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Guidelines for Planning for People with Assistance Animals in Emergencies

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AUSTRALIA**

Government of
South Australia

Guidelines for Planning for People with Assistance Animals in Emergencies

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PURPOSE

These guidelines support emergency service providers and others involved in planning for emergencies in South Australia to incorporate the needs of people with assistance animals, where relevant, in emergency management policy and planning, operational procedures and educational information.

Assistance animals in South Australia are usually dogs that provide support to people with various disabilities, including blindness, deafness, autism and medical and mental health disorders. These individuals may be reliant on the assistance provided by the animal.

Scope

These guidelines:

- are consistent with the South Australian State Emergency Management Plan and the frameworks therein addressing animal management[1] and building resilience for people who are most at risk in emergencies[2]
- provide the legal definition of an assistance animal and how they may be identified
- discuss public access rights for assistance animals
- outline key considerations for supporting people with an assistance animal at different stages of an emergency
- provide references for further information.

These guidelines are designed to provide advice and guiding principles only, they are not the definitive policy/procedure to be adopted.

Considerations for people with assistance animals may be relevant to planning for all emergency situations but particularly fires, floods, extreme weather events, spills of hazardous materials, transport accidents, earthquakes and terrorist incidents.

A range of plans and procedures relating to these and other hazards may be enhanced by considering the needs of people with assistance animals.

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[1] PIRSA (2017) *Managing Animals in Emergencies: A Framework for South Australia.* Primary Industries and Regions SA, Government of South Australia.
[2] Red Cross (2018) *People at Risk in Emergencies Framework for South Australia*

Specific areas of relevance include (but are not limited to):

- community engagement programs
- educational materials and that support personal emergency planning and preparedness
- emergency transport plans[3]
- evacuation or relocation procedures
- relief and recovery centre operational plans and procedures
- temporary accommodation plans.

WHAT IS AN ASSISTANCE ANIMAL?

Legal definition

The Federal *Disability Discrimination Act 1992*, in Section 9, sets out the legal definition of an assistance animal as a dog or other animal that is:

(a) accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist persons with a disability to alleviate the effect of the disability; or

(b) accredited by an animal training organisation prescribed by the regulations; or

(c) trained:

(i) to assist a person with a disability to alleviate the effect of the disability; and

(ii) to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.

Accreditation

There is no standard system of accreditation for assistance animals that applies throughout Australia. Some states have local legislation which provides for the accreditation of an 'assistance dog' within their state (for example, South Australia), whereas other states have no local legislation and therefore the *Disability Discrimination Act 1992* covers issues such as public access rights.

In South Australia, assistance dogs can be accredited under section 21A of the *Dog and Cat Management Act 1995.* Only a 'prescribed accreditation body' may accredit an 'assistance dog'

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[3] Note: SA Ambulance Service (SA Health) have developed *Accredited Support Dog Transport Procedure* (2016).

under the *Dog and Cat Management Act 1995*. Prescribed accreditation bodies in South Australia are the Dog and Cat Management Board, Assistance Dogs Australia, Guide Dogs SA (and all interstate chapters), Lions Hearing Dogs, Righteous Pups Australia, Royal Society for the Blind SA, and Vision Australia.

Types of assistance animals

Generally animals that meet the legal definition of an 'assistance animal' include:

- guide dogs for the blind or vision impaired
- hearing dogs for the deaf or hard of hearing
- autism assistance dogs (which mainly accompany children with an autistic disorder)
- animals that support mobility or other functional tasks
- animals that support episodic and serious medical crises (e.g. epilepsy, changes in blood pressure or blood sugar)
- animals that support people who experience mental health issues or disorders (e.g. Post-Traumatic Stress Disorder, anxiety, hallucinations, panic attacks or suicidal preoccupation).

A range of animals may be trained including dogs, miniature horses, pigs, parrots, reptiles, ferrets and monkeys. Currently in South Australia all accredited assistance animals are dogs. Other types of assistance animals are either absent or very uncommon and are found mainly overseas.

Occasionally, the terms 'service animals', 'disability dogs' or 'support dogs' are used. These fit under the umbrella of assistance animals.

Other support given by animals

Some animals may be used in therapeutic activities to improve a person's well-being and quality of life:

- 'Therapy' or 'facility' animals are used to facilitate counselling or psychotherapy and are often attached to a group facility (e.g. nursing home, counselling centre)
- 'Emotional support animals' are companion animals that provide emotional support to individuals at home.

