

Barking dogs - A new approach to an old problem

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Abstract

Brisbane City Council (BCC) receives a disproportionate number of barking dog complaints each year compared to other types. While each complaint is not necessarily for a different dog as several complaints may be received concerning the same dog, the total number of complaints received is indicative of the size of the problem. Barking dog complaints are costly for Council to resolve and a drain on the AMO resource. They also create conflict between neighbours, attract political and media attention and place the Animal Management Officer (AMO) under a great deal of stress.

The financial burden for Council in dealing with this type of complaint can range from a few hundred dollars for a single uncomplicated case, to thousands of dollars for the more complex ones involving uncooperative dog owners and Court action. Often the end result is a lose-lose situation for all concerned with the relationship between neighbours at an all time low, and Council's image in the eyes of the dog owner and complainant taking a real battering.

The aim of this paper is to give the reader an insight into an alternative strategy that offers assistance in resolving the problem amicably for all concerned.

Introduction

The noise of a barking dog in a residential area is at the very least an annoyance to other nearby residents. Occasionally residents are prepared to put up with the problem in the interest of maintaining community harmony, more frequently however, the noise results in animosity developing between residents leading in turn to complaints to Council. If not resolved quickly the situation can escalate into open hostility between the two parties with some instances resulting in acts of violence.

Some years ago in the south east of Queensland, a barking dog situation escalated dramatically when the frustrated neighbour shot and killed the dog owner. It was shortly after that event that the State Government established the *Community Justice Program* since renamed the *Disputes Resolution Service* (DRS). The service provides free mediation to help neighbours in conflict resolve their issues amicably.

In Queensland the problem of noise caused by barking dogs is addressed in the *Environmental Protection Act* (EPA). The Act determines through the use of a time test, when the noise from a barking dog constitutes a nuisance and provides for the issue of an on the spot fine. Some Queensland Councils have incorporated the EPA provisions within their own Animals Local Laws to streamline their enforcement process. However, regardless of the existence of the DRS, Council education programs and more efficient laws, the number of noise complaints received by Councils continues to increase. It seems that the problem of noise from barking dogs will always be with us as long as people keep dogs as pets. The challenge for Council is to resolve the problem quickly in a way that is fair and acceptable to all parties without the need to resort to punitive action.

Traditional strategies employed by Councils to address nuisance dog noise problems have tended to be in the form of a reactive gradually increasing enforcement process often resulting in a less than satisfactory outcome.

In order to more effectively resolve this type of complaint and make more efficient use of a limited AMO resource, a strategy is required that aims to;

- Avoid or reduce the need for punitive action by Council (*benefits the dog owner & Council*),
- Expedite the complaint process (*benefits the stakeholders*),
- Reduce the demand on AMO resources (*benefits Council and the rate payer*),
- Assist the Dog owner to seek professional help to resolve the problem (*benefits the stakeholders*),
- Reduce AMO stress levels (*benefits the AMO & Council*),
- Increase the number of win – win outcomes (*benefits the stakeholders*),
- Reduce the financial cost to Council (*benefits Council and the rate payer*), AND
- Depict a positive image of Council (*benefits Council*).

The standard process

It is fair to say that when dealing with dog noise complaints there is a tendency to focus solely on adhering to the correct enforcement process. Unfortunately, this can give the impression that Council is inflexible and slow to take action and then when it does it is only interested in resolving the matter by forcing the owner to get rid of the dog.

Often, due to the emotive nature of this type of complaint, the resolution process is complicated for the AMO who is frequently subjected to considerable pressure to fix the problem from the;

- Complainant who wants action yesterday
- Dog owner who feels confused, isolated and victimised
- Politicians who often take sides and want a speedy resolution.
- Courts and Ombudsman that demand that due process be adhered to.

It is a common occurrence during the investigation process for the owner to seek advice from the AMO on what measure to take to resolve the problem of their dog barking. However, the causes and corrective measures for the problem are many and varied and incorrect advice has the potential to only make matters worse. Even with the best of intentions, it is not appropriate for the AMO to offer help beyond suggesting that the dog owner seek professional advice from a veterinarian or professional dog trainer. Unfortunately this advice is of little value to the dog owner as the AMO is not in a position to make any recommendation in regard to a specific dog trainer and usually just refers the person to the Yellow Pages.

The limited advice offered by the AMO is often interpreted as a reluctance to help, further contributing to the dog owner's frustration and perception that Council is only concerned with the enforcement process and is on the side of the complainant.

While an efficient enforcement procedure is essential in resolving complaints, if the investigation process focuses solely on enforcement, it can appear to be inflexible and primarily concerned with attaining a successful outcome for Council in the event that the matter goes before the Court.

Unfortunately Court action is adversarial, costly to Council and the dog owner, results in a win - lose situation, and does nothing for future neighbourhood relationships or Council's image.

