open to the public, denied access to publicly available services and generally denied their right to be treated with dignity and respect.

These problems are systemic and affect many different interests in the community. A solution will require the development of a consistent policy towards service dogs across the nation. It will also require legislative change focused on making laws dealing with service dogs easier for the community to access, understand and comply with in day-to-day life.

The broad principles around how best to reform the law of service dogs have the primary aim of realising the human rights of people with disability to participate in all aspects of society, these principles need to focus on:

- clarifying and simplifying the law
- removing inequities in protection
- promoting certainty for business and the community concerning what is or is not a service dog, including where such a dog can lawfully go, and
- promoting community understanding of the right to be accompanied by a service dog.

The benefits of a national system would offer many additional economic benefits to stakeholders, less time spend on addressing discrimination issues, create more business by showing the community respect and build a clientele that will be loyal and consistent.

A national recognition of the NPAT allowing for national travel on public transport around the country will increase visitation to other areas, increase R&R etc. – all leaving economic and social benefits for all stakeholders.

The sooner this proposal gest support and is put into law, the sooner this community can put things back and enjoy the things we all take for granted.

CONCLUSION

The opportunity to consolidate, combine strengths and use a base of what works will limit costs and time of implementation and could assist ALL stakeholders, and create a simple, smooth working system that is easy to apply, implement and promote.

We request for this submission to be considered as a matter of urgency, as the aftermath of the fires and floods in Australia, and now the Covid 19 pandemic, will see an urgent hike in demand and need of these services to assist affected people (with PTSD) to start the recovery process, which includes maybe charity /government funding, but the mental scars of these events will take more than just funds.

Thank you for your consideration and more operational implementation to support and underpin our recommendations can be found in the additional parts of this submission - .

Frequently Asked Questions (**FAQ – Part II**)

Addendum with Draft Solutions (**DS – Part III**)

Public Perception of Service Dogs (**PPSD – Part IV**)

Contacted Parties.

The following organizations, departments, businesses and individuals were contacted by telephone and/or email and invited to contribute information towards this document:

Your valuable time and input have been greatly appreciated.

Assistance Dogs Australia

Association of Australian Assistance Dogs (NQ) Inc

Australian Companion and Assistance Dogs.

Canine Helpers for the Disabled Inc.

Doglogic

Empower Assistance Dogs Ltd

Guide Dogs Queensland

Guide Dogs Victoria

In the Paws of Angels Inc.

Lions Hearing Dogs Incorporated

Smart Pups Assistance Dogs for Special Needs Children Inc

VisAbility Ltd (incorporates Guide Dogs WA and Guide Dogs Tasmania).

Vision Australia Seeing Eye Dogs

Whiskey's Wish

Integra Service Dogs

Young Diggers Dog Squad

Canine Essentials

Righteous Pups

Carmel Kaczmar

Dee Scott

Emelia Wilmot

Kylie Smith

Delta Society

National Dog Trainers Federation

LaTrobe University

Alexandra and District Dog Obedience Club

Assistance Dog Support Groups for Handlers via Facebook

Murrindindi Shire Council

Seymour Hospital

The Alfred Hospital

The Austin Hospital

Public Transport Victoria

Virgin Airlines

The Royal Melbourne Zoological Gardens

Parliament House, Canberra

Australian Human Rights Commission

Australian Law Reform Commission

State and Territory Law Reform Commissions

Department of Social Services

Federal Attorney-General Office

States and Territories Attorney General Offices

Department of Agriculture, Animal Welfare Office, Victoria

Dog and Cat Management Board South Australia

Members of Parliament in States and Territories

Members of Federal Parliament

(Et al)

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