Consultation submission on behalf of the Association of Responsible Dog Owners in response to the proposed ban on electronic training aids in the Netherlands

1. About the Association of Responsible Dog Owners (hereafter referred to as ARDO)

The Association of Responsible Dog Owners (ARDO) is a non-fee-paying, not-for-profit, international collective of dog owners, canine professionals and enthusiasts, all of whom share a common purpose - to educate and to respond accurately and without bias or favour to pertinent, canine-related matters using both scientific and empirical evidence on behalf of those who are 'on the shop floor'; those with direct experience. Historically, wide-ranging canine-related decisions directly affecting dog owners, have been reached without the owners themselves having a non-political, impartial representative body to speak on their behalf. ARDO works to provide that body, that impartial 'owners voice'.

2. What does ARDO offer the Dutch decision makers regarding the proposed ban on electronic training aids (hereafter referred to as ETA's)

In Spring 2018, ARDO set up an online survey at our website (www.joinARDO.com) regarding ETA's. The survey looks to gain the experiences of persons who have actually used an ETA to assist in the training, control and protection of their dogs and other animals/people. Information has been gathered from several significant questions ranging from 'where the dog was acquired' and 'what had been tried prior to ETA's', to 'did ETA inclusion resolve the issue' and most importantly 'were there any negative effects'? The survey includes a 'free text' option, which has documented an extensive, unparalleled body of firsthand accounts of those persons to whom this proposal to ban will directly affect. Those persons are made up of loving, considerate dog owners, many of whom have gone to extraordinary lengths to help resolve the behavioural issues or afford adequate protections for their dogs and other animals/persons before incorporating ETA's into their training approach. It is also worth noting that many of the respondents have physical or psychological health or mobility impairments, limiting their ability to employ alternative approaches.

At the time of writing this submission, the number of responses to the ARDO ETA user-survey exceeds 900. To the best of our knowledge, no other comparable survey exists with as much first-hand empirical data on the subject of everyday ETA use.

This survey is still 'live' and receiving regular input.
ARDO encourage the decision-makers to examine the survey results carefully. In doing so, it will become undeniably evident that a ban on ETA's is *not* in the best interests of animal welfare, or indeed increasing overall control and improving the life experiences of those humans, canines and other animals affected by the proposed ban.

3. A clear and undeniable bias runs throughout the entire proposal to ban ETA's

The first thing we cannot fail to notice is that the proposal *and certainly* the accompanying explanatory memorandum is peppered with evidence of a clear bias in the author towards a ban on ETA's. Echoing the embarrassing, heavily criticised and challenged consultation to do likewise in England in 2018, the Dutch proposal reads as though the decision is a 'done deal' and that seeking the thoughts of consultees is more a matter of procedural formality than it is a genuine search for impartial information to help determine benefit or necessity.

"Where the integrity or welfare of the animal is at stake"

ARDO ask decision-makers and anyone reading this submission a simple question – "Is the proposal concerned only with the welfare of the domestic dog in isolation, or is the government applying the necessary and commendable 'broad-lens view' of animal-welfare to include the welfare of all other animals affected by that domestic dog?" To simplify this further we provide the following example and question.

If an ETA is used as part of an otherwise reward-heavy training approach, to prevent a dog from pursuing and attacking other vulnerable or protected animals, should we consider this use to be *against* the *Integrity or welfare of the animal*" purely on the basis of the training aid used and regardless of the potential loss of life or consequent suffering of the other animals?

"there is a need for government intervention to prevent or limit the deterioration of the animal's integrity and well-being"

Again, this sentence lacks required clarification; "The integrity and well-being of *which* animal? The dog in isolation, or also other animals directly affected by the dog? Is (where and if necessary) the inclusion of a few seconds of startle – or even momentary pain - experienced by one animal, to preserve and protect the integrity and well-being of multiple

other animals, not also in direct accordance with the government's supported "intervention to prevent or limit the deterioration of [those] animal's integrity and well-being"?

"There is no solid scientific evidence showing that the use of current surges would be necessary or lead to better results at all."