Due to the pressure to get the problem sorted quickly, the AMO may be tempted to try and help the dog owner by offering training advice on how to fix the problem. However, such a course of action presents a real risk of the AMO becoming the target for blame if the advice doesn't resolve the problem. This was a common scenario in years past when Councils routinely specified the design of the fence that owners were required to erect to contain their dogs. If the fence failed to contain the dog, then in the eyes of the dog owner who had followed Council directions and incurred the cost of the fence, the fault for the dog escaping lay with Council.

In resolving a barking dog noise problem, the ideal outcome is of course to maintain community harmony, avoid the need for punitive and/or Court action while at the same time showing Council in a positive light and easing the pressure for the AMO.

To meet the needs of all the stakeholders a strategy is required that supports the enforcement process by offering real assistance to the dog owner. It's not enough to simply tell a person that their dog is a nuisance and they have 28 days to remedy the problem 'or else'. The majority of owners are often in denial either because they don't believe the dog barks or because they have no idea about how to correct the problem. The offer of assistance should encourage the dog owner to accept responsibility for the situation and at the same time provide the motivation to seek professional advice to resolve the matter quickly. In offering assistance, Council is seen to be helpful rather than just an enforcer. Offering assistance also has the added benefit of easing the pressure on the AMO.

The standard pro-active approach

It has been common practice in the past to tackle the problem by distributing information fliers containing advice on what the dog owner should do to resolve the problem. This strategy produces little positive result other than providing the AMO with a feeling that at least some assistance had been offered to the desperate dog owner. However, the problem is not so simple that it can be fixed by the dog owner reading a brochure or half-heartedly following some well meaning advice offered by the AMO. The cause for the dog barking must first be identified in order to determine the correct remedial action. These fundamental requirements are generally beyond the scope of the AMO and well beyond the dog owner's ability.

Some years ago, in an attempt to address the climbing rate of barking dog noise complaints, the Brisbane City Council decided to provide free community education classes. The classes were designed to provide advice to dog owners on how to prevent their dog from becoming a nuisance barker and what action to take if the problem was already established.

Tenders were called for and a professional dog trainer engaged to develop and deliver the classes, which were presented in the evening in community centre venues across the Brisbane area. The classes were advertised in print media, direct mail out to registered dog owners, Customer Services Centres and Ward offices. Twenty classes each of a two-hour duration were presented over a two-year period with a total of 257 people attending. Classes were held in the evening and class attendance ranged from as many as 40 to as few as 6. Each person attending a class was requested to complete a feedback form for evaluation purpose. 96 % of people attending the sessions completed the feed back form.

Fig 1 is a break down of the reasons why people attended the classes.

FIGURE 1

Own dog, want to stop current barking problem	74%
Own dog, want to prevent barking if it starts	15%
No dog, but intend to get one	1%
No dog, like to learn/general interest	0%
No dog, want to pass information on to others	1%
Other	5%

While the feedback data was encouraging, the low attendance rate indicated that people were not really prepared to sacrifice their leisure time even for a free cuppa and a Tim Tam. It is also not possible to accurately determine if the information provided at the classes was put into use by the dog owner (*I suspect that it wasn't*) and if it was, that it resolved the problem. Accordingly, the project was abandoned after two years.

Back to the drawing board

The low attendance rate at the information classes appeared to be a classic case of the Mountain not coming to Mohamed. Obviously, if dog owners would not come to Council for help then Council had to find a way of going directly to the dog owner at the source of the problem to offer assistance, but how? In considering the situation, we asked ourselves the following question, *what did we actually know about the problem?* We came up with the following answers.

- Problem barking dogs exist within residential areas and will continue to do so,
- Generally the owners of a problem-barking dog do not know what to do,
- Council AMO's do not have the time or skills to assist in resolving the problem, and
- Professional assistance is available to the dog owner at a cost.

In considering the above four points, the solution appeared simple. *'When a dog develops a barking problem, the owner seeks professional help'*. Pretty straightforward one would think. However, nothing is ever that simple and the following obstacles to achieving the desired outcome were identified.

1. How do we help the dog owner to understand that the situation requires professional help?
2. What can Council do to assist the dog owner to obtain quality assistance?
3. What can Council do to encourage the dog owner to actually seek professional help?

Item 1 was addressed by '**redesigning Council's information brochure**' on nuisance barking. The change involved removing all advice regarding remedial methods the dog owner could employ to fix the problem. The new style brochure focuses on explaining the social issues resulting from excessive barking and highlights the various causative factors. Emphasis is placed on the dog owner's responsibility under the law and the possible consequences of not resolving the problem. Further emphasis is placed on the importance of the dog owner seeking professional help from a Veterinarian or professional dog trainer as soon as possible.

