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Hon Louise Upston  
 Associate Minister for Local Government  
 Private Bag 19041  
 Parliament Buildings  
 Wellington

2nd May 2016

### Recommendations to Decrease Dog Attacks in New Zealand

The purpose of this report is to present areas within the Dog Control Act 1996 (the Act) that the New Zealand Institute of Animal Management Inc. (NZIAM) have concerns with and strongly recommend be strengthened, along with additional provisions to allow for improved dog control service and increased public safety.

This report also reiterates the concerns raised in the earlier reports presented to the then Ministers for Local Government – The Honourable Paula Bennett – on the 16<sup>th</sup> April 2014 and The Right Honourable Rodney Hide – on the 13<sup>th</sup> April 2011 along with introducing additional recommendations for improved community safety

Four Points identified for immediate attention:

1. Mandatory notification of dog bites to Territorial Authorities
2. Industry national standards
3. Legislation review
4. National education programs in schools

#### 1. Notification of Dog Bites

The Institute recommends the mandatory notification of all dog bite incidences reported through the medical professions to Territorial Authorities.

Rationale – Statistical evidence shows that approximately 85% of dog bites reported to ACC are not reported to Territorial Authorities. Many of these incidents occur within the family home. Mandatory reporting will allow territorial authorities to investigate and apply appropriate actions to;

- a) educate dog owners on responsibilities of being a dog owner
- b) prevent further attacks

## 2. National Standards of Operation

The Institute recommends mandatory training of all Territorial Authority Dog Control Officers along with national audit programs of Territorial Authority Animal Management operations

### Rationale:

#### - Animal Management Officer Training

At present there is no requirement for Territorial Authorities to train their Animal Management staff to any level within any required timeframe. This in itself presents huge ramifications for consistent application of dog control in New Zealand.

Under the Health and Safety Act Territorial Authorities are obligated to manage the risks to Officers working in dangerous and high risk situations.

No consistent training standards result in inconsistent professional application of duty. This in turn leads to total failure by some Territorial Authorities to apply the provisions of the Dog Control Act in relation to dog attack situations.

The Skills Organisation have in place supporting capabilities for Animal Management Officers to achieve recognised qualifications in the Animal Control field for both entry and advanced levels with revised and renewed qualification levels available in the near future however there is no mandatory requirement for the Officers to be trained at any level and where costs can be a factor any training of the officers is therefore at times a secondary consideration.

In order to provide a professional and safe animal management service, officers must be trained to a national standard. Consistent understanding means consistent application and with that follows clear messages to the community generally about best practice in terms of responsible dog ownership. Responsible dog ownership leads to less serious dog attacks.

#### - Auditing of Territorial Authority processes

Territorial Authorities have a responsibility for the safety of communities and those communities have a right to receive professional services. Audit programs that provide checks and measures of compliance along with actions for noncompliance will ensure that dog control operations nationally are consistent and of a higher standard than at present.

## 3. Legislation Review

The Institute recommend the Dog Control Act 1996 be reviewed to incorporate the following points:

- Infringement Notice system for s57 (attacking) and s57A (rushing)

The ability to apply an infringement notice to an owner of any dog for biting or rushing at a person would serve as a deterrent to those who do not apply responsible dog ownership. This provision would allow for a consequence where it may not be serious enough to proceed to prosecution.

- Amendment to s57A (rushing)

Remove the words 'public place' to expand the offence to provide for rushing incidents on private property.

- Probationary Owner classification additions  
Add to the existing Probationary Owner provisions to provide a mandatory probationary classification for any person who commits any offence under s57 and s57A. This will have the accompanied effects of the classification including increased fees. A dog owner will be required to attend a "knowledge" program before the classification can be removed.
- De-sexing of all Menacing classified dogs  
Mandatory requirement for all dogs classified as Menacing. At present it is optional for Territorial Authorities.
- De-sexing of all Menacing and Dangerous classified dogs impounded  
Mandatory requirement for all dogs classified as Menacing or Dangerous to be de-sexed before release from any animal shelters. At present the owners of these dogs have 30 days to comply with any possible requirement to de-sex.
- No adoption of Menacing Classified dogs  
Prohibit the ability for any dog listed in Schedule 4 of the Act to be adopted back into the community from any animal shelter or welfare agency.

Rationale:

The above legislation reviews will assist in ensuring offending dog owners are made more accountable for the actions of their dogs. It is not appropriate or acceptable for persons to own dogs that attack within the family home or wider communities.

De-sexing before release from shelters for Menacing and Dangerous dogs will reduce the ability for indiscriminate breeding.

#### **4. National education programs in schools**

The Institute recommend that dog safety awareness programs in schools be made compulsory and a part of the national education curriculum.

Rationale:

The incidences of dog attacks on children are increasing. A stronger awareness from children regarding safe dog interaction practises will assist in reducing these attacks. Compulsory school education programs will serve as a vehicle for delivering safety awareness techniques and an increased knowledge of safe practises around dogs for both children and parents.

#### **Summary**

The Institute is aware of the increased dog attack incidents in New Zealand and are best placed as an organisation to offer recommendations for the improved safety of communities from dog attacks.

The above recommendations are considered to be vitally important if there is to be a shift in the numbers of dog attacks.

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## Memo

19 May 2016

To: Hon. Louise Upston, Associate Minister for Local Government

From: Calum Penrose, Manurewa-Papakura ward councillor

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**Subject: Initiatives to improve management of menacing dogs**

### Purpose

To summarise Auckland Council's current initiatives to improve management of menacing dogs and outline possible future legislative actions.

### Menacing dog amnesty

On 21 April, Auckland Council launched an amnesty for menacing dogs to incentivise registration, micro-chipping, de-sexing, and muzzling of menacing dogs. The amnesty has been publicly supported by SPCA, Housing New Zealand Police, and St Johns.

To date 335 dogs have been brought to Auckland Council under the amnesty. They have received a combination of the services being offered. Of the 335 dogs brought forward, 268 are of the American Pit Bull Terrier type. The majority of the others are American Staffordshire terriers and Rottweilers. There is a significant regional division, with 201 of the dogs in the southern suburbs (Howick, Manukau, Manurewa-Papakura, and Franklin wards).

The amnesty will end on 30 June. From 1 July, Auckland Council will target all unregistered menacing dogs. Any unregistered dogs will be seized and all fines will be upheld.

### Legislative options

Schedule 4 of the Dog Control Act 1996 lists four breeds and one type of dog that are menacing and may not be brought into NZ. These are Brazilian Fila, Dogo Argentino, Japanese Tosa, Perro de Presa Canario (breeds) and American Pit Bull Terrier (type). Dogs of owners convicted under section 57a are also classified as menacing; these dogs must be desexed regardless of type.

Menacing dogs must be muzzled in public, yet there are limited legislative controls for dog de-sexing. Although the Dog Control Act makes it possible for territorial authorities to require de-sexing, uptake is variable.

There are three distinct shortcomings of current legislation in requirements for dog de-sexing, dog classification, and owner registration.

Following advice from officers, I seek your leadership to amend the Dog Control Act (1996) to require:

1. Compulsory de-sexing of menacing dogs prior to sale or distribution unless four generation lineage is proven through the New Zealand Kennel Club.

