

Annex 1

Recognised assistance dogs: Summary of responses to the Call for Evidence



Contents

Contents	2
Recognised assistance dogs: summary of responses to the Call for Evidence	3
Introduction	3
Questions for all stakeholders	4
Other relevant points raised by respondents to the Call for Evidence	16
Questions for assistance dog organisations	20
Questions for assistance dog users	24
Questions for airlines	34
Questions for airports	37
Questions for other organisations	37

Recognised assistance dogs: summary of responses to the Call for Evidence

Introduction

- A1. The CAA published the Call for Evidence in 2019. At the time, the UK had not withdrawn from the EU, so the Call for Evidence and respondents referenced EU law. However, we have updated references to EU law with the current UK legislation for this document.
- A2. The CAA received over 60 responses to the Call for Evidence from a range of stakeholders. This included responses from airlines, airports, and aviation trade bodies. Responses were also received from assistance dog organisations both those that are members of Assistance Dogs International (ADI) and the International Guide Dog Federation (IGDF) and those not affiliated with these organisations. In addition, the CAA received responses from a range of assistance dog users, including from those with dogs supplied and/or trained by organisations that are members of ADI/IGDF, those supplied and/or trained by other assistance dog organisations, and those that have trained their assistance dogs themselves (often referred to as ‘owner-trainers’). The CAA also received responses from other organisations, such as airport consultative committees, government agencies, organisations representing consumers, animal welfare/behaviour organisations, as well as other stakeholders with an interest in this area.
- A3. This appendix sets out a summary of the responses received to the Call for Evidence, structured according to the issues raised, and questions asked, by the CAA in its Call for Evidence document. In providing this summary, the CAA has sought to summarise the range of views expressed on the key issues (as set out in the Call for Evidence) and to identify any new points or points which had previously not been considered in the development of the Call for Evidence. The CAA has not sought to reflect every individual view held by every respondent on every issue. In relation to issues where there could be a ‘majority view’ (i.e. where there was a degree of consistency amongst the responses) the CAA has sought to identify this, whilst still reflecting the ‘minority view’. Although not every view expressed by respondents is reflected in this summary, every response received by the CAA to its Call for Evidence has been reviewed in detail and considered as part of the ongoing development of its thinking in this area.
- A4. Generally, the responses submitted by organisations followed the structure of the CAA’s Call for Evidence and answered the questions posed by the CAA directly. Responses from individuals, for example an assistance dog user, did not always

address each of the questions posed by the CAA, although in most of these cases the information provided was directly relevant to the issues raised in the Call for Evidence. In developing this summary of responses, the CAA has sought to identify and extract the relevant information from the responses in this latter category, and to summarise it alongside the responses in the former category in line with the structure of the CAA's Call for Evidence.

- A5. In the summary below the CAA has in some cases provided a response to points raised by respondents (in particular where these points relate to the ideas and proposals put forward by the CAA in the Call for Evidence).

Questions for all stakeholders

Risks and opportunities

- A6. In its Call for Evidence, the CAA asked whether it had identified the main risks and opportunities that would be presented in seeking to develop a new definition for a recognised assistance dog¹. Of those respondents that expressed a view specifically on this issue, a majority agreed that the CAA had identified the main risks and opportunities, with most respondents voicing concerns over the current lack of clarity around the definition of a recognised assistance dog under UK Regulation (EC) No 1107/2006.
- A7. A number of respondents proposed variations to the main risks and opportunities identified by the CAA. One respondent was of the view that the CAA's assessment of the risks and opportunities was too broad and that an assistance dog trained to the standards set by ADI/IGDF presents a 'compelling definition of what constitutes an Assistance Dog'. Another respondent considered that any new definition of a recognised assistance dog could lead to additional administrative burdens and complexity for assistance dog users with an assistance dog supplied by an organisation affiliated with ADI/IGDF.
- A8. One respondent expressed the view that all dogs are different and can have completely different temperaments and that even a highly trained dog could have an issue with travelling by air, especially if the flight encountered a significant amount of turbulence.
- A9. A number of respondents considered that the CAA should take account of the risk of individual assistance dog users taking legal action against airlines in cases where the airline had denied them boarding due to a lack of clarity over the definition of a recognised assistance dog. On a related point, one respondent considered also that such legal action could adversely impact the public

¹ See paragraphs 21 to 31 of the Call for Evidence.

perception of the airline (and/or the airport and/or the CAA) if it was found to have unlawfully discriminated against a genuine assistance dog user.

- A10. Of those respondents that expressed the view that the CAA had not identified the main risks and opportunities, one respondent did not go on to expand on why this was the case. One other respondent considered that the CAA's views on the main risks and opportunities had been unduly influenced by the views of ADI/IGDF. This respondent considered that the CAA's approach was discriminatory on the basis that disabled people are not subject to such levels of scrutiny in other aspects of their daily life.

CAA response

- A11. In relation to the status of assistance dogs trained to the standards set by ADI/IGDF, the CAA notes that none of the respondents to the Call for Evidence expressed the view that assistance dogs trained to these standards should not be considered to be recognised assistance dogs under UK Regulation (EC) No 1107/2006. Indeed, as covered later in this summary of responses, in practice airlines are, as a minimum, accepting dogs trained to these standards as recognised assistance dogs. On this basis, establishing a new definition for a recognised assistance dog should, as far as possible as a minimum, preserve the status quo in relation to assistance dogs trained to the standards set by ADI/IGDF.
- A12. The CAA notes the point raised in relation to the different temperaments and behaviours of different assistance dogs. Even with careful selection and training, the CAA recognises that there is still a risk that an assistance dog could behave in an unexpected way when placed in more stressful environments such as the aircraft cabin. In the CAA's view, it would not be possible to define a recognised assistance dog such that this risk would be reduced to zero. In deciding whether to place an assistance dog in a more stressful environment, consideration will need to be given to the dog's welfare (as this will be, in part, a driver of the dog's behaviour). As is covered later in this summary of responses, there is a clear responsibility on the part of assistance dog users to ensure the welfare of their assistance dog, and assistance dog users are best placed to understand and manage this risk.
- A13. The CAA notes the response concerning the risk of individual assistance dog users taking legal action against airlines for unlawfully denying boarding to assistance dog users, and the potential for adverse publicity associated with any such cases. In the CAA's view, the main driver for this risk is the current lack of clarity over the definition of a recognised assistance dog under UK Regulation (EC) No 1107/2006. As such, this risk should be taken into account when considering the additional clarity and consistency that a new definition could achieve.

- A14. The CAA notes the concerns of one respondent about the degree to which the views of ADI/IGDF have influenced its thinking on assistance dogs. In response, the CAA would like to stress that the purpose of it issuing a Call for Evidence was to seek views from as wide a range of stakeholders as possible. In this respect, the CAA notes that it has received responses from a number of organisations and individuals, including assistance dog training organisations and users, that have no affiliation with ADI/IGDF. In relation to this respondent's concerns that the CAA is seeking to impose a level of scrutiny which is not present in other aspects of the daily life of disabled people, the CAA would like to clarify that it is seeking to define what the term 'recognised' should mean in relation to a recognised assistance dog under UK Regulation (EC) No 1107/2006, taking account of the views of as wide range of stakeholders as possible.
- A15. In summary, and consistent with the majority view of respondents, the CAA considers that its Call for Evidence identified the main risks and opportunities presented in seeking to develop a new definition for a recognised assistance dog.

Nature and magnitude of the risks and opportunities

- A16. In its Call for Evidence, the CAA asked whether the CAA's assessment of the nature and magnitude of the risks and opportunities that would be presented in seeking to develop a new definition for a recognised assistance dog was correct². Of those respondents that expressed a view directly, a majority agreed that the CAA had correctly assessed the nature and magnitude of the main risks and opportunities.
- A17. A number of respondents considered that greater emphasis should be placed on certain risks than had, in their view, been placed by the CAA in its Call for Evidence. In particular, a number of respondents stressed that it was important that any system for recognising assistance dogs should not easily be open to abuse. Although this risk was considered by the CAA in its Call for Evidence, respondents drew attention to a number of specific points. A number of aviation stakeholders highlighted the risk of fraudulent documentation, for example of an individual's disability and/or requirement for an assistance dog, as well of a dog's training and/or accreditation. Other respondents drew the CAA's attention to the potential impacts on genuine assistance dog users and their dogs, other passengers, as well as on safety on-board, if individuals were able to easily pass off their pet dogs as assistance dogs.
- A18. In contrast, one respondent expressed the view that, although it was the responsibility of airlines to put in place a process to ensure that only genuine

² See paragraphs 21 to 31 of the Call for Evidence.

assistance dogs were accepted, this process should not deny access to air travel for all disabled people on the basis of the potential for an incident to occur. This respondent pointed out that human passengers can also cause incidents on-board aircraft.

- A19. On the issue of the comfort of other passengers, one respondent was of the view that, although the comfort of other passengers is important, it would not be right to deny disabled passengers the ability to fly so that other passengers don't become uncomfortable due to the presence of a disability aid (i.e. the assistance dog). Another respondent pointed out that, if the number of dogs on board were to increase, then there would be an increasing chance of passengers with dog allergies or dog phobia being sat closer to a dog. In such cases, it was proposed that cabin crew would need to take a flexible approach and ask other passengers to swap seats.
- A20. One respondent considered that the risk of a dog biting someone was very low. In their view, the higher risk was that a dog that had not been trained to travel by air could become very stressed, which could lead to distressed behaviour such as noise (barking, howling, crying, etc.), shaking, over-excitability (not sitting or lying still, toileting), or refusal to move. In the view of this respondent, this would be distressing for the dog owner, other passengers and the crew, and could cause a disruption on-board.