Item 2 was addressed by selecting, as Council's preferred service provider, a 'professional dog trainer' **to participate in a referral program** to assist the dog owner. This strategy allows AMO's to suggest that the dog owner contact the preferred

trainer.

Item 3 was addressed through the implementation of a 'voucher program', which provides financial incentive for the dog owner to seek assistance from Councils preferred professional dog trainer.

How the Voucher Program works

- When Council receives the first complaint, a letter of advice with the information brochure attached is sent to the dog owner. Hopefully this action will encourage the dog owner to resolve the problem without further action by Council.
- If a second complaint is received, the AMO visits the premises to establish by the use of the time test if a breach of the Local Law is occurring. **Ref Fig 2**
- If the AMO determines that a noise breach is occurring, the dog owner is issued with a Notice to remedy the situation. At the same time, the AMO issues a voucher and explains how it works. The voucher has a dollar value but can only be used to engage the services of Council's approved dog trainer. A fine is not issued at this point in time.
- If the dog owner chooses to use the voucher, they must contact Council's approved dog trainer and arrange for an on site free consultation.
- If the dog owner then decides to engage the services of the trainer, the voucher is used to obtain a discount to the value of the voucher from the cost of the corrective training program. The value of the voucher can be whatever Council deems it to be but should be enough to provide the owner with the incentive to take action to resolve the problem.

FIGURE 2

Under the provisions of the Environment Protection Act if a dog barks in excess of the following limitations, it is considered a nuisance.

- 7am - 10pm – more than six minutes of animal noise in any hour.
- 10pm - 7am – more than three minutes of animal noise in any half-hour.

Choosing a preferred Trainer

The choice of a preferred trainer is important, as Council has to be seen to not be favouring any particular trainer. Advertising for expressions of interest is the best and fairest way to go. In making the selection, Council must be confident that the trainer has the ability to meet the clients needs. The following is a list of suggested criteria for consideration during the selection process.

- Best quoted price to the dog owner for remedial training without knowing what value Council proposes to place on the voucher
- Evidence of comprehensive experience as a remedial dog trainer.
- Written description of the training methodology to be used
- Training methodology does not involve any actions that could be deemed cruel under the Animal Cruelty Act or any other animal welfare legislation
- The training methodology appears to follow a logical and common sense procedure
- Provide a lesson plan for evaluation that outlines how a training session is to be implemented
- Provide for evaluation a copy of the training notes for the

dog owner.

When evaluating the submissions, a scoring template should be used to determine which applicant is the best candidate for the job. It's also wise to have a panel perform the selection process to ensure fairness. However, it's best to adhere to whatever protocol your own organisation has in place for this type of process.

About the Voucher

- The voucher project is not publicised and the voucher can only be issued to the owner when the AMO has verified that a breach of the law is taking place.
- The voucher is a duplicate self carbon form
- The AMO fills in the voucher before handing the top copy to the dog owner
- Each voucher is referenced with the complaint or case file number
- The duplicate copy is retained by the AMO for the case file
- The dog owner is issued a voucher only once
- The voucher may only be used with and redeemed by Council's approved trainer
- The voucher is not valid for use by a person for corrective training of a dog other than the dog described on the voucher.
- The voucher is not transferable to another person
- The voucher is not valid unless signed by both the issuing AMO and the dog owner and displays the file or complaint number
- The voucher is not activated until signed by the dog owner and accepted by the trainer who in turn reduces the price of the training service by the value of the voucher
- To redeem the value of the voucher, the trainer submits it with an invoice for the amount stated on the voucher
- At the time of submitting the voucher to Council, the trainer must also complete and submit a standard report form provided by Council
- Once processed for payment, the voucher and report are attached to the case file for recording and evidence purposes in the event that the matter is not resolved and further enforcement action by Council is required.
- The use of the voucher to engage the services of Council's preferred trainer does not defer enforcement action by Council or release the dog owner from the requirement to resolve the problem within the time frame stipulated in the 'Notice to Remedy'.

Since the introduction of the program in mid 2004, 283 vouchers have been issued with 54 being used by dog owners to engage the assistance of Councils approved trainer. Of the 54 instances where the trainer was engaged, the problem was resolved without any further involvement from Council. Of the remaining 229 issued vouchers that were not used, the dog owners eventually resolved the problem without the need for punitive action by Council.

Cost effectiveness

While the purpose of the voucher is principally to resolve the problem quickly to the satisfaction of all stakeholders, it also has a cost saving potential for Council.

Fig 3 provides an example of the potential cost effectiveness of the voucher based on approximate hourly rate and resource cost usage.