Behavioural science is notorious for having difficulty in quantifying and replicating findings. It is clear even to the non-scientific person that, since behavioural science seeks to find 'rules' or commonalities, the mere fact that the subjects studied are individuals with complex individual histories, expectations, motivations and preferences, "solid scientific evidence" is something of an elusive and largely unattainable goal. For example, a scientific study can only really conclude that – at this time, in this context, under these conditions, these subjects provided these results. Obviously, unless these variables are absolutely replicated with the same subject animals to produce the same results (which is impossible, since a first experience cannot be repeated for a living being) with the same subjects under different conditions, or with different subjects under identical conditions, "solid scientific evidence" is always going to prove difficult, if not impossible to obtain, be it in support of, or opposition to the potential benefits of ETA's.

This being the case, it is more accurate to say that *all* of the behavioural science relating to ETA inclusion is *inconclusive*.

There are in fact, *multiple* scientific studies to contest and disprove this statement (see references), however, these studies are *notably absent* from the (Masson et al) ESCVE review paper upon which the Dutch government is basing their entire proposal. This clear and deliberate omission and denial of long-standing, equally scientific, contradictory evidence, is indicative of bias and agenda in the process leading up to the proposal to ban ETA's. The ESCVE are OPENLY AND STRONGLY AGAINST the use of ETA's, making their review paper undeniably biased.

ARDO notes that the term "better results" lacks necessary explanation? Better than what? Under what conditions?

ARDO further submits that there "is no solid scientific evidence" showing that a simple lead, a head or body harness, or indeed dog crates 'lead to better results" than their absence. In fact, both science and empirical evidence shows that these tools can result (and have resulted) in behaviours associated with negative welfare states in the dog, yet their

routine use goes unchallenged. Multiple successful cruelty convictions feature crates being used to cause or facilitate unnecessary suffering, or dogs being tied up or hanged with a normal lead and collar. ARDO would question why ETA's are being singled-out by the proposal, when their potential misuse is already covered under existing animal welfare law and there are no convictions for animal cruelty related purely to ETA's. Veterinary spay and neuter programmes are encouraged and performed in their millions, and post-surgery 'Elizabethan collars' used routinely by veterinarians. This is despite the fact that a growing body of scientific evidence highlights the welfare risks associated with each, and questions their necessity where surely good management and reward-based incentives, might instead be used to teach dog to refrain from mating or interfering with wound sites. ARDO notes that this is exactly what the government proposes dog owners must do to control other, innate and self-rewarding behaviours in the dog – such as predation – despite the fact that "There is no solid scientific evidence" showing that rehearsed predation can be prevented or stopped for an off-lead dog in the presence of prey but the absence of the owner. Additionally, "There is no solid scientific evidence" to prove that abstention and avoidance of a given, problematic or socially unacceptable behaviour, can be instilled in a dog with prior experience of success through the use of rewards alone, particularly where the owner is absent.

4. The proposal is short-sighted in terms of those who will be affected by it

"The following target groups will be affected by the scheme: Trainers and dog owners using power surge equipment and producers of [such] for use in dogs. Police and armed forces using power surge equipment"

Put simply, this statement is short-sighted and demonstrates a clear lack of sufficient research and thought. The proposal will affect *all* persons and animals that would be affected by otherwise uncontrollable or antisocial behaviour of the dogs for whom ETA's are currently, or may in the future, be deemed necessary and beneficial. Dogs who bark excessively represent a social nuisance to residents of multi-occupancy buildings or residential areas. Dogs that are presently (harmlessly yet effectively) contained by ETA's within a property's garden that is unsuitable for conventional fencing, represent a threat to road-users or members of the public. Dogs that are currently (or could be) trained with ETA's to recall instantly from temptation, or actively avoid specific, vulnerable animals, will become a direct threat to members of the public, farmers, wildlife conservation groups and their animals. In Wales, where ETA's were

banned in 2010, attacks by dogs (particularly towards other animals) have soared. In fact, in 2020, the Welsh police *pleaded* on social media to owners to have better control of their dogs. ARDO considers that again, the consultation statement fails to consider 'animal welfare' in it's true and broadest sense, demonstrating a myopic view of the likely impact of the proposal going forward.

