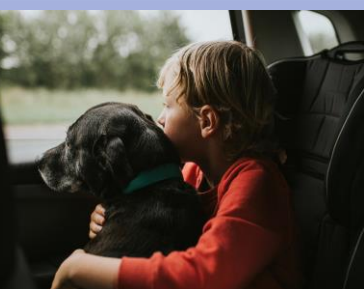
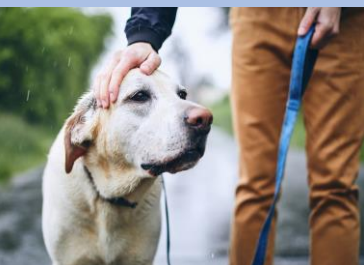


Emotional Support Dogs



www.pawspeththerapy.com

An emotional support dog is a companion dog (pet) who provides emotional support for people with specific mental health needs such as phobias, anxiety, PTSD, or depression in the home setting and in the community. Whilst the support they provide is important; lowering stress levels, reducing feelings of loneliness and anxiety, or encouraging community participation for example they are not an assistance dog under law and are not recognized in Australia under the Disability Discrimination Act of 1992. The Act refers to federal legislation that protects people from discrimination based on disability. Under the Act the definition of disability is broad and includes physical, intellectual, sensory, neurological, learning, disfigurement, and psychiatric conditions. So, whilst an emotional support need may legally fall under the category of disability the issue lies with the level of training you and your dog have obtained to mitigate or support this disability and the proof you can provide to support this.

Unlike assistance dogs, emotional support dogs are not required to meet any legislation such as hygiene and behavior standards and they have no public access rights attributed to them such as entering shopping centers, hotels, hospitals or travelling on public transport. An emotional support dog can be any suitable breed, size, or age with selection by the owner based on personal preferences such as cost, ongoing care, coat type, family dynamics and personality...much the same as welcoming any pet into your home as a companion.

Importantly, simply a wearing a 'service' vest does not grant public access rights or make your dog an assistance dog.

Further, in Australia there are currently no means of formal registration or certification for emotional support dogs. This is not to say that an emotional support dog shouldn't be trained, well-mannered and obedient or that their owner shouldn't have good control over their animal and that they are well groomed and cared for. There are just no regulations to enforce this.

Despite these limitations there are things that you can do if you would like to have your companion dog accompany you in the community. Any registered mental health therapist or medical health professional can write an ESA (Emotional Support Animal) letter stating that your pet forms part of your therapy treatment plan. This is not a legal document, rather a recommendation that may be used to apply for special access or to provide guidance for landlords or property managers to make informed decisions.

The letter should be on official letterhead, stating the name, license number and license type of the practitioner along with a supporting statement or 'prescription' outlining how your support dog forms part of your treatment. It must also contain details about your dog. There is no compulsion for a business owner to allow access based on an ESA letter. Just because they don't have to doesn't mean they won't, however. You will need to seek permission to access public spaces (property open to public use which is either publicly or privately owned). The exception is in restaurants where dogs, other than assistance dogs are prohibited from being inside or in enclosed areas under NSW Health Regulations.

If you would like your dog to be recognised legally, they will need to be registered as an assistance animal. Please refer to Fact Sheet: **Assistance Dogs** for more information.

References:

Disability Discrimination Act 1998: <https://www.legislation.gov.au/Details/C2018C00125>

Travelling with animals and pets (Transport NSW): <https://transportnsw.info/travel-info/using-public-transport/travelling-with-animals-pets>

Information provided in this Fact Sheet is for general informational purposes only. Please consider your personal circumstances and always do your own research to ensure the right outcome for you.

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