CAA response

- A21. The CAA acknowledges the concerns of a number of respondents over the potential for any system for recognising assistance dogs to be abused by individuals seeking to pass off pet dogs as assistance dogs. As highlighted by the CAA in its Call for Evidence, and as covered in the responses of a number of stakeholders, such abuse could lead to significant issues for airlines, airports, other passengers and disabled people with genuine assistance dogs. However, as pointed out by another respondent, although it is important to mitigate this risk, the impact of any mitigations on the freedom of assistance dog users to travel by air must be considered.
- A22. In summary, and consistent with the majority view of respondents, the CAA considers that its assessment was broadly correct in terms of the nature and magnitude of the risks and opportunities presented in seeking to develop a new definition for a recognised assistance dog. In relation to the views expressed by a number of respondents on the risk associated with the comfort of other passengers, the CAA accepts that, at least in terms of other passengers with allergies to, or phobias of, dogs, these can be managed on the day by the cabin crew moving other passengers. Given the relative rarity of assistance dogs in the population as a whole, such adjustments would only have to be made on the very rare occasions that a disabled person was flying with their assistance dog.

Proof of disability

- A23. In its Call for Evidence, the CAA asked whether permitting airlines to request proof of disability from individuals seeking to travel with their assistance dogs would assist in mitigating any of the risks identified by it. If so, the CAA asked what form of proof would be appropriate. This question revealed a significant strength of feeling on the part of a number of respondents and generated a wide range of views amongst respondents and even within respondent 'groups'³.
- A24. At one end of this range, a number of respondents considered that it would not be at all appropriate for airlines to request proof of disability and indeed that this could constitute discrimination against disabled people. One respondent noted that, in some countries, the applicable legislation/regulations prohibit intrusive questioning or requests for documentation concerning disability/medical issues. Other respondents expressed the view that access to the assistance under UK Regulation (EC) No 1107/2006 is based on self-identification by the individual as a disabled person (or a person with reduced mobility), and that allowing to request proof of disability would be inconsistent with this. In addition, a number of respondents pointed out that no such proof was required of passengers travelling with other disability aids, for example electric mobility aids.
- A25. In contrast, a number of respondents considered that it would be appropriate to permit airlines to request proof of disability from individuals seeking to travel with their assistance dogs. A number of respondents considered that requesting proof would need to be done sensitively and unobtrusively. One respondent considered that a 'PIP⁴ letter' could suffice, or other proof (such as a disabled person's bus pass or rail card) where all the relevant checks have already been made as to the individual's disability. Another respondent considered that, if proof of an individual's disability was required, the focus should be on individual's access needs and how an assistance dog meets these, rather than on the nature of any impairments they may have. This respondent went on to suggest that, consistent with other schemes, such as access to concessionary travel in England, evidence should be sought from consultants and other medical professionals with a specific expertise in the particular reasons cited for the need identified by passengers, rather than by a GP without such specialist knowledge.
- A26. In relation to the question of the appropriate form of proof, one respondent considered that proof of disability will vary from country to country, and that it could be costly and time-consuming for disabled people and airlines to obtain and verify respectively the relevant documentation. A number of other

³ For example, it was not the case that all airlines considered that proof of disability was required. Neither was it the case that all assistance dog users considered that requiring proof of disability was not appropriate.

⁴ Personal Independence Payment (PIP) is a benefit paid by the government to assist individuals cover the extra costs of having long term ill-health or a disability.

respondents expressed the view that documentation of proof of disability could be forged or otherwise obtained and provided fraudulently.

- A27. Many respondents, including a number of airlines, considered that what was critical was to seek proof that the assistance dog had been appropriately trained rather than proof of an individual's disability. An appropriate process to establish the former would therefore negate the need for the latter. It was noted also that organisations that supply and train assistance dogs will usually verify that the individual requesting an assistance dog has a disability that requires an assistance dog. A number of respondents noted that some assistance dog organisations provide the owner with an ID card and/or appropriately branded equipment (e.g. a dog jacket) to assist in the identification of assistance dogs.
- A28. In relation to assistance dogs that are trained by their owners (as opposed to supplied and/or trained by assistance dog organisations), one respondent considered that appropriate evidence to demonstrate the dog's behaviour could include letters of reference (for example from a doctor or other medical professional) or a specially designed questionnaire for the doctor or other medical professional to complete. In this respondent's view, this questionnaire could cover whether the disabled person visited their office with their assistance dog, whether the dog was well-behaved in the waiting room and when in the consultation, etc. This respondent considered that service providers could also provide reference letters, for example to confirm that they had seen the dog's behaviour in different working environments.

CAA response

- A29. This issue of whether airlines should be permitted to request proof of disability is clearly a sensitive one. As pointed out by many respondents, focussing the assessment on the training and/or behaviour of the assistance dog would almost certainly negate the need for the airline to seek proof that the owner has a disability. The CAA acknowledges also the issues raised by respondents in relation to the complexity, administrative burden (on both airlines and disabled people), potential legal implications (confidentiality, use of personal data, etc), and the potential for fraud/forgery, of obtaining and verifying documentation confirming proof of disability.
- A30. On this basis, the CAA considers that it is probably not appropriate for airlines to seek proof of a person's disability for them to travel with their assistance dog. The CAA agrees that, in an ideal world, airlines should be able to focus their assessment on the training and/or behaviour of the assistance dog itself. However, outside of the established assistance dog providers and training organisations, it may be difficult for an assistance dog user to evidence that the level of training and behaviour of their assistance dog is appropriate for air travel (notwithstanding the fact that there is currently no clear standard for what the level of training and behaviour should be).

- A31. In the CAA's view, there is merit in the feedback from a number of respondents that, rather than requiring proof of disability, the focus should instead be on establishing that the individual in question requires an assistance dog to address specific needs arising from their disability, without which they would not be able to carry out normal daily activities. In the CAA's view, a range of evidence could be relevant in relation to such an assessment, including letters of reference, recommendations from the disabled person's doctor or other medical professional, etc. The CAA acknowledges however that, on the question of proof, a number of issues identified remain.
- A32. In relation to the assessment of an assistance dog's training and/or behaviour, responses to the Call for Evidence indicated that further clarity was needed on whether airlines should be seeking to establish:
- that the assistance dog has been trained to assist its owner in the context of their disability (e.g. through performing certain tasks);
 - that the assistance dog has been trained (and/or assessed) to behave appropriately in an environment relevant for air travel (e.g. in a busy public environment, in confined spaces, for example on public transport, etc);
 - or both.
- A33. It is clear that an assessment of each of these areas relates to different risks as identified by the CAA. An assessment of a dog's training to assist a disabled person relates primarily to determining whether the dog is a genuine assistance dog⁵. Whereas an assessment of a dog's training for, and/or behaviour in, environments relevant to air travel relate more to whether the carriage of the dog presents an unacceptable risk at the airport or on-board (for example in relation to safety).
- A34. In the CAA's view, it is not unreasonable to argue that airlines should be permitted to seek information from the disabled person in relation to both of these areas. However, it is important to recognise that airline staff are not experts in disability or in the field of assistance dogs and may not have the skills or knowledge to make an appropriate assessment of whether an assistance dog has been individually trained to assist its owner in the context of their specific disability. In the CAA's view, rather than focus on training, it may be more appropriate for airlines to focus on 'need', for example through seeking evidence that the individual in question requires an assistance dog to address specific needs arising from their disability, without which they would not be able to carry out normal daily activities.

⁵ This would mitigate the risk of individuals seeking to pass off their pet dogs as assistance dogs.

- A35. In terms of assessing a dog's training for, and/or behaviour in, environments relevant to air travel, the CAA considers that a range of evidence could be relevant. For individuals with assistance dogs provided and/or trained by established assistance dog training organisations, it should be relatively straightforward for them to provide such evidence (for example, it could simply be proof that the individual and their assistance dog has qualified⁶ under the training programme of the organisation). For owner-trainers, it may be more difficult to demonstrate that their assistance dog is able to behave appropriately in an environment relevant for air travel if they have not completed a relevant public access test (and can demonstrate this). However, letters of reference from other service providers, video records of the dog's behaviour in busy public spaces and on public transport, etc, would be relevant. The CAA notes also that a number of UK airports offer 'open days' to disabled people to allow them to experience the airport before they travel. In the CAA's view, attending such open days will allow the disabled person to experience, and document, their assistance dog's behaviour in a directly relevant environment.

Limiting the numbers of assistance dogs on a flight

- A36. In its Call for Evidence, the CAA asked whether permitting airlines to limit the numbers of assistance dogs on a flight would help in mitigating any of the risks identified in the Call for Evidence and, if so, what this limit should be. As with the previous question, this question generated a wide range of views.
- A37. Some respondents considered that it would not be appropriate to limit the number of assistance dogs on a flight. One respondent expressed the view that limiting the number of genuine assistance dogs on a flight would represent disability discrimination and that there was no restriction on the number of disabled passengers using other disability aids, for example wheelchairs. In contrast, other respondents considered that there should be relatively strict limits on the number of assistance dogs allowed on-board the flight. One respondent expressed the view the limit should be one dog per flight, unless disabled handlers were travelling together (for example if they are family members or a married couple) with their assistance dogs.
- A38. Other respondents, in particular airlines, considered that the recommendation of the European Aviation Safety Agency that the number of Special Categories of Passengers⁷ should not exceed the number of passengers capable of assisting

⁶ In the CAA's view, they would need to be a process for cross-checking the information with the assistance dog organisation to mitigate the risk of fraud/forgery.