*Rationale:* Not requiring compulsory desexing of menacing dogs has led to a proliferation of American Pit Bull Terrier types. Auckland Council already requires menacing dogs to be de-sexed. Dogs classified as menacing by breed must be determined to be wholly or predominantly of that breed. Owners have one month from the receipt of classification to produce proof from a veterinarian that the dog has been de-sexed.

2. Specify by way of schedule to the Dog Control Act a formal, comprehensive and consistent definition of schedule four breed and type dogs.

*Rationale:* The absence of a definitive, nationally applicable determination of American Pit Bull Terrier types confounds menacing classifications, making applications highly variable across New Zealand. Auckland Council has provided information to the public to assist in identifying a dog as having American Pit Bull Terrier type physical traits.

3. Require the certification of owners of menacing dogs (as per schedule 4).

*Rationale:* The absence of compulsory registration for owners of menacing dogs results in individuals unsuited and ill-equipped in charge, exposing them and others to potential harm. By focussing on the ability for owners to train and control their dogs, it is hoped that they will be able to educate others, such as family members and children, on appropriate behaviour around menacing dogs. Auckland Council offers Responsible Dog Owner Licenses for those who meet strict criteria. This uses reduced registration costs to incentivise good training and handling practices.

As population density increases in Auckland, and across New Zealand, we expect this problem to increase. Although Auckland Council is working to improve public safety around menacing dogs, it is limited in its reach and falls short of suitably addressing this national issue.

### Contact

Councillor Calum Penrose: [calum.penrose@aucklandcouncil.govt.nz](mailto:calum.penrose@aucklandcouncil.govt.nz) 027 217 0760

Elizabeth Hart (Councillor Support Advisor): [elizabeth.hart@aucklandcouncil.govt.nz](mailto:elizabeth.hart@aucklandcouncil.govt.nz) 021 824 349

Geoff Keber (Manager, Animal Management): [Geoff.keber@aucklandcouncil.govt.nz](mailto:Geoff.keber@aucklandcouncil.govt.nz) 027 476 4589

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Te Tari Taiwhenua

# Local Government briefing

**Hon Louise Upston**  
**Associate Minister of Local Government**

**Copy to:** Hon Peseta Sam Lotu-liga  
 Minister of Local Government

**Title:** **Information briefing: identifying options to improve dog control regulation**

**Date:** 20 May 2016

## Key issues

Dog attacks have featured prominently in recent news media, creating a public expectation that Government action is required to reduce the incidence of dog attacks.

We have produced a preliminary list of ideas for change and we require your direction to develop specific options to improve dog control regulation. However, there are gaps in the current data that will need to be addressed before we can determine which ideas would lead to effective change.

We are working with officials of the Department of Prime Minister and Cabinet (DPMC) consider additional courses of action. DPMC officials suggest that you could host a forum for people who have been injured in a dog attack. Such a forum would complement your current engagement with the local government sector and represent an opportunity to gather information to support effective change.

## Action sought

**Discuss** the preliminary list of ideas for change and direct officials on which ideas you would like to pursue further.

## Timeframe

At the officials' meeting on 23 May 2016

## Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 <sup>st</sup> contact
Jo Gascoigne	Policy Manager	04 494 0526	s. 9(2)(a)	✓
Samantha Lay Yee	Policy Analyst	04 495 9450		

Return to	Samantha Lay Yee, Level 7, 147 Lambton Quay		
DMS references	PLG-1725-37	4610359DA	
Ministerial database reference	LG201600332		



## Purpose

1. This briefing attaches a list of ideas for change to dog control regulation for your initial consideration. Further ideas will be added to the list in light of your current conversations with local authorities and animal control officers about their approaches to dog control.

## Background

2. On 9 April 2016, media attention focused on seven-year-old Darnell Minarapa-Brown, whose face was bitten by his uncle's dog. At the time, Darnell was visiting his uncle's house in Takanini, Auckland. Following that attack, local and national news media increased their reporting on dog attack incidents.
3. Accordingly, public interest in dog attacks and dog control issues has also increased. There is a growing expectation among councils and members of the public that central Government will take further action to reduce the incidence of dog attacks. Of the 15 ministerial letters that you have received since 9 April 2016, four were about dog attacks, two were about online voting, and eight were about other local government matters. For the previous month, you received no ministerial letters about dog control or dog attacks.
4. On 12 May 2016, the Prime Minister and the Local Government New Zealand National Council hosted the Central Government/Local Government Forum. At the Forum, attendees engaged in wide-ranging discussion about dog control (among other matters), and agreed that both central government and local government can do more to improve public safety around dogs. The Prime Minister expressed a strong interest in seeing meaningful action.
5. You are meeting with representatives of the local government sector and have written to all councils to seek further information about on their experiences of dog control regulation. Following from the Forum, we are now working with the Department of Prime Minister and Cabinet (DPMC) to consider additional courses of action.

## Ideas for change to the regulatory framework for dog control

6. Based on information provided to you during your meeting with the NZIACO, suggestions raised in ministerial correspondence over the past year, and our own observations, we have produced a preliminary list of ideas for change. The list, and our initial assessments of the merit of the ideas in terms of further development, is attached as **Appendix A**. The list is divided into four categories:
  - Enforcement and classification – ideas to change the powers and functions for councils and their dog control officers;
  - Owner responsibilities – ideas to encourage responsible dog ownership through education and/or changes to the duties and obligations of dog owners;
  - Public education and information – ideas to increase public awareness and understanding of dog control issues; and
  - Dog registration – ideas to improve the dog registration process and encourage owners to register their dogs.
7. We anticipate that your upcoming meeting with Auckland Council on 23 May 2016, and responses to the letters you sent to all councils on 18 May 2016, will generate further ideas and suggestions. We will add these to the preliminary list.



### **More data is needed to identify the ideas that will lead to effective change**

8. Based on data from National Dog Database (NDD) Accident Compensation Corporation, the Ministry of Health, and the Ministry of Justice, we have information about:
  - the population of registered dogs (nationally, by breed, by classification and by council);
  - claims for dog-related injuries (nationally and by age group); and
  - prosecutions for offences under the Dog Control Act 1991 or relevant bylaws (nationally, by council and by offence).
9. There are gaps in the current data such as the location and circumstances of dog attacks, the population of unregistered dogs, the breeds and characteristics of dogs that have caused injury, and the demographics of owners of menacing and dangerous dogs. Having this information would allow us to identify patterns, pinpoint problems, and increase confidence in the effectiveness of targeted solutions.
10. Your engagement with the local government sector and further information from other stakeholders such as dog owners, veterinarians, the Royal New Zealand Society for the Prevention of Cruelty to Animals, medical professionals (particularly plastic surgeons) and animal behaviour specialists will help to fill these gaps.
11. DPMC has suggested that you could host a forum for people who have been injured in a dog attack. Attendees would be invited to share their experiences, including the circumstances around the attack, and the support they received in the recovery process. The forum would be an opportunity to gather information to support effective change and for you to engage directly with those who have been affected by dog bites. It would also complement your present engagement with local authorities.

### **Next steps**

12. We are receiving responses to the letters you recently sent to councils about their annual reports on dog control policies and practices. The deadline for councils to respond is 30 May 2016.
13. We will record any further ideas for change and information to support these suggestions. We will report back to you on the full list of ideas and our assessment of their feasibility by mid-June 2017.

