

Disability Rights Unit
Human Rights and Equal Opportunity Commission
GPO Box 5218
SYDNEY NSW 1042

**Submission to Discussion Paper: Assistance Animals under the Disability
Discrimination Act**

Dear Sir/Madam,

I would like to take this opportunity to make a formal submission on behalf of Queensland Health on the *Discussion Paper: Assistance Animals under The Disability Discrimination Act*.

Queensland Health is responsible for developing food safety legislation and providing advice to local government on enforcement issues.

Environmental Health Officers are responsible for administering a broad range of legislation, including the national Food Safety Standards, which were introduced into Queensland's Food Act in 2001. These standards reference the *Disability Discrimination Act 1992* with regards to permitting assistance animals into customer areas of food businesses.

The vagueness in the drafting of the definition of *assistance animal* in the DDA has created difficulties for Environmental Health Officers in enforcing the relevant clause of the Food Safety Standards. Queensland Health applauds the efforts by the Federal Government and HREOC to resolve this issue through the release of the discussion paper.

Comments

Queensland Health recognises the important role guide dogs, hearing assistance dogs and other assistance animals play in increasing the independence and dignity of people with disabilities in our community. As such, our position is not to fetter these people in any way by imposing unreasonable restrictions on where they are permitted to take assistance animals.

However, consideration must also be given to health and hygiene of the community, and the risks of disease transmission in food service and dining situations.

Queensland Health strongly **supports** option 1 detailed in the discussion paper with the ability to resolve issues at a state level to supplement State legislative requirements. Queensland Health also offers the following additional comment, including;

1. An improvement in the definition of *other trained assistance animals*;
2. Standard guidelines or training competencies to be met prior to declaring an animal as an assistance animal;
3. Restricting other assistance animals, for the purposes of the Food Safety Standards, to set types of animals considered acceptable for access to food establishments. We do not support, for example, an assistance rat or bird, regardless of the level of training, being brought on to a food premises;
4. Clear identification of approved assistance animals. This may be achieved either through a special jacket, tag or photographic identification.

Once again, thank you for the opportunity to make a submission on this important and sensitive issue and I trust that our comments assist the Federal Government in developing a position on assistance animals.

Yours sincerely,

Kerry Bell
Principal Adviser, Foods
Environmental Health Unit
Queensland Health