Standard process		
Complaint progression	Cost drivers	Cost totals
One complaint only	Processing = admin & letter NFA	\$30
2nd complaint	Processing = admin, site inspection, vehicle use	\$170
Compliance inspection if required	Processing = admin, site inspection, vehicle use	\$200
Action to seize dog if required	Processing = admin, site inspection 2 AMO's, Vehicle use	\$340
Hold dog for disposal	Shelter and legal fees depending on action by owner	\$53 >?
Average time to the seizure stage is approx 12 to 20 weeks. Total case time to final resolution depending on action by owner 20 + weeks at a minimum cost of \$800 + >		
Standard process with use of voucher		
One complaint only	Processing = admin & letter NFA	\$30
2nd complaint	Processing = admin, site inspection, vehicle use & Voucher issued	\$170
Voucher used		\$100
Compliance inspection	Processing timer, site inspection, Vehicle use	\$200
If the matter is resolved & NFA required, the average time to resolution is approx 8 weeks at an approximate total cost of \$500. If the matter is unresolved the process continues as per the standard process with the additional cost of \$100 for the used voucher. NB: - if the voucher training is not successful, experience has shown that the owner usually removes the dog without any further action required from Council.		

Conclusion

It is unrealistic to assume that a trouble free process can ever be developed that will resolve barking dog issues in a twinkling without any one being upset. A 'one-size fits all' process is something that Councils can only dream about. The business of resolving barking dog complaints will always require initiative and the application of a variety of strategies by Council. What we have learned over the past few years is that the dog owner is central to resolving the problem and the more access the dog owner has to the right type of assistance the more quickly the problem is likely to be resolved. The discount voucher concept is simply another tool designed to assist the dog owner to access the right type of help to resolve their problem.

About the Author

Pete Lumsdale is the Program Officer Local laws & Health Promotion - Brisbane City Council. He has been engaged in the area of Urban Animal Management for the past 18 years. Prior to joining Local Government in 1989, Pete served with the RAAF Police Dogs for 21 years as a Handler, Trainer, Instructor, Researcher, Kennel Master Administrator, Field Section Commander and Warrant Officer Police Dog Inspector. After leaving the service, Pete took up a position with the Redland Shire Council where for the next 10 years he established and managed the animal control section. Pete left the Redlands in 1999, to take up his present position as with the Brisbane City Council where he is required to advise Council on the ever-changing community needs in regard to all domestic animals kept in the urban environment, and develop appropriate management policies and strategies to meet the needs of the community and Council

EXAMPLE 1**BARKING DOG NOISE CONTROL DISCOUNT VOUCHER PROJECT****Trainer Assessment Pro-forma**

Name of Dog Owner:- Mr / Mrs/ Ms / :- _____

Address of dog owner:- _____

Breed of dog:- _____ Description:- _____

Gender:- M F Age:- _____ De-sexed:- Y N

1. Date service request received :- _____

2. Date of first visit to premises :- _____

3. Did the dog owner engage the services of trainer? Y N
(if no, please complete **item 4** and return pro-forma to POPCAM)4. If services not engaged, what was the reason? Y N
 Unwilling to pay the cost of training
 Unwilling to follow the training advice
 Not able to understand or apply corrective training measure

5. Voucher Number? _____

6. Did the dog owner appear to understand the training process? Y N 7. Did the dog owner indicate willingness to apply the corrective training advice?
Y N 8. What was the causative factor for the barking?
 Environment
 Health issue
 External provocation (Children, Postman, Passing pedestrians, Vehicles, Animals, Other)
 Separation anxiety
 Psychological (Age, Breed disposition, Unstable temperament, Aggression driven, Other)

Signature of trainer:- _____

Name of Trainer:- _____

Date:- _____

EXAMPLE 2

Summary of Barking Dog Project Tenders			
Assessment panel =	<u>Tenders</u>		
<u>scores</u>			
Criteria	1	2	3
1. Experience;	12	11	1
2. Syllabus Content;	58	9	28
3. Lesson Plan Content	23	23	20
4. Training notes content	35	10	10
5. Training Aids?	3	3	1
6. Adequate Resource to meet home training requirements?	5	5	0
7. Miscellaneous			
Public Liability Insurance?	1	1	1
Workers Comp?	1	1	1
Quality endorsed ISO?	1	0	1
Company profile provided?	1	1	1
ABN provided?	Y	Y	Y
Current activities referees provided?	Y	Y	Y
Registered business office and principle place of business?	Y	Y	Y
8. Quotation cost including GST?			
Home training course	\$200	\$275	\$143
TOTAL Score	140	64	63

The preferred provider is

Their submission was superior in addressing the tender criteria and in price. The syllabus follows a logical process, has clear objectives, and easy to understand. The content of both syllabuses is reflected in the Community Information Seminar lesson plan and mirrored in the student notes for both the seminars and home training program. Training resources appear adequate to meet the service demands for the home training element.

Tender ref No-
Winning tender was
Contract approved by
Commencement date
Cessation date