**Recommendations**

14. We recommend that you **discuss** the preliminary list of ideas for change and direct officials on which ideas you would like to pursue further. **Yes/No**



Jo Gascoigne  
Policy Manager

Hon Louise Upston  
Associate Minister of Local Government

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### Appendix A: Preliminary list of ideas for change to dog control regulation

The table below sets out a preliminary list of ideas for change and our initial assessment of their merit in terms of further development. These ideas are based on information provided to you during your recent meetings with the representatives of the local government sector, suggestions raised in ministerial correspondence over the past year, ideas suggested to the Department by the local government sector, and our own observations.

Category	Ideas for change	Considerations	Preliminary recommendation
Enforcement and classification – ideas to change the powers and functions for councils and their dog control officers	Industry qualification/standard for animal control officers	G-Reg regulatory industry qualifications will address. Potential to develop dog control-specific qualification module	Consider benefits further
	Mandatory neutering of menacing and dangerous dogs before release from dog pound	Costs to owners. Amend the Dog Control Act	Recommended. Consider benefits further
	Mandatory neutering of all menacing dogs	Removes council discretion. Amend the Dog Control Act	Recommended. Consider benefits further
	Definition or standard for the identification of American Pit Bull Terriers	Potentially technically challenging	Recommended. Consider benefits further
	Add more breeds to schedule 4	Need consider if new breeds are likely to be imported which we would consider undesirable	Consider benefits further
	Restrict/classify dogs based on characteristics or behaviour rather than breed	Expand council discretion to classify as menacing based on deed	Consider benefits further
	Infringement regime for dog attack and rushing offences	Amend the Dog Control Act	Recommended. Consider benefits further
	Prohibit adoption of dogs classified as dangerous or menacing	Would require euthanasia of significant number of dogs	Recommended. Consider benefits further
	Shorter notice period for destruction of dog or prosecution of owner after attack	Amend the Dog Control Act. Potential for abuse of powers/process.	Consider benefits further

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Category	Ideas for change	Considerations	Preliminary recommendation
<b>Owner responsibilities – ideas to encourage responsible dog ownership through education and/or changes to the duties and obligations of dog owners</b>	Lower threshold for intervention where animal cruelty is suspected	MPI recently made changes to animal welfare rules including increased penalties.	Work has been done in this area recently. Do not progress
	Stronger penalties for animal cruelty		
	Subsidise neutering and microchipping	Costs to councils or central government. Focus on good dog ownership	Consider benefits further
	Provide incentives for owners to take their dogs to obedience training	Costs to councils or central government. Focus on good dog ownership	Consider benefits further
	Improve officers ability to enter private property for dog control purposes	May be covered by Search and Surveillance Act already. Better guidance may assist.	Consider benefits further
	Stronger penalties for non-compliance	Amend the Dog Control Act	Consider benefits further
	Requirements to confine dogs e.g. fencing private property	Costs to all owners. Does not target bad owners	Not recommended
	Licensing system to regulate dog breeders	Amend the Dog Control Act.	Consider benefits further
	ACC levy or higher registration fee for dogs with certain characteristics (over a particular height/weight)	Costs to owners. May not target right owners	Consider benefits further
	Ban on convicted offenders from owning any dog	Need to consider nature of offences or number of offences	Consider benefits further
	Independent testing of dog sociability	Costs to owners. May not target the right owners.	Not recommended
	Registration/licencing of all dog owners	Costs to all owners. May not target the right owners. May lead to non-compliance	Consider benefits further
	Registration/licencing of owners of menacing and dangerous dogs	Costs to owners of dangerous or menacing dogs	Recommended. Consider benefits further
Require all dogs to be muzzled	Costs to all owners. May not target the right owners. May lead to less socialisation of dogs	Not recommended	

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Category	Ideas for change	Considerations	Preliminary recommendation
	Stronger penalties for dog attacks in public places	Amend the Dog Control Act.	Consider benefits further
	Allow individuals to take private prosecutions against dog owners	May already be an option within current legal system. Costs to owners and individuals.	Not recommended
Public education – and information – ideas to increase public awareness and understanding of dog control issues	Remove muzzling requirements	Focuses on better dog socialisation and good dog ownership. Would not address issues of bad dog ownership and menacing dogs	Do not progress. Consider for longer term actions
	Encourage people to socialise with dogs		
	Improve public perceptions and awareness of dogs		
	Sharing of information about dogs classified as dangerous and menacing	Potential privacy issues. Multiple agency involvement	Consider benefits further
	Industry standard or accreditation for dog training schools/programmes	Costs to industry. Creation of new accreditation system and monitoring regime.	Do not progress. Consider for longer term actions
Dog registration – ideas to improve the dog registration process and encourage owners to register their dogs	Amend the registration process to facilitate online registration	Councils can already do this. We have had feedback that the prescribed paper-based registration process does not easily apply to an online process	Consider benefits further
	Improve consistency in registration fee-setting practices	Costs to councils	Consider benefits further
	Proactive dog registration and education	Cost to councils. Changes to council practices	Consider benefits further
	Link dog registration to a separate council interaction e.g. payment of rates or application for library card	Cost to councils. Changes to council practices	Consider benefits further

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Te Tari Taiwhenua

## Local Government briefing

**Hon Louise Upston**  
Associate Minister of Local Government

**Title: Meeting with Callum Penrose of Auckland Council, 23 May 2016**

**Date:** 20 May 2016

### Key issues

You are meeting with Councillor Callum Penrose on 23 May 2016 to discuss Auckland Council's dog amnesty programme and suggested changes to the Dog Control Act 1996. This briefing provides you with background information and suggested talking points.

### Action sought

Read in preparation for your meeting.

### Timeframe

By 23 May 2016

Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 <sup>st</sup> contact
Thomas Corser	Policy Analyst	04 495 9384		✓
Diane Wilson	Senior Policy Analyst		s.9(2)(a)	

Return to	Tom Corser, Level 8, 147 Lambton Quay		
DMS references	PLG-5314-2_2	4610127DA	
Ministerial database reference	LG201600318		

Stephen Reilly  
Policy Manager

## **Purpose**

- You are meeting with Councillor Callum Penrose of Auckland Council (the Council) on 23 May 2015 from 7:30 to 8:10am at the Council's Manukau office. Councillor Penrose wishes to discuss the Council's dog amnesty programme and possible options for legislative change.
- Councillor Penrose wrote to you on 15 April 2016 to formally advise of the Council's intention to launch the amnesty and also to seek support for additional powers under the Dog Control Act 1996 (the Act). That letter is attached as **Appendix A**.
- Councillor Penrose has also provided information about the Council's amnesty on menacing dogs, attached as **Appendix B**, and information about the Council's suggested legislative amendments, attached as **Appendix C**.