⁷ Under guidance issued by the European Aviation Safety Agency on compliance with aviation safety legislation (Commission Regulation (EU) No 965/2012, which lays down technical requirements and administrative procedures related to air operations pursuant to Regulation (EC) No 216/2008 of the European Parliament

them in the case of an emergency should apply. One airline expressed the view that, although the number of assistance dogs currently being carried is manageable, a new definition for recognised assistance dogs might lead to more assistance dogs being carried in the cabin, which might in turn necessitate a limit on the numbers.

- A39. Other respondents considered that any limit should be based on the size and design of the aircraft. A number of respondents referred to the importance of ensuring that there is a sufficient amount of space available for the dog to sit and lie comfortably and to ensure that it would not impede the evacuation of the aircraft in an emergency or affect the comfort of other passengers.
- A40. One respondent commented that they could not foresee a situation where there would be more than a couple of assistance dogs travelling on the same flight, unless there was a large group of visually impaired or disabled people travelling together. This respondent noted that they preferred to have an empty seat next to them for their dog but that this would probably not be possible if there were a lot of assistance dogs travelling on a particular flight.

CAA response

- A41. Information provided by assistance dog training organisations indicates that the number of assistance dogs amongst the disabled population is relatively small. In the CAA's view, it is therefore unlikely that many flights will have more than one disabled passenger travelling with an assistance dog. Although the information provided on the number of assistance dogs does not include owner-trained assistance dogs, in the CAA's view it is unlikely that owner-trained dogs exist in such numbers that it would affect this conclusion. The CAA would like to note also that there was a general consensus amongst respondents that a well-trained assistance dog would be well-behaved in the airport and on-board the aircraft. On this basis, even if more than one assistance dog was present on the same flight, it is unlikely that this would present an unacceptable risk, for example in relation to safety.
- A42. In the CAA's view, therefore, it would not be appropriate for airlines to place a strict limit on the number of assistance dogs on a flight. However, the CAA notes that the recommendation of the European Aviation Safety Agency that the number of Special Categories of Passengers should not exceed the number of passengers capable of assisting them in the case of an emergency is still relevant.

and of the Council), it is recommended that the number and categories of Special Categories of Passengers (SCPs), which includes disabled and less mobile passengers (as well as infants and unaccompanied children, deportees, inadmissible passengers, or prisoners in custody), should not exceed the number of passengers capable of assisting them in case of an emergency.

Well-being of the assistance dog

- A43. In its Call for Evidence, the CAA asked whether the well-being of assistance dogs was a relevant consideration and, if so, whether permitting airlines to limit assistance dog users to e.g. only short-haul (or mid-haul) flights would be appropriate.
- A44. Of those respondents that expressed a view on this point directly, there was a consensus that the well-being of the assistance dog was important and was a relevant consideration. Respondents' views on whether passengers with assistance dogs should be limited to only shorter-haul flights was more mixed. Some respondents considered that it would not be appropriate to take an assistance dog on a long-haul flight. Other respondents considered that, as far as the assistance dog's well-being was concerned, a long-haul flight was no different than a long train journey. A number of respondents noted that equipment was available to allow the dog to toilet mid-flight if this was necessary.
- A45. Many respondents, including assistance dog owners, assistance dog training organisations, and industry stakeholders, considered that the welfare and well-being of an assistance dog would always be the highest priority for its owner and that the owner was best placed to decide what was best for the dog.

CAA response

- A46. The CAA agrees that the welfare of an assistance dog is the responsibility of the dog's owner and that they are best placed to understand the needs of their assistance dog, how the dog is likely to react in different situations, and the dog's needs in terms of their welfare and well-being in these different situations. On this basis, the CAA does not consider that it should be necessary for airlines to limit assistance dog users to travelling on certain routes, flight durations, etc.

Definition of an assistance dog

- A47. In its Call for Evidence, the CAA asked whether pet dogs (whether the owner of the dog has a disability or not) and/or 'emotional support dogs' (for people that do not have a disability) should be considered to be assistance dogs for the purpose of defining a recognised assistance dog under UK Regulation (EC) No 1107/2006.
- A48. There was a general consensus amongst respondents that assistance dogs are distinguishable from pet dogs (even if the owner of the dog has a disability) and from emotional support dogs (for people that do not have a disability). One respondent expressed the view that, although a pet dog or emotional support dog might bring comfort to its own during a flight, fully trained and qualified assistance dogs provide significantly more than just an emotional support for their owners. The respondent noted that pet dogs and emotional support dogs are highly unlikely to have the duration and high standard of training and

assessment that an assistance dog would, for example with around 18 months to 2 years of training including obedience training, task training, socialisation, and public access training and on-going support from the age of 6 weeks.

- A49. A number of respondents considered that the distinguishing factor between an assistance dog and a pet dog or emotional support dog is the level of training that the dog receives designed to ensure that it can assist its owner with their needs. In support of this view, another respondent drew the CAA's attention to the progress report on the European Standard for Assistance Dogs⁸, which states that assistance dogs are 'dogs specifically trained to perform tasks to mitigate the limitations of a person with a disability'. This report also states that dogs included within this definition are autism assistance dogs, guide dogs, hearing dogs, medical alert assistance dogs, mobility assistance dogs and PTSD assistance dogs, but that emotional support dogs are excluded.
- A50. A number of respondents stated that, to be considered a genuine assistance dog, the dog must be trained by a specialised organisation recognised by national and/or international organisations. In contrast a number of other respondents noted that, due to the high demand and small supply of such assistance dogs, there were long waiting times for assistance dogs provided by organisations affiliated with ADI/IGDF, and therefore limiting the definition of an assistance dog to those dogs provided by these organisations would restrict access to a travel for other assistance dog users. Further, some respondents expressed the view that the assistance dog organisations that are members of ADI/IGDF do not always cater for individuals with complex disabilities/needs, which means that these individuals need to train their own assistance dogs to help them with their specific needs.
- A51. On the issue of emotional support dogs, a number of respondents requested further clarity over whether the CAA's work on assistance dogs was intended to cover emotional support dogs for people that have a hidden disability. Some respondents commented that the risks to safety and of abuse to the system of the increased use of emotional support animals were well known in the United States where, in the view of these respondents, airlines have experienced a significant increase in the number of passengers seeking to bring animals of a wide variety of species into the cabin on the basis that these are 'emotional support animals'. A number of other respondents referred to the needs of people with hidden or non-visible disabilities. One respondent expressed the view that disabled people with hidden disabilities may need to travel with an emotional support dog, if that dog helps them in a way that is relevant to their disability. In such cases, the definition of an assistance dog should incorporate this situation.

⁸ <https://www.egdfed.org/news-information/reports/report-of-2019-conference-in-tallin-estonia/european-standard-for-assistance-dogs-progress-report>.

However, a number of respondents considered that, if the definition was amended to incorporate this situation, it should still be necessary to verify that the dog in question has undergone an appropriate level of training.

CAA response

- A52. The CAA notes that there was a general consensus amongst respondents that the definition of an assistance dog should not include pet dogs, whether the owner of the dog has a disability or not.
- A53. The views expressed in relation to emotional support dogs were more nuanced. There was general acknowledgement that a disabled person with a hidden or non-visible disability might require an assistance dog to carry out normal daily activities. Although such assistance dogs might not be performing the traditional physical tasks of other assistance dogs, for example fetching medication, they are performing functions specifically targeted to address the individual needs of the disabled person arising from their disability. A further feature which distinguishes such dogs from emotional support dogs is that they are individually trained to perform the function(s) in question. Clearly, such functions go beyond the general promotion of emotional well-being that a pet dog can bring.
- A54. Having considered the responses provided on this issue, in the CAA's view an assistance dog is a dog which is individually trained to perform certain functions targeted to address the specific needs of the disabled person arising from their disability, regardless of whether the disability is physical or non-physical, or hidden or visible.

Principles for a new definition for a recognised assistance dog

- A55. In its Call for Evidence, the CAA asked for views on its proposal for a set of high-level principles⁹ that should apply for the development of a new definition for a recognised assistance dog under UK Regulation (EC) No 1107/2006.
- A56. Of those respondents that expressed a view directly, there was a general consensus that the CAA had correctly identified the relevant high-level principles. In a number of cases respondents raised points of detail in relation to the individual principles set out in the Call for Evidence. These have been considered either under the relevant sub-sections above or in the next main section covering other relevant points raised by respondents.
- A57. Of those respondents that expressed the view that the CAA had not identified the relevant high-level principles, one respondent expressed the view that the CAA's approach was excessive and potentially confusing, and that the CAA should instead focus its efforts on facilitating the carriage of assistance dogs as defined

⁹ See paragraphs 32 of the Call for Evidence.

under the Equality Act 2010 (Equality Act). Another respondent expressed the view that the term 'recognised' for an assistance dog does not exist in the UK. This respondent pointed out that there is no register for assistance dogs and that the Equality Act does not refer to 'recognised' assistance dogs, but instead states that disabled people have a right to access services.

