

Separating the sheep from the goats—when is an 'assistance animal' a pet?

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Most of us wouldn't question the need for a blind person to have their seeing-eye dog with them as they travel in the community, but what if it was an assistance rat or a cat?

What if your employee said they needed to take their lemur to work to assist with [psychological problems](#)?

How do you manage an environment where you have a person with their assistance rat seated next to another with an assistance cat?

Should all assistance animals be professionally accredited?

These are some of the issues to be discussed at a Brisbane workshop this week, organised by University of Queensland law researcher and lecturer Dr Paul Harpur.

Dr Harpur, a former Paralympian who was blinded in an accident at age 14, said the workshop would bring together government, disability organisations and academia to draft a grey paper for government policy-makers and identify partnerships for further research.

"Most western democracies are grappling with this issue," he said.

"Due to a recent legal precedent, the issue of what constitutes a 'disability assistance animal' is a minefield for employers, transport providers, the tourism and hospitality industry, body corporates and

nursing homes.

"Australia has followed the US in expanding the Disability Discrimination Act (1992) to include all assistance animals - not just dogs.

"The level of training required for these animals has been substantially reduced by recent case law and there is no requirement for accreditation at the federal level."

In Mulligan versus Virgin Airlines last year, it was determined that an assistance dog that was not accredited by a disability training organisation was entitled to claim protection under anti-discrimination laws.

"So how do we draw a distinction between a pet and an assistance animal? What if someone wants to travel with two or three animals?" Dr Harpur said.

"The law needs to resolve what is protected and can be demanded, and what is optional, such as someone wanting to bring their hamster to work."

Dr Harpur said a taxi driver once tried to refuse him a ride because of concerns his dog was 'dirty'.

"I'd just come from a board meeting in the city but the driver said my dog had mud on his paws," he said.

"I can advocate well and quite easily resolve these issues but some people get intimidated and find it really stressful."

"Australia has work to do to manage the health and safety issues of

animals in public spaces."

Provided by University of Queensland

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