## **Auckland Council's amnesty on menacing dogs (amnesty)**

- The Council has identified financial constraints as a significant impediment to some dog owners meeting their obligations under the Act. The Council's amnesty programme is an initiative aimed at reducing the harm caused by menacing dogs in vulnerable communities by incentivising dog control services. The amnesty came into effect on 21 April 2016 and will conclude on 30 June 2016.
- The initiative involves promoting a short amnesty for owners of unregistered dogs classified as a menacing breed or type, particularly American Pit Bull Terriers, by providing the following incentives:
  - waiving the:
    - 2016/2017 registration fee;
    - \$300 "failure to register" infringement fine; and
    - dog relinquishing fee.
  - offering de-sexing, micro chipping and muzzles for the nominal fee of \$25.
- As of 19 May 2016, nearly a month after the amnesty was launched, the announcement has garnered widespread coverage in local media and 335 dogs have received a combination of services being offered.

## ***Enforcement following the amnesty***

- From 5pm on 30 June 2016, at the conclusion of the amnesty, the Council's Animal Management team will carry out a widespread enforcement campaign in areas with a high incidence of dog attacks.
- Anyone caught with an unregistered menacing dog prior to 1 July 2016 will be given the opportunity to work with the Council and join the amnesty. From 1 July 2016, the Council will seize unregistered menacing dogs and issue infringement notices to their owners.

## ***Comment and suggested talking points***

- Recently you have asked councils to provide the Department with examples of best practice for dog control, along with their annual reports on dog control policy and practice, as required under s10A of the Act.

- You may wish to thank Councillor Penrose for keeping yourself and the Department of Internal Affairs (the Department) informed about the amnesty from an early stage. You could mention that you would like to be kept in the loop about progress of the amnesty and any issues encountered.
- In Councillor Penrose's letter of 15 April 2016, he mentioned that "studies have shown that registered dogs are less likely to be involved in an attack", and that American Pit Bull Terrier type dogs are "overwhelmingly represented in attacks and prosecution statistics." You may wish to ask for a copy of this information.

### **Suggested amendments to the Act**

- Schedule four of the Act lists four breeds and one type of dog that are automatically classified as menacing, are banned from importation, and must be muzzled in public. The breeding and selling of menacing dogs is permitted, however the Act provides councils with powers to require the de-sexing of dogs classified as menacing. Some councils have taken up this power, including Auckland Council.
- Councillor Penrose provided three suggestions for amending the Act to reduce the incidence of dog attacks. These include:
  - compulsory de-sexing of menacing dogs unless lineage is proven via the New Zealand Kennel Club or affiliated associations and that progeny must be de-sexed prior to sale or distribution;
  - certification of owners of menacing dogs; and
  - specify by way of schedule to the Act a formal definition of American Pit Bull Terrier.

### *Comment and suggested talking points*

- You may wish to mention that you have asked officials at the Department to consider options for legislative change and that Councillor Penrose's suggestions are being considered as part of this, along with information gathered from other territorial authorities and animal control organisations.
- You have also had feedback from others in the animal control sector in support of compulsory de-sexing of all dogs classified as menacing, including from the New Zealand Institute of Animal Control Officers.
- You may wish to mention that cross-breeding can make defining a menacing dog type difficult and that you are interested in hearing innovative ways to address this issue.

**Hon Louise Upston**  
**Associate Minister of Local Government**

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**Appendix A: Letter from Councillor Penrose, 15 April 2016**

Councillors' Office



By email: [l.upston@ministers.govt.nz](mailto:l.upston@ministers.govt.nz)  
15 April 2016

Dear Minister,

I am sure that you, like me, are distressed to hear of the recent spate of dog attacks on children and the elderly. There have been four separate incidents in Auckland South in recent weeks alone. I am aware of others in Christchurch and Tokoroa.

Auckland Council's animal management team responded immediately and secured the offending animals from causing further harm. The trauma and distress inflicted on the young people will take much longer to overcome. Rather than solely reacting to these tragic events I am proposing a new initiative to turn these terrible statistics around.

Auckland Council is proposing an amnesty programme aimed at reducing the harm that menacing dogs present in vulnerable communities. The intention is to temporarily incentivise owners of unregistered menacing dogs to come forward. If the dog is registered before 1 July 2016, then the 2016/17 registration fee will be waived. Council will also provide discounted or free desexing and facilitate the microchipping of these animals. The proposed programme could save dog owners over \$1000.

Our research indicates that financial constraints are a significant impediment to some dog owners meeting their obligations under the Dog Control Act 1996. Additionally, studies have shown that registered dogs are less likely to be involved in an attack.

This is a necessary, short term response to a tragic set of circumstances. We need though an enduring solution, one developed in partnership with central government. In addition to the amnesty programme, I am asking that you consider amending the Dog Control Act to enable stronger rules on desexing, owner certification, and definition of types.

Whilst Auckland Council requires menacing dogs be de-sexed other territorial authorities do not. I believe that not requiring compulsory desexing has led to an increase of American Pit Bull Terrier types, not just in Auckland but throughout New Zealand. The consequence of this is readily apparent as this type of dog is overwhelmingly represented in attacks and prosecution statistics.

Further, there has been much discussion on the merits of focusing more attention on owners. Although council runs a number of education programmes, the absence of compulsory certification of owners of menacing dogs results in individuals unsuited and ill-equipped to control these animals, exposing themselves and others to potential harm.

Finally, the absence of a definitive, nationally applicable determination of American Pit Bull Terrier type frustrates the menacing classification, resulting in variable assessments across New Zealand.

Auckland Council animal management teams have existing relationships with Police and are well respected for their best practice work. We are currently using all our tools to respond to dog attacks, but our preference is to move towards prevention. We believe that we can significantly

reduce dog-related harm through the combination of increased registration, owner certification, compulsory desexing, and consistent definition of menacing types.

I propose that we work together to address this. It is a national issue and has drawn concern from both sides of the political spectrum and requires a national response.

Since animal management was brought back in-house to council, they have become national leaders in innovative and best practice work to ensure safety of animals and the community. It would be a great pleasure to invite you for a tour of the facilities at our Manukau animal management operations centre.

I would welcome an opportunity to discuss this urgent issue with you as soon as possible. Please contact me or my advisor, Elizabeth Hart, by email at [Elizabeth.hart@aucklandcouncil.govt.nz](mailto:Elizabeth.hart@aucklandcouncil.govt.nz) or by phone on 021824349.

Kind regards,



Calum Penrose  
Manurewa-Papakura Ward Councillor  
Chair, Regulatory and Bylaws committee

cc: Hon Judith Collins, Minister of Police and Corrections, Member for Papakura  
by email [Judith.collins@parliament.govt.nz](mailto:Judith.collins@parliament.govt.nz)

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## Appendix B: Auckland Council's amnesty of menacing dogs



### Amnesty: Menacing Dog Registration proposal

#### Purpose

Reduce the harm that menacing dogs present in vulnerable communities by temporarily incentivising registration.

#### Opportunity

Promote a short-term amnesty for owners of unregistered menacing dogs in Auckland. The amnesty would run to 30 June 2016.

Qualifying dog owners would be encouraged to participate by the presentation of the following incentives:

- Waive the 2016/17 registration fee.
- Provide access to discounted (or free) desexing.
- The failure to register, infringement fee would apply.
- Waive/relinquish fee (should that be the desire of the dog owner).
- Facilitate the micro chipping of the animal (discounted or free).
- Provide discounted (or free) muzzles.
- After one year, provide Responsible Dog Owner License to qualifying candidates.

The monetary value of the package (assuming a minimum five year lifespan of dog) is over \$1,000. The fiscal impact to Council would be substantially less based on the assumption that the dog owner would pay registration fees from 2017/18 onwards.