5. The consultation information is false and therefore deliberately misleading to the consultee

"Dog owners using power surge equipment will have to move to an alternative method to achieve a change in behaviour in the dog. There are several suitable alternative non-aversive training methods available"

Hundreds of responses to the ARDO ETA-user survey show this statement to be false, and therefore misleading. When it came to chasing other animals and failing to come when called, prior to the use of ETA's, 38% of respondents had already attempted to resolve their issues with 'reward-based' alternatives, with a further 23% having attended training classes. In short, OVER SIXTY PERCENT of owners who use ETA's had already tried the "alternative non-aversive training methods" – often for extensive periods of time – and they had FAILED TO RESOLVE THE ISSUE.

The statement assumes that simply because something is considered 'aversive' in nature, then it is in and of itself, wrong. It is the statement itself that is wrong; indeed, we need only consider our own society and the manner in which transgressions from expectations are wholly 'aversive' in teaching the transgressor the error of their ways. It is quite literally *astounding*, that a proposal to inflict heavy punishments on anyone found to be in contravention of its demands, talks of the superior efficacy and outcomes of 'non-aversive' coercive enforcement or punitive consequences; especially where a common language is shared to enable explanation without the need for direct experience to facilitate behaviour change.

ARDO again raises the question of how rehearsed predation for example, can be prevented or stopped for an off-lead dog in the presence of prey but the absence of the owner through "alternative .. non-aversive" means? To our knowledge, this has never been shown achievable, either scientifically or empirically. It has however, been repeatedly demonstrated both scientifically AND empirically through the responsible inclusion of ETA's.

In fact, Dr Jonathon Cooper of Lincoln University who conducted two studies focussing on ETA's for the English government, openly admitted in a 2018 address before veterinary students, that the dogs in his research could not be permitted off-lead to chase sheep "If [they] were not going to receive and electronic stimulus" https://youtu.be/uRe6laAZhoA

Additionally, there is no evidence, scientific or empirical, to prove that abstention and avoidance of a given, problematic, welfare-threatening or socially unacceptable behaviour, can be efficiently and reliably instilled in a dog with prior experience of repetition and success, through the use of rewards alone, particularly where the owner is absent. A simple 'request for evidence' from decision-makers for such observable evidence should and must surely have been conducted? ARDO would also ask the Dutch government, what "suitable alternative" they recommend to instil conditioned avoidance towards a particular, life threatening aspect of the dogs' environment and where consultees and dog owners might find evidence of it? It is clear that the Dutch decision-makers are being wrongly, deceitfully and deliberately guided down a perilous path, whereby 'aversive experiences' are being presented as synonymous with 'anti-welfare', 'cruel' 'dangerous' or 'experiences of no value'. The truth is, that controlled exposure to owner controlled, predictable and controllable aversive experiences for the dog, serve to strengthen and protect animal welfare, not weaken and threaten it.

6. There are no 'considerable recent training method developments.' The consultation information is again misleading and dishonest

"Insights into training methods have recently developed considerably, with training with aversive means giving way to training through positive reinforcement, taking into account the individual character of the animal, given the negative consequences."

ARDO would like to make it absolutely clear that there is nothing 'recent' about the motivations and consequences involved in training animals. Humans have been successfully doing so for millennia, with the recognition of the necessity and value of both positive and negative incentives and outcomes surviving largely unchanged. Behaviour change has been successfully and humanely achieved long before the findings of Thorndike, Pavlov, Watson, Skinner, Seligman, Sidman et al. Indeed, it is somewhat contradictory that the consultation text talks of "the individual character of the animal" yet fails to provide any explanation whatsoever, regarding the fate of (what will become) millions of 'individual' dogs, displaying behaviours that have proven and will prove intractable to

reward-based interventions, but highly responsive to responsible ETA inclusion?