CAA response

- A58. The CAA acknowledges that there was a general consensus amongst respondents that the CAA had correctly identified the relevant high-level principles. On this basis, the CAA will have regard to these principles in progressing its work in this area.
- A59. In relation to the responses concerning the Equality Act and the issue of whether an assistance dog is 'recognised' or not, the CAA would like to note that UK Regulation (EC) No 1107/2006 specifically refers to 'recognised assistance dogs'. As explained in the Call for Evidence, UK Regulation (EC) No 1107/2006 makes it the responsibility of airports to facilitate the handling of 'recognised assistance dogs' through the airport, and it makes it the responsibility of airlines to carry 'recognised assistance dogs' in the cabin (subject to national regulations). In terms of the relationship between the Equality Act and UK Regulation (EC) No 1107/2006, paragraph 33(1) of Part 9 Schedule 3 of the Equality Act provides an exception to the prohibition of discrimination, so far as it relates to disability, in respect of the provision of services in connection with air transport. Further, paragraph 33(2) of Part 9 Schedule 3 of the Equality Act ensures that there is no duplication where there would otherwise be an overlap between the disability provisions of the Equality Act and UK Regulation (EC) No 1107/2006. Therefore, in the CAA's view it is appropriate for it to seek to define what the term 'recognised' should mean in relation to a recognised assistance dog under UK Regulation (EC) No 1107/2006, taking account of the views of as wide range of stakeholders as possible.

Other relevant points raised by respondents to the Call for Evidence

Training standards

- A60. A number of respondents considered that assessments of an assistance dog training and/or behaviour should be based on national or international standards. The CAA is aware that international standards for training assistance dogs do exist, for example those developed and maintained by ADI. However, as explained in the Call for Evidence, restricting the definition of a recognised assistance dog to those trained by organisations that are members of ADI/IGDF would exclude assistance dogs trained by other organisations, as well as those trained by their owners themselves, regardless of whether the assistance dog in

question was highly trained and well behaved and therefore posed little risk at the airport or on-board (for example in relation to safety). Further, as noted in the Call for Evidence, such an approach would not be considered to be compliant with UK Regulation (EC) No 1107/2006 in a number of EU countries.

- A61. One respondent referred to the work that the Office for Disability Issues (part of the Department of Work and Pensions) had been facilitating with the objective of establishing a UK standard for assistance dogs, including a public access assessment. The CAA acknowledges the work done by the Office for Disability Issues and its working group in this area. Unfortunately, as far as the CAA is aware, the work of this group has not yet been implemented and there is currently no timescale for its implementation. However, the CAA has been provided with the draft output from the group, including the draft Public Access Assessment, which it has reviewed the context of this work.

National/international alignment

- A62. A number of respondents urged the CAA to ensure regulatory alignment both within the UK and internationally. The CAA would like to note that it has been in ongoing discussions with the relevant UK government departments and agencies¹⁰ on the issue of assistance dogs and will continue to liaise with them as this work progresses. Similarly, in developing its Call for Evidence, the CAA sought the views of other National Enforcement Bodies in the EU responsible for compliance with UK Regulation (EC) No 1107/2006. Again, although it will continue to liaise with these bodies as its work progresses, the CAA is not able to enforce its interpretation of UK Regulation (EC) No 1107/2006 in those areas where other National Enforcement Bodies have competence. However, in due course, it may be that the CAA is able to work with other National Enforcement Bodies on a system of mutual recognition for the approaches taken in different EU Member States. In relation to flights originating from outside the EU, the CAA notes the work undertaken¹¹ in the United States on its amendments to the Air Carrier Access Act regulation on the transportation of service animals by air.
- A63. Related to the point above, one respondent asked about the scope of any new definition proposed by the CAA. As set out in the Call for Evidence, the scope of any definition proposed by the CAA would align with the scope of the CAA's regulatory role under UK Regulation (EC) No 1107/2006 – i.e. it would cover UK airports, all flights departing the UK, and all flights returning to the UK on a UK or an EU airline. Flights departing an EU Member State to the UK would fall within the jurisdiction of the National Enforcement Body in that particular EU Member

¹⁰ The Department for Environment, Food & Rural Affairs (DEFRA), the Department for Transport (DfT), the Office for Disability Issues and the Animal Plant and Health Agency.

¹¹ <https://www.ecfr.gov/current/title-14/chapter-II/subchapter-D/part-382>

State. As stated above, the CAA will continue to liaise with the National Enforcement Bodies in other Member States.

Space on-board the aircraft

- A64. A number of respondents raised the issue of the amount of space available on-board an aircraft in which the dog can sit/lie down. A number of assistance dog stakeholders considered that the issue of space for the assistance dog was an important consideration in terms of the well-being of the dog. Others noted that there was a safety aspect in ensuring that the assistance dog was appropriately located so that it did not impede the crew in performing their safety related duties (or indeed impede an evacuation in an emergency). One assistance dog stakeholder considered that the level of assurance that airlines provide assistance dog owners about the accommodation that will be provided for the dog was very limited, and that very few airlines would confirm the availability of a second seat at no cost.
- A65. Another assistance dog stakeholder expressed the view that, on larger planes, any seat that offers extra legroom would be suitable for the 'standard' assistance dog (typically a Labrador or Golden Retriever), but that the room available in the area in front of standard legroom seats was generally insufficient. One other assistance dog stakeholder stated that that some airlines actively stress that additional space will not be available and that, if the dog will not fit under the seat in front of its owner, then the owner would not be able to travel with their assistance dog. However, this respondent also stated that, once on-board the aircraft, there was often sufficient space available and that the cabin crew were typically happy to assist them in making use of it.
- A66. One assistance dog stakeholder considered that the assistance dog owner should have to purchase a ticket for the assistance dog if it is unable to fit comfortably in front of the owner's feet. This respondent expressed the view that, if they travelled with the human carer, they have to pay for the carer's ticket. However, if they travel with their assistance dog (their canine carer), they are offered the seat next to them for free. This respondent considered that this practice was discriminatory and that, if assistance dog owners had to purchase a ticket for the assistance dog, it would reduce the numbers of inappropriately trained and 'mis-represented' dogs flying.
- A67. One industry stakeholder requested that the UK CAA confirm that airlines are under no obligation to provide extra space for free for any assistance animals that exceed the floor space of the passenger's seat. In the event that the animal does not fit in the floor space and there are no available seats in the same class of service on the flight where the animal could be accommodated, the respondent requested that the CAA clarify that airlines may deny travel to these passengers without it constituting denied boarding (passengers that are denied boarding are entitled to financial compensation).

- A68. In the CAA's view, the issue of the availability of sufficient space on-board the aircraft to accommodate an assistance dog, and the issue of whether assistance dog owners should have to pay for an additional ticket if there is not sufficient space, are beyond the scope of this work. However, it should be noted that UK Regulation (EC) No 1107/2006 states that airlines are required to provide the assistance specified in Annex II of UK Regulation (EC) No 1107/2006, which includes the carriage of recognised assistance dogs in the cabin, 'without additional charge'. In addition, UK Regulation (EC) No 1107/2006 requires airlines to make 'all reasonable efforts to arrange seating to meet the needs of disabled passengers', subject to 'safety requirements and availability'. This suggests to the CAA, in situations where the assistance dog cannot be accommodated in the floor space in front of its owner, for example due to the dog's size, airlines must explore alternative seating options for the disabled passenger and their assistance dog, including the allocation of an extra legroom seat, as well as leaving the seat next to the passenger vacant to allow the dog to occupy the larger floor space. Although UK Regulation (EC) No 1107/2006 is clear that such options would be subject to availability¹², it is clear also that they should be provided without additional charge to the disabled passenger.
- A69. Although these issues are beyond the scope of this work, the CAA is currently looking at airline accessibility more generally and will consider the issues raised here as part of this work.

Other issues

- A70. On risks and opportunities, one respondent felt that the CAA should consider the additional risk of the welfare of the assistance dog if their owner becomes ill on-board and requires medical assistance themselves. If the disabled passenger is travelling alone, the respondent asked who would be responsible for looking after the assistance dog. In the CAA's view, although this is a relevant issue, it is not within the scope of this work. However, as is covered later in this summary of responses, it appears that assistance dog users would benefit substantially from greater information from airlines and airports on the assistance that will be provided, the facilities available, and what the disabled passenger themselves needs to do to facilitate the process.
- A71. Again, on the issue of risks and opportunities, one respondent considered that the CAA should acknowledge the importance of disability hate crime and related harassment. The respondent cited an inquiry by the Equality and Human Rights Commission in 2009, which identified that disabled people were more likely to be the victims of violence than non-disabled people, in particular when using public

¹² This indicates that if, for example, passengers have already booked all the extra legroom seats available on the aircraft, UK Regulation (EC) No 1107/2006 does not require the airline to move passengers to different seats to accommodate the disabled passenger and their assistance dog.

transport. The respondent gave examples of where they had been subjected to hostility from members of the public because they objected to their assistance dog being with them on public transport. The CAA acknowledges the very serious concerns raised by this individual in relation to discrimination and hate crime. The CAA would like to note that the airport and on-board environments are tightly controlled from a safety and security point of view and that threatening or abusive behaviour can constitute an offence under national law and individuals can be prosecuted by the police and Crown Prosecution Service.