#### Criteria

The amnesty is applicable across Auckland. Participants of the amnesty will be targeted from areas of high social deprivation (with an expressed preference for the Southern Local Boards).

The applicant to the amnesty will be restricted according to the following criteria.

- Menacing dogs by type.
- Dogs not currently registered in 2015/16.

#### Operational considerations

The operational elements of this proposal will be developed in detail should it be accepted in principle. This will include a risk assessment, financial modelling, stakeholder engagement and communications and marketing plan.

#### Conclusion

At the conclusion of the amnesty Auckland Council Animal Management will conduct a widespread enforcement campaign in the targeted areas. Unregistered menacing dogs encountered will be seized and the owners infringed.



## Appendix C: Auckland Council's suggested legislative amendments

Councillors' Office



### Memo

19 May 2016

To: Hon. Louise Upston, Associate Minister for Local Government

From: Calum Penrose, Manurewa-Papakura ward councillor

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Subject: Initiatives to improve management of menacing dogs

#### Purpose

To summarise Auckland Council's current initiatives to improve management of menacing dogs and outline possible future legislative actions.

#### Menacing dog amnesty

On 21 April, Auckland Council launched an amnesty for menacing dogs to incentivise registration, micro-chipping, de-sexing, and muzzling of menacing dogs. The amnesty has been publicly supported by SPCA, Housing New Zealand, Police, and St Johns.

To date 335 dogs have been brought to Auckland Council under the amnesty. They have received a combination of the services being offered. Of the 335 dogs brought forward, 268 are of the American Pit Bull Terrier type. The majority of the others are American Staffordshire terriers and Rottweilers. There is a significant regional division, with 201 of the dogs in the southern suburbs (Howick, Manukau, Manurewa-Papakura, and Franklin wards).

The amnesty will end on 30 June. From 1 July, Auckland Council will target all unregistered menacing dogs. Any unregistered dogs will be seized and all fines will be upheld.

#### Legislative options

Schedule 4 of the Dog Control Act 1996 lists four breeds and one type of dog that are menacing and may not be brought into NZ. These are Brazilian Fila, Dogo Argentino, Japanese Tosa, Perro de Presa Canario (breeds) and American Pit Bull Terrier (type). Dogs of owners convicted under section 57a are also classified as menacing; these dogs must be desexed regardless of type.

Menacing dogs must be muzzled in public, yet there are limited legislative controls for dog de-sexing. Although the Dog Control Act makes it possible for territorial authorities to require de-sexing, uptake is variable.

## Councillors' Office



There are three distinct shortcomings of current legislation in requirements for dog de-sexing, dog classification, and owner registration.

Following advice from officers, I seek your leadership to amend the Dog Control Act (1996) to require:

1. Compulsory de-sexing of menacing dogs prior to sale or distribution unless four generation lineage is proven through the New Zealand Kennel Club.

*Rationale:* Not requiring compulsory desexing of menacing dogs has led to a proliferation of American Pit Bull Terrier types. Auckland Council already requires menacing dogs to be de-sexed. Dogs classified as menacing by breed must be determined to be wholly or predominantly of that breed. Owners have one month from the receipt of classification to produce proof from a veterinarian that the dog has been de-sexed.

2. Specify by way of schedule to the Dog Control Act a formal, comprehensive and consistent definition of schedule four breed and type dogs.

*Rationale:* The absence of a definitive, nationally applicable determination of American Pit Bull Terrier types confounds menacing classifications, making applications highly variable across New Zealand. Auckland Council has provided information to the public to assist in identifying a dog as having American Pit Bull Terrier type physical traits.

3. Require the certification of owners of menacing dogs (as per schedule 4).

*Rationale:* The absence of compulsory registration for owners of menacing dogs results in individuals unsuited and ill-equipped in charge, exposing them and others to potential harm. By focussing on the ability for owners to train and control their dogs, it is hoped that they will be able to educate others, such as family members and children, on appropriate behaviour around menacing dogs. Auckland Council offers Responsible Dog Owner Licenses for those who meet strict criteria. This uses reduced registration costs to incentivise good training and handling practices.

As population density increases in Auckland, and across New Zealand, we expect this problem to increase. Although Auckland Council is working to improve public safety around menacing dogs, it is limited in its reach and falls short of suitably addressing this national issue.

### Contact

Councillor Calum Penrose: [calum.penrose@aucklandcouncil.govt.nz](mailto:calum.penrose@aucklandcouncil.govt.nz) 027 217 0760

Elizabeth Hart (Councillor Support Advisor): [elizabeth.hart@aucklandcouncil.govt.nz](mailto:elizabeth.hart@aucklandcouncil.govt.nz) 021 824 349

Geoff Keber (Manager, Animal Management): [Geoff.keber@aucklandcouncil.govt.nz](mailto:Geoff.keber@aucklandcouncil.govt.nz) 027 476 4589

## **Proposed Amendments to Dog Control Act 1996**

**Do all TA's have compulsory De-sexing for classified menacing dogs by breed?**

**Territorial Authority comparison for the decision making for the compulsory de-sexing of Menacing Dogs (41 Councils surveyed)**

	<b>Do enforce de-sexing</b>	<b>Do not enforce de-sexing</b>
Number of councils	28	13

\* This list is not inclusive of all NZ Councils

\*\*Three Councils who currently do not enforce de-sexing are looking to change in their next by-law review

Territorial Authority Decision to include the American Staffordshire Terrier as a pit-bull type (26 Councils surveyed)

A national law for the territorial authority to require dogs to be de-sexed under section 33E would ensure consistency. This would avoid any confusion for owners moving between territories and send a strong message to owners.

**Is this a failure to de-sex and register problem?**

**Manukau Animal Shelter (MAS) Impounded 1/7/14 – 30/6/15**

	<b><u>Total Impounds</u></b>	<b><u>Pit-bull types and x's</u></b>
Impounds	4849	1803
De-sexed at time of impound	822	46
De-sexed and registered at time of impounding	389	2
De-sexed and known* at time of impounding	256	91
Registered at time of impounding	910	236
Returned to owner	646	274

\*Registered at some time, but not necessarily current (on council system)

- 37% of total impounds at MAS during this period are of pit-bull type (determined by shelter staff)
- 84% of total impounds were not de-sexed, 99.97% of pit-bull type dogs impounded were not de-sexed
- 99.9% of menacing dogs impounded were not de-sexed and not currently registered at the time of impound, compared with 92% of other breeds.
- 99.9% of menacing dogs were not de-sexed or known to council prior to impound
- 85% of menacing dogs did not get returned to owner

### Are pit-bulls disproportionately represented in prosecution attacks?

Source: Auckland Council Prosecution attacks 1/11/2014 to 30/11/2015

Breed (including crossbreeds)	% of prosecutions compared to population	Per 1000 population	Compared to average population
Pitbull	4.3711	40 in 1000	20x
Rottweiler	0.5271	5 in 1000	2.5x
German Shepherd	0.1537	1.5 in 1000	0.75x
Mastiff	1.0614	10 in 1000	5x
Staffies	0.6596	6.5 in 1000	3x
Huskies and malamutes	0.5357	5 in 1000	2.5x
Labrador	0.0006	0.01 in 1000	approx 300x LESS likely
Total	0.1988	2 in 1000	

**Are pit bulls types disproportionately represented in aggression impounds?**

<b>MAS aggression impounds 1/7/2014 to 30/6/2015</b>			
<b>Section</b>	<b>Menacing type</b>	<b>Other breeds</b>	<b>Total</b>
Section 57 on people	162 = 61%	103	265
Section 57 on animal	149 = 68%	67	216
Section 57A	125 = 62%	76	201

**Is there a National Standard for the determination of wholly or predominantly of American Pit-bull type?**

With the DCA 1996, amendments in 2006, the DIA produced the pit-bull matrix as a national guideline to be used for the determination of the American pit-bull type dog. This went out to all councils to use. Each council has then used this as a base however many have made their own variations to it.