These types of animals are not usually specifically task-trained to alleviate a disability and not appropriately trained for public access, therefore they generally do not meet the legal definition of

an assistance animal and do not have the same public access rights (see 'Public Access Rights' on page 9).

IDENTIFICATION

A person must not claim that an animal is an assistance animal unless it meets the definition of an assistance animal under the *Disability Discrimination Act 1992*. Assistance animals may be identified through use of any of the following:

- an assistance animal identification card, pass, permit
- an assistance dog harness
- a coat, cape or vest clearly identifying them as an assistance animal
- an identification badge or medallion (displayed, for example, on its harness, collar, leash, coat, cape or vest).

Assistance animals may not be wearing any identifying equipment if they are at home or if the owner has relocated quickly in an emergency. If no equipment is visible, those requiring proof of identity can lawfully require a person to provide evidence that their animal is in fact an assistance animal.

Evidence that the animal is an assistance animal may include:

- assistance animal accreditation (for example, an identification card, pass, passbook, passport or permit) issued by a state or territory assistance animal training provider or
- a state or territory government-issued access card or transport pass or
- other evidence that shows the animal has been trained to assist a person with a disability to alleviate the effect of the disability and to meet the standards of hygiene and behaviour acceptable for a public place.

The following types of passes may be issued in South Australia:

- Assistance Dog Pass (under the *Dog and Cat Management Act 1995* (SA))
- Guide Dogs SA/NT Owner's Pass
- Guide Dogs SA/NT Puppy Raising Pass
- Lions Hearing Dog Pass
- Royal Society for the Blind (RSB) Guide Dog Owner Pass
- RSB Assistance Dog Owner Pass

- RSB Guide & Assistance Dog Training Pass.

Organisations can consider respectful ways to seek evidence of an animal's status that avoid asking for information about the person's disability. Two key questions that could be asked to establish the status of an animal and the service it provides are:

- Is the animal an accredited assistance animal?
- Do you have identification to show how it assists you?

The Dog and Cat Management Board (DCMB) can assist with verifying whether a dog is accredited under the *Dog and Cat Management Act 1995* (note: the DCMB does not hold records of other types of assistance animals)[4].

PUBLIC ACCESS RIGHTS

Legal basis

According to the Federal *Disability Discrimination Act 1992,* it is unlawful for a person to discriminate against another person on the ground of the other person's disability, including by refusing to allow the disabled person access to, or the use of, any premises or vehicle that the public is allowed to enter or use (whether for payment or not).

For some people, being separated from their assistance animal can have devastating, life-altering consequences. In recognition of this, under the Federal *Disability Discrimination Act 1992* and the South Australian *Equal Opportunity Act 1984,* animals that meet the definition of an 'assistance animal' have public access rights and may legally remain with their owner in most situations.

Animals that are appropriately trained should (under normal circumstances) respond to the owner's commands, be clean, toilet trained and not show aggression towards people. Most Australian states and territories require that a Public Access Test (PAT) be successfully completed as part of accreditation to ensure standards are met[5].

Emergency plans and procedures will ideally allow people to keep their assistance animal with them at all times or clearly outline exceptions where this is not possible.

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[4] For further information see www.dogandcatboard.com.au/accreditation-of-disability-dogs
[5] The Dog and Cat Management Board Public Access Test is described within www.dogandcatboard.com.au/policies (Accreditation of Disability Dogs)

Access exclusions

Assistance animals may be excluded from some areas or some situations, for example:

- where the public is not permitted
- where there is a public health risk e.g. intensive care and surgical units in hospitals and food preparation areas[6]
- animal sanctuaries such as zoos.

Carriage of assistance animals in aircraft may be restricted (Civil Aviation Regulations 1988 - regulation 256A). The regulation provides for the operator of an aircraft to permit a dog to be carried, in an aircraft cabin, providing the dog is assisting a person who is vision or hearing impaired. The Civil Aviation Safety Authority (CASA) may issue permission for the carriage of a dog assisting a person, who is other than vision or hearing impaired, on a case by case basis.[7]

An assistance animal may be excluded from any venue or vehicle if:

- the owner is unable to control the animal
- the animal is a direct threat to the ability of staff/workers to provide services to others
- there is demonstrable aggressive behaviour (although note that some assistance dogs are permitted to attract attention by barking)
- there is reasonable grounds to suspect that the assistance animal has an infectious disease and the exclusion is reasonably necessary to protect public health or the health of other animals.