Questions for assistance dog organisations

A72. In its Call for Evidence, the CAA asked organisations, including charities, that have an involvement in providing and/or training assistance dogs for disabled people, to answer a number of specific questions. The CAA received responses from seven such organisations, including organisations that are members of ADI/IGDF and a number of other organisations that are not affiliated, as well as an additional response from an animal welfare charity.

The number of assistance dogs that are provided and/or trained each year

A73. The CAA asked for information on the number of assistance dogs that each organisation provided and/or trained each year. Of those respondents that provided information in relation to this question, the respondents that are members of ADI/IGDF estimated that around 1,000 assistance dogs were trained each year, with a total population of trained assistance dogs of around 7,400. Two organisations not affiliated with ADI/IGDF responded to this question. These organisations train around six and twelve assistance dogs each year respectively, with a total of 28 and 43 trained assistance dogs respectively currently working.

The assistance dog training provided

A74. The CAA asked for information on the assistance dog training that each organisation provides, and whether this training includes any behavioural training for the dog that would be relevant and appropriate for the airport and aircraft cabin environment.

A75. One respondent that is a member of ADI/IGDF stated that the reliable, safe behaviour of a dog in different environments and situations is a complex relationship between genetics, training and life experience. This respondent stated that ADUK members monitor the behaviour and temperament of their dogs during their lifetimes, particularly prior to the dog being matched to its handler. In this respondent's view, this intensive training, acclimatisation and assessment process includes access to a wide range of situations and environmental stimuli, including travel on buses, trains, planes (where expected

to be relevant) and other road vehicles. This respondent went on to say that a dog's reaction to environmental noise and large, open, busy buildings would also be a consideration assessed throughout the dogs training cycle.

- A76. Another ADI/IGDF affiliated organisation stated that it breeds its own dogs using the very best dogs available, who are themselves from a long line of dogs proven to work successfully as assistance dogs in a variety of situations and environments, including those which could prove stressful. This respondent went on to say that their organisation monitors the behaviour and temperament of their dogs over an 18 month to 2-year period, prior to the dog being matched to its handler. The respondent also stated that, if they were aware that the potential handler of a dog was likely to want to fly, they would assess the dog temperamentally for its suitability in a comparable situation, plus take the dog on an acclimatisation flight to ensure that the assessment was correct. This respondent went on to say that dogs already with their handler post-training will already have been assessed temperamentally and, whilst they may not have received specific training, their organisation will assess the situation and make recommendations based on that partnerships working practice and the lowlihood that the dog is fit to fly.
- A77. One respondent affiliated with ADI/IGDF, but not yet a member organisation, stated that each of their assistance dogs undergoes three phases of training and assessment: basic obedience, public access and advanced bespoke skill or task training. This respondent went on to state that this program equates to a total 150 hours minimum of dog training and 40+ hours of handler training. The respondent's organisation also provides bi-monthly aftercare top up training clinics for all existing teams and that its dogs are prepared with many hours of training on public transport and in large, congested places like train stations. The respondent stated also that, currently, their organisation does not specifically train for air travel¹³ but that, in their view, there are lots of similarities with the organisation's public transport training including lifts and café's, trains, ferries and hovercrafts.
- A78. The CAA received a number of responses to this question from organisations not affiliated with ADI/IGDF. One respondent's organisation offers two programmes. The first programme is where the organisation itself owns the assistance dog, and the second programme is where the individual owns the assistance dog. In relation to the first programme, the respondent stated that training starts at 8 weeks with full socialisation including travel training in cars, on buses and trains, and on ferries and hovercrafts. In terms of behaviour in a public setting, the

¹³ However, the respondent's organisation can provide airport/air travel specific support where advised and can direct the handler on the necessary approach to the travel event. This may include looking at exercise, change to feeding and toileting habits just before the journey to prepare the assistance dog.

organisation covers behaviour in shops, cafes, cinemas and other public places including colleges. The respondent went on to state that the training is extensive and generally takes 2 years before the organisation can place the assistance dog with the disabled person, which includes 4 months of training with the disabled person and the assistance dog together. This respondent added that the training is on-going throughout the 8-10 years that the assistance dog is working. The second programme offered by this organisation follows a similar pattern but, depending on the needs of the individual and their day-to-day activities, the socialisation of the assistance dog may not be as extensive as with the first programme.

- A79. Another respondent not affiliated with ADI/IGDF described their organisation's two-year training programme, which extends from when the puppy is 8 weeks old through to when it is 24 months old. Under this organisation's training programme, the puppy lives with the families for fourteen months, and attends weekly training classes with one-to-one training with the organisation's trainers in between. At 14 months the assistance dogs begin their advanced training for 5 days a week and at weekends the assistance dogs are sent to the organisation's trained weekend fosterers. The respondent stated that this approach enables their organisation to have an unbroken evidenced chain of the assistance dog's behaviour, temperament and health. The organisation continues its training with its clients throughout the 8 years that the dogs is placed with them, including regular visits with top up training provided.
- A80. Another respondent, representing a member¹⁴ organisation of the International Association of Assistance Dog Partners (IAADP), stated that, in order to meet the IAADP's standards, all of the organisation's 'teams' (i.e. the disabled individual and the assistance dog) are allocated a qualified trainer and keep regular training logs, and that every team has to complete a minimum of 120 hours training. Under this organisation's programme, each team undergoes an induction assessment before the organisation agrees to accept the dog onto its programme (even prior to this the organisation requests veterinary references about the dog's behaviour during health checks, and its health status). The induction assessment comprises of being put into a busy environment with novel objects, people, dogs and traffic, as well as anything else that happens to show up in the environment. Through the induction a qualified behaviourist will spend around 4 hours with each team, conducting a formal assessment of basic obedience, followed by less formal interactions with people of different ages as well as other dogs. Once the dog is accepted on to the training programme, each team is allocated a trainer. The training is done remotely but is closely monitored

¹⁴ 'Provider' membership, which is open to training programmes and professional dog trainers who provide task trained assistance dogs to disabled persons, as well as to programmes or trainers assisting disabled individuals to train their own dogs to meet or exceed the IAADP's Minimum Training Standards.

and checked weekly by the organisation's training staff up until the assistance dog qualifies, and then monthly thereafter. Each dog that is trained under this organisation's programme will have undergone several assessments with its disabled handler before becoming qualified, and each assistance dog must be trained to perform at least three mitigating tasks for its owner. Further, the team must complete the IAADP public access test annually to make sure that the skill level of the team has not been degraded. In the view of this respondent, the public access test is detailed, as are the assessments leading up to it, and they assess the dog coping and settling in a variety of situations both inside and outdoors. This respondent went on to state that any kind of temperament issues that suggest the dog is not coping would be cause for one of the organisation's behaviourists to become involved and, if not resolved, the team would cease to be members of the organisation.

Assessments or evaluations performed that would be relevant and appropriate for the airport and aircraft cabin environment

- A81. The CAA asked for information on any assessments or evaluations that each organisation performs that would be relevant and appropriate for the airport and aircraft cabin environment.
- A82. Two respondents that are members of ADI/IGDF stated that their clients can contact them at any stage and request extra training or support such as in preparation for air travel if this is required. Further, one respondent went on to say that the regular monitoring and assessment of dogs in AD(UK) programmes helps to understand their individual ability to adapt and cope with large, busy and unusual environments, their reaction to loud noises, capacity to deal with tight enclosed areas – all of which are found in airports. In the view of this respondent, this helps the training organisation to understand how best to support a dog in this environment and the likely reaction from the dog.
- A83. One respondent affiliated with ADI/IGDF, but not yet a member organisation, stated that its pre-airport assessments are done on trains and in large train stations and that, in this respondent's view, it was helpful to have the dog and handler in a small space for very long periods amongst high volumes of traffic. However, this respondent went on to state that the success of the dogs trained by their organisation in terms of their behaviour in airports and on-board aircraft is a result of many hours of public access in a range of places beforehand.
- A84. One respondent from an organisation not affiliated with ADI/IGDF stated that their organisation carries out an annual Public Access Assessment, which checks that the assistance dog and recipient handler are safe in public places, including on public transport such as trains and ferries if these are used by the recipient with their assistance dog. In the view of this respondent, their Public Access Assessment is similar to that used by ADI.

- A85. Another respondent, representing a member organisation of IAADP, stated that its organisation has a code of conduct that dictates how it expects dogs to behave on public transport and busy places like restaurants and theatres.

Awareness of behavioural training programmes

- A86. The CAA asked for information on any other behavioural training programmes for dogs, or assessments or evaluations of dog behaviour, that would be relevant and appropriate for the airport and aircraft cabin environment. None of the respondents identified any such training programmes, assessments or evaluations, beyond those conducted by their own organisations. In the view of one respondent, most assistance dog organisations that are members of ADI/IGDF, among others, will as standard train their dogs to habituate them for public transport such as buses, trains and occasionally the underground. In the view of this respondent, this training would have obvious cross over for travel on planes.

Questions for assistance dog users

- A87. In its Call for Evidence, the CAA asked assistance dog users to answer a number of specific questions. The CAA received responses to its Call for Evidence from 26 assistance dog users.

