

## COMMISSIONER'S BRIEFING PAPER

**SUBJECT**                    **RSL South Australia: Assistance Animal Education for Police**

**MLO**                         **0153/25**

### BACKGROUND

The Commissioner has received correspondence from Meredith Burgess, Acting State President RSL South Australia. The letter has been cc'd to the Minister for Police, Minister for Veteran Affairs, Chief executive Defence SA, and to the Minister for Emergency Services and Correctional Services.

The Acting President has been advised of a case of alleged inappropriate handling of a veteran with an assistance animal by SAPOL officers, "which resulted in the separation of the veteran from their assistance animal without clear cause".

The Acting President has requested that SAPOL include or reinforce education on the appropriate handling of veterans or vulnerable persons with assistance animals in its training programs for police officers including protocols for identifying assistance animals by requesting accreditation documents.

### RELEVANT POINTS

#### Legislation

- It is not clear from the correspondence whether the assistance animal is an accredited animal.
- It is also unclear what the nature of the interaction or separation was.
- There are two types of assistance dogs:
  - Accredited assistance dog; or
  - Assistance dog as defined in the Disability Discrimination Act 1992 (Cth) (A DDA Assistance Dog)
- The Equal Opportunity Act 1984 (SA) contains provisions relating to accredited assistance dogs and states that it is unlawful to impose a condition or requirement that would result in a person with a disability being separated from his or her assistance animal; and (b) a person who imposes such a condition or requirement is, in addition to civil liability that might be incurred under this Act, guilty of an offence.

Maximum penalty: \$2 500

- In South Australia assistance dogs can only be accredited under the Dog and Cat Management Act 1995 by either the Dog and Cat Management Board or the prescribed accreditation bodies:
- A DDA Assistance dog (or other animal) is one that is trained to assist a person with a disability to alleviate the effect of the disability and to meet standards of hygiene and behaviour that are appropriate for an animal in a public place.
- A DDA Assistance dog not covered by the provisions of the EO Act relating to accredited dogs but it may still be unlawful under disability provisions of the DDA and the EO Act to discriminate against someone with an assistance dog.
- The Department of Veterans' Affairs (DVA) provides a fact sheet on public access rights for veterans with DVA assistance dogs. (Unless accredited they will fall under the DDA)
- For an accredited dog, the handler is issued with an identity card which can be shown on request.
- Where a dog is claimed necessary under the DDA, the handler will need to show evidence of a) the need for an assistance animal eg a medical certificate evidencing the disability and that the assistance animal alleviates the disability and b) appropriate training.

### **SAPOL Training**

- All SAPOL employees receive on-line disability awareness training as part of their induction. There is no specific training relating to Assistance animals.
- Autism awareness training is mandatory for all police officers and police security officers. This is not in relation to Assistance animals.
- All SAPOL employees receive on-line Diversity and Inclusion training as part of their induction. This does not include specific training on Assistance animals.
- Cadets and police security officers receive two face-to-face diversity and inclusion training sessions. This does not include assistance animals.
- Foundation training is delivered to new employees entering SAPOL at cadet level. The training curriculum is co delivered by SAPOL and TAFE SA. Communications training is provided broadly on foundational interpersonal skills such as listening, non-verbal communication, negotiation and emotional intelligence, and centres around how those skills apply to complex communication situations. In this training, complex communication situations are identified as ones where disability (visible or invisible) or cultural and linguistic diversity impact effective communication.
- The focus of the above training centres is how to adjust one's own communication style according to the needs of the recipient; with recruits being required to achieve competence in the use of complex communication strategies. Our training does not

however specifically address situations where there is an assistance animal or the complexities that separation from an assistance animal may bring. The application of the training remains the same, to adjust communication strategies in line with the needs of the recipient, and as appropriate to the operational environment/situation.

- Training is also provided in the custody management space in relation to circumstances where a person is detained and in possession of an animal. Again, while not specific to the intricacies of assistance animals, the SAPOL policy provides advice to police on how to manage this situation. (GO Arrest)
- A resource on assistance dogs and public access rights is available to all SAPOL staff via the SAPOL intranet. It specifically relates to assistance dogs in certain public spaces.
- International Assistance Dog week is observed in the second week of August. This week could be used to the legislation surrounding assistance dogs. The week does not appear to have a specific “owner” but is celebrated widely through dog associations including Assistance Dogs Australia, The Guide Dogs for the Blind Association (UK) and is recorded in Hansard following a supportive statement in Parliament of Australia in 2023 by an MP. There is also International Guide Dog Day in April which was celebrated by the Governor of South Australia at Government House in 2023.
- In the interim, Diversity and Inclusion Branch can include some resources on their intranet page.
- Recommendations are presented overleaf.

Recommendations.

1. It is recommended that the Commissioner notes the contents of this briefing paper.

Noted

2. It is recommended that the Commissioner respond to the Acting President of RSL South Australia in the terms of the draft letter attached.

Approved/Not Approved

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Date: 21 February 2025

Recommended:

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Kim-Sherie Summers  
**Executive Director, PCW**  
/ /2025

Endorsed:

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Linda Williams APM LEM  
**DEPUTY COMMISSIONER OF POLICE**  
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Approved:

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Grant Stevens APM LEM  
**COMMISSIONER OF POLICE**  
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