There is also a terribly inaccurate, spinal assumption running throughout the proposed ban and the accompanying explanatory memorandum, that positive and negative must exist in isolation from and direct opposition to one another as opposed to harmoniously complimenting one another. They are presented as 'either or' experiences, resulting only in 'either or' consequences and learning experiences for the animal. In reality, it is an unquestionable fact that effective learning requires a combination of both – something a child of average intelligence would know. There are things in life that we must avoid or refrain from doing; equally, there are times in life when (regardless of the distraction or temptation) we must respond instantly and without question or complaint. Recognition and acceptance of both of these absolute truths, is what steers us towards providing the very best experiences for the dogs under our control, and those affected by them.

7. 'Latest' science does not automatically mean 'greatest' science

"It is important to be connected to the latest scientific insights in the field of training methods"

ARDO does not support this statement. We propose instead, that it is important to be aware of ALL scientific findings. The fact that something is more recent than something else does not by default mean that we must 'be connected' to, or indeed 'accept and/or be influenced by' it. We believe that it is the strength, value, objectivity, rigour and relevance of the science that needs to be considered before becoming "connected" to it, not merely how recently it was conducted. We do not know of any scientific "field of training methods", only those pertaining to the study of animal behaviour and the psychology of learning and behaviour. We consider it of upmost importance, that where the lives and welfare of (what will amount to) millions of people, dogs and other animals are likely to be directly or indirectly affected by the proposal, the terminology used throughout the decision-making process is clear, accurate, independent, relevant and proven.

8. Throughout the consultation document and the explanatory memorandum, the language used is emotive, inaccurate and misleading

"ban on the use of electric shock devices"

ARDO submits again, that supporting the entire body of justification and information is an undeniable spine of bias, inaccuracy and false representation of facts.

"Electric shock devices" makes no distinction (or attempt to distinguish) between an ETA, a TENS unit, a taser (stun gun) or an electric chair. The very fact that electrical circuitry is involved, is deemed sufficient justification for referring to ETA's as "electric shock devices". This blatant use of such a common, knowingly inaccurate description is the hallmark of wilful ignorance and bias. We would ask:

"What constitutes electric shock?" Moreover, "What key features differentiate the term *electronic stimulation* from *electric shock* and are these features present in electronic training aids?"

Consider this analogy (of many) for simplification:

A unicycle, a 100year-old 'Penny Farthing' bicycle and a very expensive, modern mountain bike (designed and equipped with advanced safety and comfort features) are all (regardless of difference) classified as 'pedal cycles.' Although on the surface it could arguably be termed superficially 'accurate', such a group-classification would soon prove itself to be clearly misleading and inaccurate, since if we were to ride each 'pedal cycle' in turn along a bumpy road, our experiences (and consequently our opinions) would differ significantly according to the product used.

Now consider that we have *only* ridden the unicycle and/or the Penny Farthing on a bumpy road, or that we have *never* ridden either, but have heard reports of, or can imagine the probable discomfort in doing so. Does it then follow that the modern mountain bike should share the same classification and description, based purely upon the fact that it too, is a pedal cycle?

In short, a common feature is insufficient reason to apply a common label and infer common experiences and outcomes. Therefore, we believe the term "electric shock" to be deliberately included on the basis that it is loaded with connotation and false presumption, which are likely to influence the reader in supporting a ban on ETA's.

9. The explanatory memorandum makes wildly inaccurate and unsubstantiated claims

The explanatory memorandum accompanying the consultation, states that:

"the use of electric shock equipment carries a high and irreconcilable risk of causing pain or injury or harming the animal's health or wellbeing, both in the short and long term."

Put bluntly, ARDO are stunned that the Dutch government have allowed this statement to be put before the public. There has NEVER been ANY scientific study, involving the responsible use of modern ETA's, to substantiate or confirm the WILDLY INNACURATE claims of "high and irreconcilable risk of causing pain or injury". We refer again to point 8, where the 'lumping together' of products based on a singular common feature, is used to falsely support the equally false assumption of common outcomes. Even Seligman's extreme studies on 'learned helplessness' (which did not involve modern day ETA technology, but did involve unpredictable and uncontrollable 'electric shock'), fail to support the claim "irreconcilable", since Seligman found that prior experience with successful escape/avoidance learning, provided 'immunity' from acquiring 'learned helplessness'. This is yet another significant body of work that is excluded from the ESCVE evidence, upon which the Dutch decision-makers rely.