Staff of venues and drivers of vehicles may benefit from having an established procedure for situations where a person may fail to produce the required evidence that their animal is accredited and/or suitably trained. Any refusal to allow entry or requests to a person to remove themselves and their animal from a venue/vehicle will ideally be documented by an appropriate person and, where applicable, any authorised officer lawfully exercising their power.

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[6] See www.dogandcatboard.com.au/accreditation-of-disability-dogs#faq_3
[7] More information - CASA website: www.casa.gov.au/standard-page/assistance-dogs-general-information-travellers

EMERGENCY PREPAREDNESS

Engagement programs and educational materials

Just like owners of pets and other animals, the people who rely on assistance animals will benefit from making personal plans for what they will do with themselves and their animal(s) in an emergency. Therefore, community engagement programs or educational materials that aid in personal emergency planning and preparation will be more inclusive if they prompt people who rely on an assistance animal to consider what risks they face and what specific needs might arise in relation to their animal, for example:

- If their assistance animal becomes confused or is separated from them, are there other ways they might be supported?
- If other people are giving assistance after an emergency, are instructions on how the animal is to be treated required?
- What evidence can be provided to show that the animal is appropriately trained to access public areas?

Planning resources

The following resources may help people who utilise assistance animals to plan for emergencies:

- RSPCA SA 'Pets in Emergencies' (www.rspcasa.org.au/the-issues/animals-in-emergencies/)
- Red Cross Training Services (2009) *Emergency Rediplan: Household Preparedness for People with a Disability, their Families and Carers*. Australian Red Cross.
- Australian Red Cross – RediPlan: Your Emergency Plan (www.redcross.org.au/prepare)

Note that the above references are accessible through www.sa.gov.au/emergencies

RESPONSE, RELIEF AND RECOVERY

Operational considerations

The following key principles provide guidance when planning for people with assistance animals in emergencies:

- The psychological and physical health and wellbeing of the person may be highly dependent on their assistance animal. This will be exacerbated in stressful situations

such as emergencies. Unless the safety of the owner is compromised by staying with their assistance animal, it is important to consider all means whereby an assistance animal can remain with its owner, even if this means providing a separate space as an option for the owner to consider (e.g. if other members of the public claim to be allergic, afraid of or phobic about the animal)

- Where an assistance animal is allowed entry to a public venue or transport vehicle the organisation responsible may wish to consider:
    - o the circumstances in which staff should request that the person seeking entry keep the animal under control of that person or another person on behalf of that person
    - o whether a form of identification issued by the organisation is required to alert other staff that the assistance animal has been approved to enter the venue/vehicle.

- Under major disruptive conditions it is important to consider the level of stress and confusion a person and/or their assistance animal may be under. Where possible, providing a designated support person and a quiet place to regain composure may be vital in ensuring the health and wellbeing of the person and their animal. The designated person could assist with:
    - o physical and psychological support and safety of the person and assistance animal (e.g. orientation at a venue)
    - o toilet assistance for the person and/or the assistance animal
    - o obtaining veterinary aid, water and food if required
    - o any other matters that support the person and their assistance animal.

- Some assistance animals are trained with behaviours that function to alert their owner of oncoming medical episodes or issues that need the owner's attention - these behaviours may appear unusual in an ordinary animal but are part of the service offered by the assistance animal. To assist with possible oncoming medical episodes, the responder could check the owner for information (e.g. on a medic alert)

- Assistance animals perform their services most effectively if they are not purposefully distracted or petted by strangers, so it is helpful to remind others to refrain from interacting with the animal unless the owner has given permission.

Emergency care for assistance dogs

If the owner is incapacitated, placement of the assistance animal with a caretaker may be required - assistance dog owners may carry material in their purses, wallets or dog's backpacks or pouches with contact information in case of an emergency, or an emergency contact number may be engraved onto a medallion (Figure 1).

Most organisations that provide assistance dogs in South Australia have access to emergency boarding facilities, e.g. within their volunteer workforce. If an assistance dog is found wandering without an owner, an option is to contact the emergency number provided with the dog's identification (if present) or call an assistance dog organisation for advice on temporary accommodation.

Assistance dogs are usually microchipped, which will aid identification if they become separated from the owner and other forms of identification are absent.

Figure 1: Example of a medallion showing a dog identification number and emergency contact number (Photo: RSB)

South Australian Veterinary Emergency Management Inc. (SAVEM) may be able to provide microchip identification services and veterinary assistance if normal veterinary services are unavailable after an emergency incident[8].

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[8] Activated in emergencies through Primary Industries and Regions SA - Agriculture and Animal Services