Non-ADI/IGDF assistance dogs

- A88. The CAA asked assistance dog users whether their assistance dog was supplied and/or trained by an organisation that is a member of either IGDF or ADI or, if not, whether the dog had been supplied and/or trained by another organisation, or whether the individual had trained their own assistance dog.
- A89. Around half of the assistance dog users that responded to the Call for Evidence identified themselves as owner-trainers¹⁵, with roughly an even split of the remaining respondents between assistance dog users with an ADI/IGDF assistance dog and those with a dog trained by an organisation not affiliated with ADI/IGDF (referred to in this section as ‘non-affiliated organisations’).
- A90. Responses to the consultation from assistance dog users identified five organisations¹⁶ that are not affiliated with ADI/IGDF that supply and/or train assistance dogs. Where respondents provided information on the training programmes of these non-affiliated organisations, this has been summarised above.

¹⁵ Assistance dog users that have trained their own assistance dogs outside of any formal organisational structure.

¹⁶ Four out of the five organisations are UK-based.

Non-ADI/IGDF assistance dogs and training/behaviour/assessments/evaluations

A91. The CAA asked a number of specific questions of assistance dog users whose dog was not supplied and/or trained by an ADI/IGDF member organisation relating to the training of their assistance dog, any assessments and/or evaluations of the assistance dog's behaviour, the assistance dog's behaviour in busy public environments and in confined spaces, and the relevance of the training (and any assessments or evaluations) for the airport and aircraft cabin environment.

Users with assistance dogs from non-affiliated training organisations

A92. For those respondents with an assistance dog trained through organisations not affiliated with ADI/IGDF, the information provided in response to these questions mostly overlapped with the information on the training programmes provided by these non-affiliated organisations, which is already summarised above. Where additional information has been provided by this group of respondents, it is summarised in this subsection.

A93. One assistance dog user whose dog was trained through the organisation referred to above stated that, prior to her assistance dog qualifying under the training programme operated by the assistance dog training organisation, her assistance dog passed three levels of training similar to the Bronze/Silver/Gold levels of the Kennel Club's Good Citizen Dog Scheme (GCDS). The respondent went on to say that their assistance dog has been trained to perform four mitigating tasks as defined under the IAADP guidelines. Further, the respondent stated that their status as a disabled person, and their need for an assistance dog, was determined by their GP before they began their training with the assistance dog training organisation.

A94. One respondent, whose assistance dog was trained through an organisation based outside of the UK, stated that their assistance dog is trained under the guidance of the organisation's military trained dog trainer, but is trained primarily by themselves. The respondent stated that the organisation's dog trainer visits them frequently to ensure that the training is going well, and regularly assesses the assistance dog's behaviour in public places such as supermarkets, restaurants, shopping centres, airports and airport security. The respondent stated also that they also underwent training with a dog trainer that trained seizure alert dogs in France, which included urban training and general obedience. This respondent explained also that they had experience of a travel because of taking a number of internal flights within Spain with their assistance dog. The respondent gave a number of examples of instances where their assistance dog had been well-behaved in the airport environment and on-board the aircraft.

- A95. Three respondents to the Call for Evidence had trained their own assistance dogs under the same training programme offered by another organisation that is a member¹⁷ of IAADP. One of these respondents described the requirements of the training programme as consisting of three levels: basic, intermediate, and advanced levels of training, including performing mitigating tasks, and socialisation, and including health/welfare and assistance dog awareness. In addition, to qualify under the programme as an assistance dog the dog and their handler must pass a final public access test where all the skills, behaviours and tasks are demonstrated and assessed in a continuous video. The respondent stated that the training organisation provides certificates of completion at each stage and that an IAADP 'Blue Passport' is available as evidence of the level of behaviour and training achieved. Once qualified, ongoing membership of the training organisation requires that the assistance dog user commits to continuing the training of the assistance dog to maintain its socialisation, behaviour, and tasking. The training organisation reassesses the assistance dog annually to ensure that the owner and dog continue to work at consistently high standards.
- A96. In relation to the training itself, the respondent stated that the training is a structured programme meeting the high standards of IAADP, and includes obedience and general canine skills, good manners and reliable behaviour in all public access environments. This respondent expressed the view that their own assistance dog is trained to be non-reactive to any interaction with humans and animals in public, and that it is trained to remain focused on them no matter how distracting the working environment. This respondent stated also that evidence of their assistance dog's training, socialisation and health, together with their experience working as a team, is recorded in continuous weekly training logs, including video logs, which includes a record of the number of hours training in public access environments. This training log is then reviewed and monitored on a weekly basis by an assistance dog trainer allocated to them by the training organisation. In the view of this respondent, the requirements of the training programme in terms of socialisation are extensive and that, as a result, the team experience all conceivable scenarios that the dog may encounter in public access working. The respondent went on to state that the socialisation programme that they have completed includes extraordinary noise, visual and movement stimuli to ensure that the dog can handle all sorts of unpredictable events in public access working and that, in their case, the advanced socialisation training includes experience in airport environments.
- A97. In relation to how their dog behaves in busy public environments and in confined spaces on public transport (e.g. buses, trains, etc), one respondent, whose

¹⁷ 'Provider' membership, which is open to training programs and professional dog trainers who provide task trained assistance dogs to disabled persons, as well as to programs or trainers assisting disabled individuals to train their own dogs to meet or exceed the IAADP's Minimum Training Standards.

assistance dog was trained to the Kennel Club GCDS Gold standard and meets the IAADP standard for public access and stated that, in relation to public transport, their assistance dog is taught to remain alert to their commands at all times, without being distracted by smells, food, or other dogs or people. The respondent added that, in cars, their assistance dog is trained to wait until asked to enter and exit a vehicle, and to remain calm lying down in either the footwell or a crate in the boot. When navigating buses, the respondent stated that their assistance dog is trained to sit in the heel position as the bus pulls up to the bus stop, wait in that position as others exit the bus, then heel next to them they board and, once seated, will wait until instructed to lie down out of the way under the seat until they have reached their stop. The respondent added that their assistance dog has never had a toileting accident, been aggressive, or barked on public transport and often poses less of a risk than others (such as young children, those under the influence of alcohol, or those with messy food).

- A98. In relation to the question of whether the behavioural training of their assistance dog, and any assessments or evaluations of the assistance dog's behaviour, would be relevant and appropriate for the airport and aircraft cabin environment, one respondent stated that the high level of behavioural training required by their training programme is indeed relevant and appropriate for the airport environment. This respondent stated that the behavioural training combines the individual's regular routine of working with their assistance dog in large city train stations, as well as more generally in corridors, underpasses, bridges, stairs, lifts, etc, and involves working in noisy, busy and crowded public places. This respondent went on to say that the training programme's requirements on socialisation and training are also relevant and appropriate for the aircraft cabin environment. In particular, the respondent considered that the noise, movement, vibration of buses, trains, boats and ships all have similarities with aircraft noise and movement. Further, the respondent went on to say that the seating arrangement on-board aircraft is similar to intercity trains and that standing on a city railway platform with high-speed trains passing through or pulling away is similar to the volume and noise of an aircraft taxiing and taking off.

Owner-trainers

- A99. The CAA received a number of responses from owner-trainers in response to its specific questions on the training of their assistance dog, any assessments and/or evaluations of the assistance dog's behaviour, the assistance dog's behaviour in busy public environments and in confined spaces, and the relevance of the training (and any assessments or evaluations) for the airport and aircraft cabin environment.
- A100. One respondent, themselves a qualified applied animal behaviourist and trainer, stated that they chose to train their own assistance dog because none of the organisations affiliated with ADI/IGDF would provide an assistance dog for their

disabilities. This respondent went on to say that their assistance dog has been trained continuously since it was eight weeks old and that, as the respondent is a qualified dog trainer, they are able to make their own assessment of the dog's suitability for different environments. Further, the respondent added that their assistance dog is trained to the Kennel Club GCDS Silver standard.

- A101. A number of other respondents referenced the Kennel Club GCDS. One respondent stated that, before they consider their assistance dog is fully trained, they must have completed the Kennel Club GCDS to the Bronze, Silver, and Gold standards. In the view of this respondent, these tests are highly relevant for air travel as, as to complete all levels, a dog must demonstrate they can be safe and calm in public spaces and be handled by strangers without risk. A number of other respondents supported this view, stating that they had also trained their assistance dogs to the Kennel Club GCDS Gold standard. One respondent suggested that Silver or Gold is most appropriate as the Bronze level is too easily achievable and may not show all aspects of good behaviour.
- A102. A number of other respondents stated that, although they considered their assistance dog to be highly trained, no formal assessment had taken place as to the dog's training and/or behaviour. One respondent stated that they had spent a number of years attempting to get their assistance dog recognised but that it was not possible to register their dog with a recognised ADUK organisation. Another respondent stated that formal assessments of an assistance dog's training/behaviour are not available for owner-trained dogs. This respondent stated also that they started out on the waiting list of an ADI-affiliated organisation but that, due to the unavailability of one of the organisation's trainers in their local area, they were never assigned a trainer to formally complete their assessment.
- A103. One respondent expressed the view that ordinary dog training is all that is required, and that there is no requirement in the Equality Act for assistance dogs to have specialised training. This respondent considered that assistance dogs are used to stressful experiences all the time, for example attending hospital appointments with their owner and being in the community with their owner.
- A104. In relation to how their dog behaves in busy public environments and in confined spaces on public transport (e.g. buses, trains, etc), one respondent commented that, in their view, their dog is an experienced assistance dog with impeccable behaviour. This respondent stated also that their assistance dog travels on public transport and is trained to 'tuck away' under the seats or in the disabled space out of everybody's way but is also calm and friendly when petted. This view was echoed by a number of other respondents, with one respondent stating also that their assistance dog can 'tuck away' on public transport until they reach their destination or unless the owner requires the dog to perform some task work (such as picking up a dropped item). Another respondent commented that their

assistance dog has been desensitised and socialised to public transport (it is the respondent's main way to travel) and that the dog is not disturbed by loud noises, vibrations or crowds. One respondent considered that an airport should not be a particularly difficult environment for an assistance dog and that shopping centres and supermarkets can be far more stressful for the dog. This respondent went on to state that compared to buses and trains, the cabin of an aircraft was relatively orderly and comfortable environment.

