



AUSTRALIAN INSTITUTE OF ANIMAL MANAGEMENT

**Position Statement**  
and  
**Supporting Documentation**

**Barking Dogs**

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# Position Statement

The Australian Institute of Animal Management recognises noise from barking dogs can cause significant problems in the community.

Councils throughout Australia have statutory power to investigate and deal with nuisance barking.

While councils will exercise these powers they must have cooperation and assistance from the individuals and their neighbours who are impacted by the barking to establish whether barking nuisance exists.

The Institute believes that all councils should work with the community and the owners of barking dogs to resolve these issues. In undertaking these investigations councils must follow procedures they have adopted and, where required, used the technology that is available to assist with these investigations.

This position statement is linked to a more complete paper which provides examples of such procedures and the use of these technologies.

# Supporting Papers

## Introduction

The Australian Institute of Animal Management (AIAM) when defining its statement of purpose, acknowledged that an important role in its charter was to foster and support initiatives that offered practical and effective solutions to the management of companion animals.

## Purpose

The purpose of this document is to provide a structural overview of factors considered pertinent to understanding the issues concerned with barking dogs and to encourage the development of protocols and procedures, that when implemented, will assist to minimise nuisance caused by barking dogs.

## Scope

This document is provided to interested parties who want to understand the issues pertaining to barking dogs in the community and seek potential solutions concerning reduction of the impacts that excessive barking can cause.

## Definitions

**Nuisance Barking** – Where barking occurs to an extent that exceeds the nuisance standards set by legislation, or a Local Government Authority or in the absence of such a standard where;

A dog or dogs bark to such an extent to significantly impact upon the peace, comfort or amenity of others.

## Background

AIAM recognizes that nuisance barking can cause significant disruption to individuals or a community. Local government authorities throughout Australia (via their state or territory legislation) have the power to take action against the owner of a dog that barks excessively.

The initial problem in many cases is obtaining evidence of the extent of the barking. Once this step has been achieved the next issue is to determine whether the extent of barking constitutes a nuisance.

A further problem is that barking complaints can emerge from an existing neighbour dispute where the neighbours are already in dispute over another matter and the dog complaints occurs secondarily to that other matter.

Whatever the circumstances, all dog barking complaints should be approached without bias or emotion, where the investigating officer seeks to find factual evidence to determine whether a case of nuisance barking exists.

This document examines many of the issues and questions that arise from the investigation of dog barking complaints.

## **Discussion**

### **Education**

The Institute believes that it is appropriate for councils provide information packs or similar to owners of barking dogs. Some councils provide this information when a complaint is first received. This action can result in the dog owner taking steps to reduce the problem barking. If further complaints are received however, then a formal investigation will be required.

Given that there is potential for vexatious complaints about barking dogs, the Institute believes that a written complaint should be received prior to a formal investigation being commenced. Having the complaint in writing assists in establishing one of the elements required to prove nuisance barking (that a person or person is adversely affected) and also gives the council sufficient reason to commence the investigation.

### **Investigation**

As with any other regulatory process, it is essential that councils have clearly documented procedures to guide the officer through the investigation and to provide clarity and consistency for all of the parties involved.

For barking nuisance to be found to exist two elements need to be shown;

1. That the dog is barking excessively
2. That a person (or persons) is adversely affected by the barking.

Given that current legislation provides a general description of barking nuisance, to establish point one, councils need to adopt a standard which sets out how much barking constitutes nuisance.

In 2008 the City of Onkaparinga undertook research and established a Dog Barking Standard. This standard specified that, in an urban environment 240 barks over an eight hour, daytime period constituted nuisance. While the institute does not suggest mandating such a standard for all councils it does support the adoption of such a standard to assist with the investigation of dog barking complaints.

A cornerstone of any investigation will be evidence from the aggrieved parties. This is usually collected via 7 or 14 day diaries. The provision of the information in these diaries in addition to assisting the officer determine the extent of the barking, these diaries, if verified, can demonstrate the second element of barking nuisance i.e. that someone is adversely affected by the barking dog. It is the position of the Institute that aggrieved parties be required to keep at least one diary as part of the investigation process.

In addition to diaries kept by neighbours and observing officers there is now technology that can help with the investigation of the barking complaints. These technologies are described below.

- Bark Counting Collar – distributed by Animal Behaviour Systems Australia Pty. Ltd. – This collar is attached to the subject dog and the device records the dogs barks over a 7 to 10 day period. This data can then be uploaded onto a computer to show the extent of the barking that has occurred. Generally the data from the collars is not admissible as evidence unless the dog owner has been given a “caution” before the collar was used. It can however provide very useful background information for the investigation.
- Acoustic monitoring – advances in noise recording equipment allows for the barking to be recorded from a neighbouring property. The data from this process can be conclusive evidence in its own right, particularly if the acoustic engineer provides a supporting report as evidence. It can however be an expensive option.

A further question during the investigation is when to contact the dog owner and advise that a complaint has been received. As set out above, when a first complaint is received, it can be useful to provide information to the dog owner to give them the opportunity to remedy the situation. Where second or subsequent complaints are received, there is some merit in delaying advice to the dog owner until after barking nuisance has been established.

This strategy can prevent the dog owner from taking temporary steps to mitigate the barking only to have the problem re-emerge shortly afterwards. This delay also allows the Officer to establish the barking pattern prior to discussing the matter and investigating the problem.

### **Customer Contact**

It is essential in any investigation to have documentation of the process and there will be exchanges of letters in any dog barking investigation. It is important that the parties to the investigation are kept informed of the process and the progress of the investigation. Such contact can soften what can appear to a very bureaucratic process and

The Institute encourages council to build personal contact into their dog barking procedures.

## **Strategies**

AIAM recommends:

- The involvement of affected individuals and communities in the resolution of dog barking complaints
- Education of dog owners and the community about the causes, and mitigation of problem barking.
- The adoption by Councils of clear written procedures for the investigation of dog barking complaints and provide flow charts of those procedures to provide easy to use guides for officers.
- The adoption by state governments or councils of dog barking standards which accurately describe the extent of barking which constitutes nuisance.
- That Councils include personal contact in their dog barking procedures