Several scientific studies and authors, also serve to refute this statement (see references). Instead, it would be more accurate AND HONEST to say that:

"The wilful or reckless, continued, non-contingent presentation of an excessive, inescapable, unpredictable and uncontrollable aversive stimulus carries – depending on the stimulus itself - a high risk of causing unnecessary pain and associated psychological disturbance"

We highlight the fact that such conditions apply equally to anything and everything that the dog deems to be aversive i.e. 'would work to remove or avoid'.

10. The statements within the explanatory memorandum are confused and contradictory

[1] "it is quite possible to train dogs without electric shock devices."

[2] "In theory it is possible to responsibly use electric shock equipment in dogs by administering exactly the right current intensity at exactly the right time."

- [3] "it is practically impossible to choose the right intensity."
- [4] "even experienced trainers are not able to unambiguously determine the exact moment of the administration of a stimulus"
- [5] "Practice has shown that military personnel and police officers can effectively train and deploy dogs without the use of electric shock equipment. The Dutch armed forces have successfully deployed dogs in international (NATO) missions that have been trained without the use of electric shock equipment. Also, the police of the German state of North Rhine-Westphalia works with dogs that are trained without electricity. Dogs can be successfully trained with rewarding methods."
- [6] "It is not always possible to deploy these dogs without the use of electricity. It may also be necessary in exceptional situations to still use a power surge device on a dog that has been trained with the use of electricity. It is possible that a single dog, trained with electricity, will exhibit deviating behaviour in the performance of its task, so that the animal can no longer be used. If the use of this animal remains necessary in the interest of the proper performance of the statutory tasks, its short-term use can be proportional."

ARDO agrees with statement [1], since it would be difficult to say otherwise. However, without further explanation and in the absence of context, we consider the statement to be far too simplistic; once again, it reflects a false perception of life viewed through a black and white lens, but rejects or ignores all shades of grey. It is quite possible for example, for a child to brush their teeth twice a day and end up with a wonderful, healthy smile, but it does not follow therefore, that those children requiring braces should be denied access and instead instructed to simply 'brush some more'. Continuing the analogy, braces are often fitted against the will of the child, causing embarrassment and temporary discomfort which in an ideal world, would not be necessary. The fact remains however, that we are obligated to recognise the needs of the individual and are responsible and objective enough to do whatever is reasonable and necessary in the circumstances to maximise and secure their well-being.

Statements [2], [3] and [4] are contradictory to the point of absurdity. We would ask for the Dutch government's reasoning behind the proposal to ban ETA's such as anti-bark and electronic containment fence systems, which are automatically adjusted to suit the individual dog and its level of arousal?

Statement [4] comes from "The Dutch Association for Instructors in Dog Education and Training". We would ask the following questions:

"Who is this association and are they profit-making?"

"Why is their opinion sought and cited by the Dutch government in isolation over any other training association in the Netherlands or elsewhere?"

"What is their experience in the humane inclusion of ETA's for building desirable behaviours, modifying undesirable behaviours and/or instilling safety-dependent, conditioned avoidance?"

"Is the association one which follows a 'reward-only' or 'anti-aversive' methodology?"

We would like to be clear on whether this organisation speaks from a position of demonstrable experience regarding ETA inclusion, and whether they are independent, impartial and objective in their stated opinions?

Points [5] and [6] require little in the way of further explanation to highlight the glaring contradictions between the two. We AGAIN refer to the simplistic, black-and-white presentation of training and behaviour modification portrayed and presented by the explanatory memorandum:

"Dogs can be successfully trained with rewarding methods"

"military personnel and police officers can effectively train and deploy dogs without the use of electric shock equipment."

We agree, YES they can, but once again the statements fail to provide sufficient information from which a naïve reader can make an informed judgement. We ask:

What dogs, and for what purpose?

Protection dogs? Detection dogs? General purpose dogs?

ALL dogs?

Under ALL circumstances?