Experience of travelling by air, including the provision of facilities

A105. The CAA asked for information from assistance dog users on their experiences of travelling by air, including on flights originating from outside the UK, and whether they had ever been unable to travel by air due to their assistance dog not being 'recognised' by the airline under the definition of a 'recognised assistance dog'. The CAA also asked for views on the provisions made at the airport for assistance dogs (e.g. spending areas, drinking water, etc) as well as on-board the aircraft (e.g. the appropriateness of the seating, the availability of a suitable harness for securing your dog, etc).

Users with assistance dogs from ADI/IGDF

A106. Most of the respondents with an assistance dog supplied and/or trained by an organisation that is a member ADI/IGDF had flown domestically and/or internationally with their assistance dog.

A107. These respondents reported a range of different experiences. For example, a number of respondents commented on the difficulty of the booking process. One respondent stated that they typically had to make many phone calls to the airline to seek clarification over issues relating to the carriage of their assistance dog which were not covered on the airline's website. In this respondent's view, the staff who dealt with their call lacked sufficient knowledge about the role of assistance dogs, with staff seemingly unaware that assistance dogs can fly in the cabin with their owner. Another respondent commented that, on one occasion, they were advised that only emotional support dogs could travel, not assistance dogs. One respondent said that, due to their lack of confidence that the airline had registered that they were travelling with their assistance dog, they continued to telephone the airline in the hope that they would be able to speak to someone with greater knowledge of assistance dogs who could confirm their booking. In contrast, other respondents reported that they had no problems in booking the flight or at the airport.

A108. On the issue of the booking process, one respondent highlighted the different experiences they have had with different airlines. For a domestic flight with one airline, the respondent was not asked for any further evidence after confirming online that they would be travelling with their guide dog. However, for a domestic flight with another airline, the respondent had had to provide scans of every page

of the pet passport and vaccination certificates (the respondent noted also that this is something that is very difficult to do as a visually impaired person). For one international flight, the respondent had had to complete a handwritten form after the airline had refused to accept information via a more accessible means, such as email or over the phone. In one case, in advance of their outbound flight, the airline requested clearance from the Heathrow animal reception centre that they would accept the dog on return to the UK.

- A109. Respondents' experience at airports was also varied. Although there were some positive experiences, one respondent expressed the view that the provision for assistance dogs and their owners at airports is poor. For example, this respondent stated that they have never been directed towards spending areas or dog bowls. Another respondent stated that, at the airports that they have flown from, they are not aware of any signs for drinking water facilities or spending areas for their assistance dog. In their experience, cabin crew have always helped by taking their assistance dog to a spending area before the flight.
- A110. Another respondent had experienced difficulties in checking in at the airport. On more than one occasion the respondent had ascertained that their assistance dog had been booked as an 'object', which had caused a problem with the seat allocation on board. On one occasion, this respondent stated that it took almost an hour to resolve the problem because of the confusion about whether assistance dogs were permitted to fly in the cabin. This respondent expressed the view also that there is confusion amongst security staff as to whether their assistance dog is required to be searched and that all airports need clarification over the searching of assistance dogs.
- A111. Respondents' experiences when on-board the aircraft are also varied. A number of respondents commented on the lack of assurance that airlines provide about the accommodation that will be provided for the assistance dog on-board the flight. In the view of one respondent, very few airlines will confirm the availability of a second seat at no cost to provide additional space, whilst other airlines actively stress that additional space will not be available and that if the dog will not fit under the seat in front, then they will not be accepted. In the view of this respondent, this position is maintained until they have boarded the aircraft, whereupon there is usually sufficient space to accommodate their assistance dog, with the cabin crew happy to assist them in making use of it. In the view of this respondent, this attitude causes unnecessary stress and, in their view, is designed to make assistance dog owners think twice about travelling with their dog.
- A112. A number of respondents commented on the process for securing the assistance dog on-board. One respondent stated that, in their view, cabin crew appeared to be well informed about the type of safety restraint suitable for an assistance dog but that, on two occasions, this was not the case, and the respondent was asked

whether they knew how to secure their assistance dog based on what happened on their previous flights. On one occasion, this respondent was told to loop the lead of their assistance dog through their seatbelt. On another occasion they have been given a red extended seat belt with which to attach the dog. In the view of this respondent, neither of these methods provided a satisfactory safety restraint. A number of other respondents stated that they had never been asked to secure their assistance dog with a special harness but were asked to simply hold the dog's lead.

- A113. None of the respondents said that they had been unable to travel by air due to their assistance dog not being 'recognised' by the airline under the definition of a 'recognised assistance dog'. However, one respondent expressed the view that, since they were never entirely sure up until the moment they checked-in whether the airline was going to permit them to travel with their assistance dog, they have always had to have a contingency plan in case their assistance dog was denied boarding.

Users with assistance dogs from non-affiliated training organisations

- A114. Not all the respondents with an assistance dog trained through organisations not affiliated with ADI/IGDF had flown with their assistance dog. One respondent that had not flown with their assistance dog stated that they had many owner-trainer friends that had flown successfully without issue, but also that they had friends who had been unable to fly because airlines were, in practice, only accepting assistance dogs supplied and/or trained by ADI/IGDF. In this respondent's view, being unable to fly can be a devastating experience for the individual concerned, in particular if it prevents them from seeing their family and can contribute heavily to feelings of isolation and poor mental health.
- A115. One respondent that had considerable experience of flying with their assistance dog echoed the views of respondents in the previous subsection (users with assistance dogs from ADI/IGDF) about the difficulties of the booking process. This respondent stated that arranging permission for their assistance dog was 'random', with no supporting information provided by the airline for owners of assistance dogs who are not registered with ADI/IGDF. On one occasion, on a return domestic flight, the respondent was not allowed to board the aircraft even though they had an email showing that they had prior permission to travel with their assistance dog. On other occasions, this respondent had experienced significant difficulties in returning to the UK due to the intervention of the UK airport's pet reception centre. However, this respondent also stated that, on other flights, their experience was fine.
- A116. Another respondent, with over 13 years' experience of flying with their assistance dog (comprising 278 flights), considered that there has been a marked improvement in the ease of travel with an assistance dog both at the airport and in the air. In their experience, they have had no problems or incidents during any

of their trips, other than the delays and cancellations experienced by all passengers.

- A117. In relation to their views on the provisions made at the airports and on-board aircraft for assistance dogs, the views of this group of respondents mostly echoed the views of respondents in the previous subsection (users with assistance dogs from ADI/IGDF). A number of respondents mentioned the lack of information provided by airports on the location of the spending areas at an airport, and a lack of signposting of these areas at the airport itself. In the view of one respondent, this information is not commonly listed on airports' websites and airport staff are often not informed as assistance dogs' presence on flights is extremely rare.
- A118. A number of respondents also commented on the need for sufficient space to be provided for the assistance dog and owner once on-board the aircraft. One respondent considered that it would be advantageous for the owner and their assistance dog to be allocated seating with additional leg room, where possible, so that there is adequate space for the assistance dog to settle by the handler's feet. This view was echoed by a number of respondents.
- A119. One respondent expressed the view that it is not the responsibility of the airline to provide for the needs of the dog on-board the aircraft and that the owner should take full responsibility and be equipped with a blanket, food, water, treats, medication and equipment for the dog. Another respondent considered that an appropriate travel harness should be provided by the owner to ensure that is an appropriate type and good fit for their breed of assistance dog.
- A120. Two respondents stated that they had been unable to travel by air due to their assistance dog not being 'recognised' by the airline under the definition of a 'recognised assistance dog'. One respondent stated that they had either been refused travel on so many occasions, or had experienced such significant problems when travelling, that they currently only book flights with one non-UK airline if at all possible. Another respondent gave examples of where they had previously been allowed to fly with a particular airline, but where that airline subsequently told them that they could not fly because they did not have an ADI/IGDF assistance dog. Another respondent stated that they had never been refused travel by their airline, but that they had been 'challenged' appropriately on a number of occasions for sight of evidence of appropriate documentation / equipment for their assistance dog.

Owner-trainers

- A121. Only one of the respondents with an owner-trained assistance dog had flown with their assistance dog. This respondent had flown from the UK to two other EU countries on a non-UK EU airline. In the view of this respondent, this airline is the only airline that will accept non-ADI/IGDF assistance dogs and that, further, it

has an excellent booking process for assistance dogs. This respondent stated also that they returned to the UK via Ireland as this avoided having to pay the fee at the airport animal reception centre. Another respondent stated that, because Eurostar has recently started permitting owner-trained assistance dogs on-board, they have been able to book a flight with their assistance dog from France to another country in the EU. Although the respondent has yet to travel, they stated that, as part of booking their flight, they were required to provide their Blue Badge as proof of disability.