Recently Auckland Council and the Auckland SPCA have reviewed the matrix and have a draft version in consideration which is intended to be used regionally by both parties and potentially nationally. This is due for trial in the next few weeks.

Any new national standard definition would require consultation with all stakeholders.

**Variations of 'pit-bull type' nationally.**

For registration purposes Auckland Council recognises the American Staffordshire Bull Terrier as being of Pit-bull type. Exceptions to this are if the dog owner can provide NZKC paperwork verifying a four generation pedigree. This is not adopted in all TA's

Territorial Authority Decision to include the American Staffordshire Terrier as a pit-bull type (26 Councils surveyed)

	Classify (exempt with NZKC paperwork)	Classify - no exemptions	Do not classify	Officer discretion
Number of Councils	4	9	12	1

\* This list is not inclusive of all NZ Councils

## **What could a certified owner look like?**

Pit-bull terrier type dogs have been bred to eliminate submission inhibition. Their genetic code means that they will continue to attack once their adversary has submitted.

Because they are large muscular dogs they are therefore far more likely to cause significant damage.

De-sexing at an early age may reduce this propensity, however it will not eliminate it, and the dogs environment is critical to reducing the risk associated with owning one of these dogs.

Therefore, we believe that it is critical that people that want to own these dogs are certified by way of an accredited training program prior to getting these dogs.

There are providers such as Mark Vette, internationally renowned dog behaviourist, who run programs that could be used as a basis for accreditation.

One component of certification could include greater obligations on these dog owners if they move addresses, to display a sign that a menacing dog is on the property, the dog is not left alone with anyone under the age of 16 and the wearing of special identification collars. We would also seek corresponding powers if these conditions were breached.

In Queensland, people must apply for a permit to obtain a restricted dog.

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By email: [l.upston@ministers.govt.nz](mailto:l.upston@ministers.govt.nz)  
30 May 2016

Dear Minister

It was a pleasure to meet with you on Monday, 23 May 2016. Thank you for making the time to visit our Animal Management Operation centre in Manukau. Thank you too for your letter to His Worship the Mayor dated 19 May 2016.

I was encouraged to hear your views on the impact of menacing dogs in vulnerable communities. Your support of Auckland Council's amnesty and subsequent crackdown is greatly appreciated. I have reflected on your request for further suggestions as to how we might work together to control menacing and dangerous dogs and offer my thoughts below. I think you will find them practical and enforceable.

### **1. Formal identification of menacing or dangerous dogs**

- *Require owners of dangerous or menacing dogs to display the classification by a specifically coloured collar that clearly identifies the dog as such.*

Any dogs not wearing those collars would be subject to impounding and held until the territorial authority is satisfied that the owner will fully comply with all conditions of the classification. Failure to do so would result in forfeiture of the animal within 3 days.

- *Properties where a dog classified as dangerous or menacing is domiciled must display a prescribed sign at each entrance to the property warning the public of the animals' presence.*

Any classified dog held properties not displaying specified signage would be subject to impounding and held until the territorial authority is satisfied that the owner will fully comply with all conditions of the classification. Failure to do so would result in forfeiture of the animal within 3 days.

### **2. Probationary or disqualified ownership**

- *Simplify the ability of a territorial authority to classify a dog owner as probationary or disqualified.*

My suggestion is to reduce this to either two or more offences (not relating to a single incident or occasion) within 24 months, or 3 or more offences (relating to two or more occasions) within a continuous period of 24 months.

### **3. Fencing**

- *All dogs that are classified as menacing or dangerous must be kept in a fenced portion of the property to enable visitors to come to the front door without fear of being attacked and for children to play without interaction with the dog.*

Properties that are inspected and not compliant would cause the dogs to be impounded and held until the territorial authority is satisfied that the owner will fully comply with all conditions of the classification. Failure to do so would result in forfeiture of the animal within 3 days.

#### **4. Compulsory de-sexing of menacing or dangerous dogs within 14 days**

- Any dogs classified as menacing or dangerous must be de-sexed and micro chipped within 14 days of being classified.

Any dogs classified as menacing that are impounded would be required to be de-sexed and micro chipped at the owner's expense prior to release from the shelter. Failure to do so would result in forfeiture of the animal within 3 days, rather than the current 7 day allowance.

#### **5. Single definition of schedule 4 breed and type dogs**

- Specify by way of schedule to the Dog Control Act a formal, comprehensive and consistent definition of schedule four breed and type dogs.

#### **6. Certification of owners**

- Any person who owns or possesses a menacing or dangerous dog must obtain certification from a trainer approved by a territorial authority.

Any menacing or dangerous dog found in possession of a person without the certification is subject to impounding and the dog held until that Territorial Authority believes the owner will comply with the conditions of the classification. Failure to do so will result in forfeiture of the animal within 3 days.

- Any children under the age of 14 years must not be left alone with a menacing or dangerous dog.

Any menacing or dangerous dog found alone with children under the age of 14 years is subject to impounding and held until the territorial authority is satisfied that the owner will fully comply with all conditions of the classification. Failure to do so would result in forfeiture of the animal within 3 days.

#### **7. Reduction in holding periods in shelters**

- The owner of any menacing dog that is impounded must pay the any outstanding fees within 3 days.

Failure to do so would result in forfeiture of the animal.

Finally Minister, your letter draws my attention to an unfortunate oversight. Auckland Council moved at the October 2015 meeting of the Regulatory and Bylaws Committee that the 2014-2015 Animal Management Annual Report be accepted. However, unfortunately and regrettably, the report was not provided to the Department of Internal Affairs as per section 10A of the Dog Control Act 1996. I have been advised that it was sent electronically to the Secretary of Local Government on 25 May.

Thank you again for your time Minister. I look forward to continuing to work with you to minimise the risk and harm to that menacing dogs present.

Kind regards,



Calum Penrose  
Manurewa-Papakura Ward Councillor  
Chair, Regulatory and Bylaws committee

At present local councils are given freedom as to many restrictions imposed on dangerous dogs breeds and their owners, and there are currently only restrictions on the importing of American pit bulls. However, this Bill would facilitate a nationwide solution to recurring dog attacks, extending the importing ban to include the breeding of any pit bull or pit bull cross-breed species. It will extend Part Two of Schedule Four of the Dog Control Act 1996 (DCA) to include dogs of the type known as the pit bull terrier. This would follow the initial law set out in the Dangerous Dogs Act 1991 [UK], and further enable authorities to seize menacing dogs which are not initially compliant with requirements

The Bill will aim to substantially reduce the number of threatening dogs and the ability of potentially negligent owners to acquire such dogs which put society at risk. As such, it would extend the definition of "menacing dogs" to include half-breeds and closely related breeds with similar physical characteristics under s 33C (1) of the DCA 1996. In order to reduce the population of these dogs, the Bill would also set out the compulsory sterilizing of menacing dogs, and bans the breeding of such dogs within New Zealand. So as to give effect to these requirements they would be added to s 33E of the DCA.