What equipment replaces the use of ETA's in ensuring compliance and safety of not just the dog, but of all police, military, civilian personnel and members of the public dependent upon the responsiveness of that dog?

Where is the scientific or empirical – visible – evidence of training and deployment to support the statement?

Is the Dutch government saying that ALL police and military dogs do not require any use of aversives in order to reach successful, reliable operational deployment?

If so, in the interests of honesty and transparency, ARDO request the opportunity to send representatives to the Netherlands to witness and document these claims for ourselves.

"It is possible that a single dog, trained with electricity, will exhibit deviating behaviour in the performance of its task, so that the animal can no longer be used. If the use of this animal remains necessary in the interest of the proper performance of the statutory tasks, its short-term use can be proportional"

ARDO ask:

If "It is possible that a single dog, trained with electricity, will exhibit deviating behaviour in the performance of its task", where is the evidence to support this 'possibility' and why has it not been presented to the public? Also, what evidence are the Dutch government basing their assumption that dogs that are NOT "trained with electricity" will not "exhibit deviating behaviour in the performance of its task"? If they will, what non-aversive, alternative methods are recommended and used to rectify their deviation?

Again, ARDO would be prepared to send representatives to witness and document these alternatives for ourselves.

ARDO also asks, if there is a

"need for government intervention to prevent or limit the deterioration of the animal's integrity and well-being"

and

"the use of electric shock equipment carries a high and irreconcilable risk of causing pain or injury or harming the animal's health or wellbeing, both in the short and long term."

WHY is the government going directly against its own published directive, in prioritising the 'proper performance of an animal's statutory tasks' above the "integrity and well-being" of the animal [dog] itself?

It appears that there are two possible answers. (1) ETA's are recognised as being necessary to safeguard the well-being of military or police dogs, BUT for civilian dogs owners to continue to use ETA's to safeguard the well-being of THEIR dogs, other animals or people, would constitute an offence deserving of heavy punishment. Or (2) ETA's represent an '*irreconcilable*' threat to the well-being of the dogs, however police and military dogs are to be denied the protections from such harms afforded to civilian dogs, and their trainers/handlers are immune from prosecution under existing animal welfare laws.

11. Where is the evidence to support the 'purpose' of the decision, highlighted in the explanatory memorandum?

"The purpose of this Decree is to improve the well-being of dogs. Prohibiting electrical shock devices, with a limited exception, will increase the use of non-punitive learning methods and improve the well-being of dogs."

Once again, ARDO draw attention to the Dutch government's incorrect, monocular view of 'animal welfare' as relating exclusively to the dog itself – to "improve the well-being of dogs". Dogs do not exist in isolation, and unlike stall-chewing in sows or wind-sucking in horses, their behaviour directly affects the welfare of other animals and people beyond themselves. The claim phrase 'non-punitive' is false (or at least misleading) on two counts:

- 1) It assumes that ETA's restricted to and used purely in a punitive capacity, which is false. Instead, ETA's are used as both haptic communication tools at distance, providing the dog with a sensory signal associated with a required change in behaviour, or in accordance with negative reinforcement modalities, meaning simply that their presentation signals a requirement to the dog to perform a specific response to cause their removal.
- 2) ETA's *can* and *are* used to follow an undesirable behaviour as a 'punishment', but to portray their value as a training tool restricted simply to post-event consequence is either ignorant, false, or both.

We would ask where the Dutch government has acquired its information that the prohibition of ETA's from dogs and owners will "improve the well-being of dogs"? Which countries that have prohibited ETA's has the government approached and what statistics have been provided to confirm this statement?

12. Conclusion

In the highly experienced opinion of ARDO, there can be no doubt whatsoever, that the Dutch proposal to ban ETA's is short-sighted and clearly biased, based on an unhealthy cocktail of non-existent and 'selected' evidence, provided by ignorant or openly-biased organisations. The information provided to the consultee is an incomplete interpretation of weak science and opinion pieces, presented as 'solid' and sufficient evidence.

We STRONGLY encourage Dutch decision makers – for the sake of ALL of the animals in the care of your population – to firmly reject this proposal.

Ends.