- A122. For the remainder of the respondents that had not flown with their assistance dog, many felt that it is currently not possible to fly into or out of the UK with an owner-trained assistance dog. Many respondents also felt that individuals with owner-trained assistance dogs are, in practice, being denied access to air travel despite their assistance dogs being legitimate.
- A123. One respondent described in very negative terms their experience of trying to take their assistance dog on a flight. In the view of this respondent, UK airlines have been unduly influenced by the views of ADI/IGDF and have influenced their thinking on assistance dogs to the point where they are refusing legitimate assistance dogs and are failing to comply with UK Regulation (EC) No 1107/2006. In contrast, this respondent stated that they had experienced no problems in taking their assistance dog on a flight from another Member State in the EU.
- A124. In relation to the provisions made at airports and on-board the aircraft for assistance dogs, the views of this group of respondents mostly echoed the views of respondents in the previous subsections (users with assistance dogs from ADI/IGDF and users with assistance dogs from non-affiliated training organisations). On the issue of seating on-board, one respondent considered that the bulkhead rows represent the most appropriate space for assistance dog users and their dogs. One respondent stated that, on their flights, they did not book an extra legroom seat which meant that the flight was uncomfortable for them and their assistance dog. On the return flight, this respondent said that the cabin crew appeared to remember them and swapped their original seat for a bulkhead seat, where there was much more room and where they were sat alone.
- A125. In relation to securing the dog on-board, one respondent considered that it is the responsibility of the assistance dog user to ensure that the harness to secure the assistance dog is safe and suitable and a comfortable fit for the dog. In the view of this respondent, the harnesses designed for car travel are easily available to purchase in most pet shops. Another respondent stated that, on their flights, they provided and used their dog's car seatbelt to secure their assistance dog on-board.

Questions for airlines

A126. In its Call for Evidence, the CAA asked airlines to answer a number of specific questions. The CAA received responses from ten airlines and airline trade bodies.

The definition of a recognised assistance dog currently being applied

A127. The CAA asked for information on the current definition applied by the airline for a 'recognised assistance dog' under UK Regulation (EC) No 1107/2006. One respondent stated that, broadly speaking, UK airlines were continuing to make reference to CAA's Safety Notice SN-2015/001 on the Carriage of Assistance Dogs in the Aircraft Cabin (issued 20 May 2015; withdrawn April 2018), which drew on the definition¹⁸ of a recognised assistance dog that was previously included in ECAC Doc 30 Section 5, but which was removed in the 12th edition (May 2018). In this respondent's view, this previous definition represented a workable and practical definition of an assistance dog, and that this was a view supported by Baroness Vere of Norbiton, Parliamentary Under Secretary of State at the Department for Transport, in her correspondence with the respondent's organisation in 2019. This respondent noted also that a number of airlines were making decisions on whether an assistance dog should be considered to be a recognised assistance on a case-by-case.

A128. A number of airlines confirmed the view that, for assistance dogs other than those trained by organisations that are members of ADI/IGDF, they assess whether the assistance dog should be considered to be a recognised assistance dog on a case-by-case basis. One airline respondent stated that, in order to make this assessment, they place the following requirements on the assistance dog user:

- the assistance dog must be trained to assist the passenger with their disability or medical condition;
- the assistance dog user has documentary evidence confirming that it has been trained as an assistance dog;
- the dog must wear an identifying jacket/harness, and
- the dog must remain under the owner's control at all times.

¹⁸ Which defined a recognised assistance dog as one that has been trained to assist a disabled person by an organisation that is a member of ADI/IGDF). See paragraphs 11 and 12 of the Call for Evidence for more information.

- A129. In relation to the information and evidence required by this airline on the assistance dog's training, it requests the following from the assistance dog owner:
- the name of the organisation, and the trainer, who trained their assistance dog;
 - copies of certification held by the trainer relevant to experience in training assistance dogs;
 - certification to show their assistance dog has completed training provided by this trainer;
 - overview of the training programme and length of training;
 - details of the tasks the dog is trained to do to mitigate their disability;
 - details of ongoing training including when the most recent training and/or check was conducted and how often such checks are undertaken; and
 - the name, breed and weight of the dog.
- A130. This airline stated also that, in verifying this information, they contact the trainer directly which, in the view of this respondent, has helped with the issue with forged documents.
- A131. Another airline that makes a case-by-case assessment in relation to non-ADI/IGDF trained dogs pointed out that its Required Method of Operation (RMOP; airlines are required to agree a required method of operation with the Animal and Plant Health Agency in order to allow them to transport pets into Great Britain) only permits the airline to transport ADI/IGDF trained dogs. However, the airline explained that they request evidence from the owner of the assistance dog on the training that the dog has received and that, once they are satisfied that the dog will display behaviour safe and acceptable within the aircraft cabin, they will ask the assistance dog owner to check with the relevant Animal Reception Centre to see if it will issue a 'pre-approval'. If the Animal Reception Centre will not accept the dog as a recognised assistance dog, the airline offers the passenger alternatives such as travel on one of its partner airlines (the airline explained that it's US codeshare and joint venture partners can take more types of dogs in the cabin as they operate under different RMOPs). Alternatively, the owner can agree to pay the processing fee by the Animal Reception Centre and travel in the cabin.
- A132. A number of UK airlines told us that they are continuing to apply the previous ECAC definition of a recognised assistance dog (i.e. limited to dogs trained by organisations that are members of either IGDF or ADI). One airline, which is not authorised to carry pets through an approved RMOP, explained that airlines may face prosecution for a breach of the Non-Commercial Movement of Pet Animals

Order 2011 if they land into the with a dog not trained by an organisation that is member of either IGDF or ADI. This respondent also noted that the website of the Department for Environment, Food and Rural Affairs suggests that airlines that have to accept recognised assistance dogs for travel can enter into an Memorandum of Understanding with the Animal & Plant Health Agency, the template for which states 'recognised assistance dog' means guide and other assistance dogs, which are highly trained to assist a wide range of disabled persons with everyday tasks. In the view of this airline, any new definition of a recognised assistance dog should therefore be carefully consulted with all stakeholders, including the authorities responsible for the enforcement of the Non-Commercial Movement of Pet Animals Order 2011.

Application of a different definition for a recognised assistance dog for flights to or from another EU Member State

- A133. The CAA asked for information on whether airlines apply a different definition for a recognised assistance dog for flights to or from another EU Member State. None of the airlines that responded directly on this point stated that they applied a different definition for a recognised assistance dog for flights to or from another EU Member State. The number of recognised assistance dogs carried each year
- A134. The CAA asked for information on the number of recognised assistance dogs carried each year. Not all the airlines that responded to the Call for Evidence provided this information and therefore it has not been possible to provide a numerical estimate for the number of assistance dogs carried by airlines. However, the information provided strongly suggests that assistance dog owners travel by air only very rarely with their assistance dog.

The number of dogs refused carriage each year

- A135. The CAA asked for information on the number of dogs refused carriage each year. Again, not all the airlines provided this information. A number of airlines told us that they did not collect this information. Others provided an estimate. Broadly speaking, the information provided suggests that the number of dogs refused carriage is very rare.

Awareness of behavioural training programmes

- A136. The CAA asked for information on any other behavioural training programmes for dogs, or assessments or evaluations of dog behaviour, that would be relevant and appropriate for the airport and aircraft cabin environment. Outside of the programs established by ADI/IGDF, the airlines that responded to this question were not aware of any behavioural training programmes for dogs, or assessments or evaluations of dog behaviour, that would be relevant and appropriate for the airport and aircraft cabin environment.

Questions for airports

A137. In its Call for Evidence, the CAA asked airports to answer a number of specific questions. The CAA received responses from six airports.

The number of recognised assistance dogs ground handled each year

A138. The CAA asked for information on the number of recognised assistance dogs ground handled each year. Not all the airports that responded to the Call for Evidence provided this information. Again, the information provided suggests that assistance dog owners travel by air only very rarely with their assistance dog. Based on the information provided by the airports that responded to the Call for Evidence, the CAA estimates that only around 1 in every 500,000 passengers is an assistance dog user travelling with their assistance dog.

The number of dogs that were refused to be ground handled each year

A139. The CAA asked for information on the number of dogs that were refused to be ground handled each year. None of the airports that responded to the Call for Evidence were able to provide information on the number of dogs refused carriage each year. One respondent told us that, at their airport (a large UK airport), they have had to attend to 30 'unrecognised' assistance dogs in 2019 (and 156 in 2018).

Awareness of behavioural training programmes

A140. The CAA asked for information on any other behavioural training programmes for dogs, or assessments or evaluations of dog behaviour, that would be relevant and appropriate for the airport and aircraft cabin environment. As with the airlines that responded to this question, outside of the programmes established by ADI/IGDF, airports were not aware of any behavioural training programmes for dogs, or assessments or evaluations of dog behaviour, that would be relevant and appropriate for the airport and aircraft cabin environment.

Questions for other organisations

A141. In its Call for Evidence, the CAA set out a number of specific questions relevant for other organisations. The CAA received responses from 13 other organisations, including airport consultative committees, government agencies, organisations representing consumers, animal welfare/behaviour organisations, as well as other stakeholders with an interest in this area. For the most part these organisations responded most substantively to the questions for all stakeholders and, in those cases where the respondent answered the specific questions for them, the information provided overlapped with their previous answers to the questions for all stakeholders, as summarised above. For this reason, the CAA has not produced a separate summary of responses to the specific questions for these other organisations.