This Bill will also affirm accountability of owners of dangerous or menacing dogs by following the United Kingdom's extension of sentences towards owners of dogs involved in attacks. The UK Act extended the maximum sentence of an owner who's dog causes injury to five years imprisonment, whilst the maximum sentence for an owner who's dog causes death is 14 years imprisonment.<sup>1</sup> Currently the most substantial punishment in New Zealand for the owner of a dog which attacks a person is a fine of \$3000, whilst the owner of a dog which causes the serious injury of a person faces a maximum three-year prison sentence and/or a \$20,000 fine.

In order to ensure the stable introduction of this Bill and its contents an index of exempt dogs will be created. This would allow owners of menacing breeds of dog to register dogs so long as they abide by all compliance requirements. These would include sterilization, microchipping, tracking of address, and limitation on changing ownership. This allows monitoring of the remaining population within New Zealand, and closer cooperation with owners of menacing dogs so as to maximise the effectiveness of the proposed changes.

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<sup>1</sup> <https://www.gov.uk/government/news/dangerous-dogs-owners-face-tougher-sentences-for-attacks>

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Priority Routine

INTERNAL AFFAIRS



Te Tari Taiwhenua

## Local Government briefing

**Hon Louise Upston**  
**Associate Minister of Local Government**

**Copy to:** Hon Peseta Sam Lotu-iga  
 Minister of Local Government

**Title:** Information briefing: Actions to reduce the risk of dog attacks

**Date:** 3 June 2016

### Key issues

We are currently working with your office to undertake a variety of actions to support legislative change and nationwide good practice in dog control that will reduce the risk of dog attacks in New Zealand.

### Action sought

**Note** the current and upcoming actions to support legislative change and nationwide good practice in dog control.

### Timeframe

At your convenience

### Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 <sup>st</sup> contact
Jo Gascoigne	Policy Manager	04 494 0526	s.9(2)(a)	✓
Samantha Lay Yee	Policy Analyst	04 495 9450		

Return to	Samantha Lay Yee, Level 7, 147 Lambton Quay		
DMS references	PLG-1725-37	4616621DA	
Ministerial database reference	LG201600354		



## Purpose

1. This briefing sets out current and upcoming actions for you and for officials to progress work towards reducing the risk of dog attacks.
2. This briefing also provides information about potential actions to add more breeds to the restricted list of dog breeds and types in Schedule 4 of the Dog Control Act 1996 (the Act), and to alert postal service and utility company workers to the presence of menacing and dangerous dogs on private properties.

## Progress on actions to reduce the risk of dog attacks

3. On 20 May 2016, we provided a briefing to you, *Information briefing: identifying options to improve dog control regulation*, which set out ideas for actions to reduce the risk of dog attacks.
4. In light of your feedback on the briefing, we have developed an initial project outline (attached as **Appendix A**), setting out steps towards legislative change and non-legislative actions to improve council practice. This work is divided into four phases:
  - Phase 1 - Information gathering and data analysis (June-August 2016);
  - Phase 2 - Policy development (July-October 2016);
  - Phase 3 - Legislative development (October 2016- June 2017); and
  - Phase 4 - Post-enactment implementation and review (after June 2017).
5. These phases will naturally overlap, and include the development of legislative amendments, and non-legislative actions which can be progressed more swiftly. We aim to provide you a draft Cabinet paper and Regulatory Impact Statement proposing amendments to the Act in August 2016.
6. The current list of initiatives may evolve as we gather more evidence and insights from key stakeholders. We are currently working with your office to gather suggestions and information that will support legislative change and nationwide good practice in dog control.
7. In addition, we will continue to think broadly about innovative approaches to reduce the risk and harm of dog attacks. We will also be considering the cost to councils of any proposals and whether there is a rationale for Crown contribution as an investment to reduce health and ACC costs.
8. We are also planning to promote dog attacks as an issue to be considered at the GovHack 2016 problem solving competition. Further information about these engagements is set out below.

## Considering responses to your letter to local authorities

9. On 19 May 2016, you sent a letter to all councils either requesting or acknowledging the submission of their annual dog control reports, as required under section 10A of the Act. In the letter, you also requested suggestions for improvements to the Act and information about innovative council practices.
10. The deadline for councils to respond was 30 May 2016. To date, we have received 48 annual dog control policies and practices reports for the year ended 31 June 2015. We have also received 35 responses from councils containing their suggestions for change and/or examples of innovative practice.

11. Once we have received responses from all councils, we will provide a full summary of suggestions and practices with our recommendations. We expect to complete this work by the end of June 2016. Suggestions for change which have strong support from a number of councils and ideas which are particularly novel will be added to our current list of actions for consideration under Phase 2 of the project outline.
12. At that time, we recommend you again write to councils acknowledging their contribution, and informing them of the next steps to reduce the risk and harm of dog attacks. This would also be a good opportunity to set out your expectations around council best practice.

*Councils have submitted proposals for change*

13. A preliminary scan shows that councils support many of the ideas that you have directed us to progress, as well as other matters:
  - education of owners as the most effective way to achieve regulatory compliance. Councils have suggested a national advertising campaign about dog owner responsibility, similar to campaigns about drink driving, smoking and smoke alarms;
  - mandatory neutering of dogs classified as menacing. Some councils coupled this suggestion with mandatory de-sexing of classified dogs that have been impounded, prior to release;
  - collars and signs to identify dogs that are classified as menacing or dangerous and the properties where they reside;
  - a stronger approach to sentencing to enable full recovery of court costs. Councils are concerned that, the courts only require owners to pay a portion of the council's prosecution costs, particularly where there is an order for a dog's destruction. Remaining costs must be met by responsible dog owners and ratepayers;
  - mandatory reporting of dog bite incidents by medical practitioners to local authorities; and
  - mandatory training for owners of dogs classified as menacing or dangerous.

*Councils have informed us some of their innovative practices*

14. Wairoa District Council has developed a mobile app that allows members of the public to report a dog complaint to the council in real time, with data about their location. It also allows council officers to be immediately notified of such events and it has features to enable database searches and to capture notes and photos. The Council has invited you to visit Wairoa to see the app in operation.
15. Masterton District Council wrote "We had a morning at Te Awhina House on the east side of Masterton, low decile, had a sausage sizzle, offered microchipping for a \$5.00 koha and took the paper work to sign up time payments for registration fees; also had pamphlets on requirements for good dog owners. Went down really well."
16. Christchurch City Council developed the 'Dog Smart' bite prevention programme to educate and prevent children from being bitten or attacked by dogs. Since 2001, council staff have been visiting schools within the district to deliver the programme. The initiative enables children to engage with a dog, provides them with an understanding of dog behaviours, and helps them to develop awareness of the



warning signs to watch for when interacting with a dog. Other councils, including Marlborough District Council, are also using the programme within their districts.