The Association of Responsible Dog Owners Committed to Welfare and Safety

06/09/20

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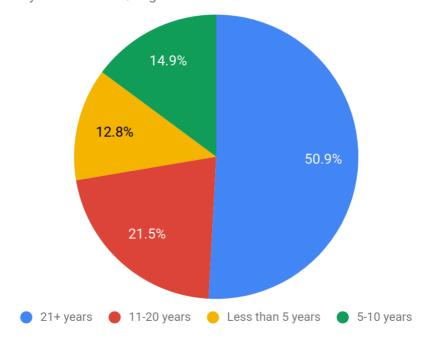
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BVA said it had "no direct evidence of abuse" from e-collars: https://consult.gov.scot/animal-welfare/electronic-training-

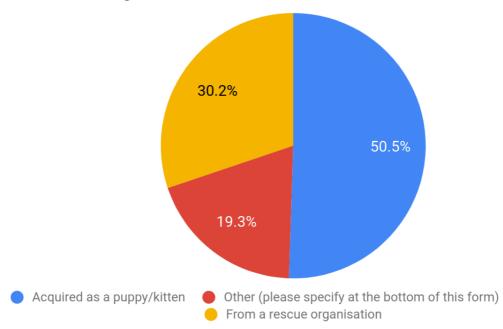
<u>aids/consultation/view_respondent?show_all_questions=0&sort=submitted&order=ascending&_q_text=British+Veterinary+Association&uuld=622589211</u>

ARDO survey results as on 27/08/20. (875 respondents)

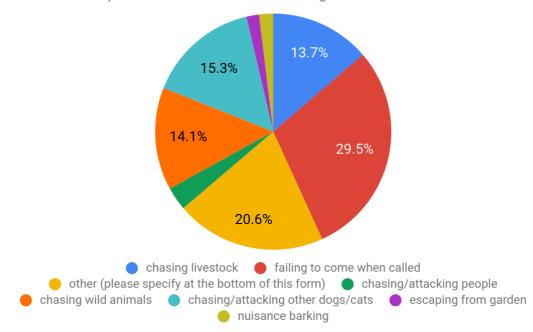
How long have you owned cats/dogs?



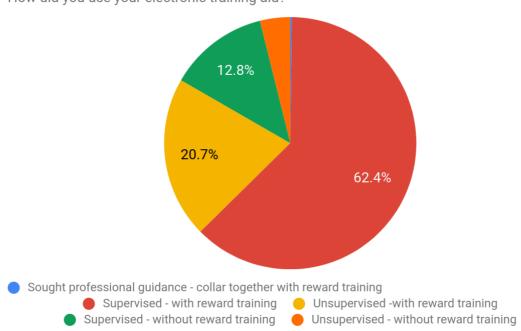
Where did the dogs/cats come from?



What behaviour or problem was the electronic training aid intended to resolve?



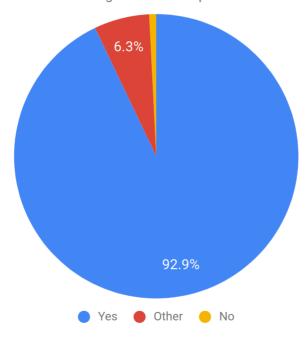
How did you use your electronic training aid?



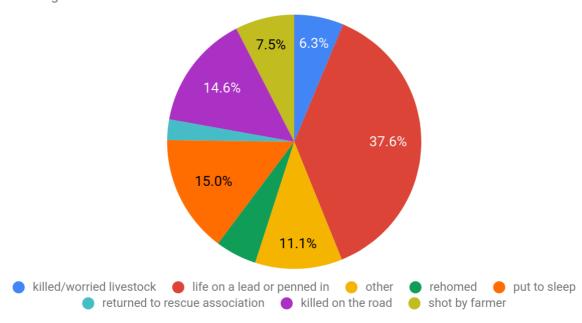
What had you tried prior to using an electronic training aid?



Did training with the electronic training aid solve the problem?



What do you think would have happened to your pet had you not used the electronic training aid?



Were there any negative effects of the electronic training collar?