17. Kaikoura District Council held a dog registration amnesty during May 2016. The Council wrote, "unregistered dogs are now being followed up with a warning letter and an infringement if appropriate."

#### ***Engaging with Ministers about sharing dog control information***

18. Information sharing between local and central government will help councils to be aware of dogs residing at Housing New Zealand Corporation (HNZC) properties that may be unregistered. It will also help councils to be aware of dogs which have caused injuries that have been the subject of Accident Compensation Corporation (ACC) claims.
19. You recently met with the Minister Responsible for HNZC. We are aware that the Minister supports the sharing of information between HNZC and councils. The Minister also supports the enforcement of HNZC tenancy rules, where a tenant does not have an agreement with HNZC to keep a dog at the relevant property. We will work with HNZC officials to facilitate the transfer of information between HNZC and councils, and consider whether legislative change is required to enable this.
20. We are working with your office to arrange a meeting with the Minister for ACC. We will provide you with further information to support you at the meeting, to be held at the end of June 2016.

#### ***Understanding the experiences of dog bite victims***

21. We are also working with your office to plan a series of small meetings with people who have been injured in a dog attack, to take place throughout July 2016. The meetings will be an opportunity for you to engage directly with those who have been affected by dog bites and account for their experiences when making policy decisions.

#### ***Supporting the GovHack 2016 problem solving event***

22. The GovHack annual problem solving competition is an event which involves hundreds of participants, working in groups to complete prototypes with publicly available government data, searching for new solutions for the challenges facing government and society. This year's event will be held on the weekend of 29-31 July 2016 at various locations around the country, including Wellington.
23. The event focuses on building better democracy through innovation, participation and a strong, diverse community of civic-minded people working to foster a spirit of openness and collaboration between government and the community.
24. We hope to support the event by providing a dog control issue for teams to consider, relevant data (including the National Dog Database registration data, Ministry of Justice prosecution data and the ACC dog-related injury claims data) and in-person subject-matter expertise. We anticipate this will be a good opportunity to engage with members of the public and potentially see unique solutions to a dog control issue.

#### ***Advice on specific issues/potential actions***

25. Your office and the Minister of Local Government's office recently sought advice from officials about two specific matters

- 25.1 adding further dog breeds to Schedule 4 of the Dog Control Act 1996; and
  - 25.2 providing information to postal service staff and utility workers about the presence of menacing and dangerous dogs on private property.
26. Preliminary advice on both of these matters is attached as **Appendix B**.

**Recommendations**

- 27. We recommend that you **note** the current and upcoming actions to support legislative change and nationwide good practice in dog control.



Jo Gascoigne  
Policy Manager

Hon Louise Upston  
Associate Minister of Local Government

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**Appendix A: Project outline - Actions to reduce harm and the risk of dog attacks**

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## Actions to reduce harm and risk of dog attacks – project outline

Phase	Action area	Action	Key stakeholders	Product	Proposed timeframe	Responsibility
<b>1: Information gathering and data analysis</b>	Gather information, desk top research, data analysis	Conduct desktop research into other jurisdictions approach to dangerous and menacing dogs – focus on which dogs have been banned or are likely to pose a threat to New Zealanders if imported	International jurisdictions, ACC, MoJ, Police, Councils, SPCA	Research report	By the end of June 2016 / ongoing	DIA
	Engage key stakeholders	Gather information from key stakeholders Test hypotheses Identify council best practice	Councils, animal control officers, plastic surgeons, SPCA, Kennel clubs, ACC, HNZ, Police	Research report Information briefing	Early June 2016 / ongoing	DIA
	Ministerial consultation	Meetings with Ministerial colleagues: <ul style="list-style-type: none"> <li>DIA to provide advice to the Minister's office to support and follow up meetings with Ministers: <ul style="list-style-type: none"> <li>Hon Nikki Kaye, Minister for the Accident Compensation Corporation (ACC) (what info do they have/share/who with?); and</li> <li>Hon Bill English, Minister Responsible for Housing New Zealand Corporation (HNZC) (how easy is it for HNZC to enforce its no dog policy/have dogs removed?)</li> </ul> </li> </ul>	Minister for ACC, Minister Responsible for HNZC	Aide memoire Officials to support (tbc)	By the end of June 2016	DIA / Associate Minister's office
	Understand victim experience	Arrange forum with victims of dog attacks: <ul style="list-style-type: none"> <li>DIA to work with the Minister's office on timing and format</li> </ul>	Victims of dog attacks Medical practitioners (A&E, plastic surgeons)	Victim forum Aide memoire	End of June/early July 2016	DIA / Associate Minister's office
<b>Phase 2: Policy development</b>	Councils	Remove council discretion: <ul style="list-style-type: none"> <li>All classified dogs to be de-sexed</li> <li>No re-homing of classified dogs</li> </ul>	Councils, animal control officers, SPCA, Kennel clubs,	Policy briefing EGI paper RIS	Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy
		Shorter notice period for destruction of dogs: <ul style="list-style-type: none"> <li>For dogs held pending owner's prosecution/during appeal process</li> </ul>	Councils, animal control officers, SPCA, Kennel clubs MoJ	Policy briefing EGI paper RIS	Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy
		Encourage councils to be proactive in their management of dogs and particularly menacing and dangerous dogs: <ul style="list-style-type: none"> <li>Ensure dogs are registered</li> <li>Look at council best practice – produce guidance</li> </ul>	Councils, animal control officers, SPCA, Kennel clubs, ACC, HNZC, Police	Guidance to councils Letter from Associate Minister	End of June/early July 2016	DIA Policy
		s.9(2)(f)(iv)	Councils, animal control officers, SPCA, Kennel clubs, MoJ	Policy briefing EGI paper RIS	Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy
		Breed identification: <ul style="list-style-type: none"> <li>Easier way to classify dogs as a particular breed</li> <li>Add more breeds to Schedule 4</li> </ul>	Councils, animal control officers, SPCA, Kennel clubs, vets, NZ Customs	Policy briefing EGI paper RIS	Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy



Phase	Action area	Action	Key stakeholders	Product	Proposed timeframe	Responsibility
	Dog owners	Visual signifiers of classification: <ul style="list-style-type: none"> <li>Signs on properties housing classified dogs</li> <li>Additional fencing requirements for classified dogs</li> <li>Special collars for classified dogs</li> </ul> <p>s.9(2)(f)(iv)</p>	Councils, animal control officers, SPCA, Kennel clubs, ACC, HNZ, Police, power companies, MoJ	Policy briefing EGI paper RIS	Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy
		Make it easier for people to surrender dogs: <ul style="list-style-type: none"> <li>Less cost to do so</li> </ul> <p>s.9(2)(f)(iv)</p>	Councils, animal control officers	Guidance to councils Letter from Associate Minister Policy briefing - tbc EGI paper - tbc RIS - tbc	End of June/early July 2016  Draft EGI paper and RIS to Associate Minister in August 2016 - tbc	DIA Policy
		<p>s.9(2)(f)(iv)</p>	Councils, animal control officers, SPCA, Kennel clubs	Policy briefing EGI paper RIS	Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy
		Financial incentives to be a good dog owner/not own dangerous or menacing dogs: <ul style="list-style-type: none"> <li>Costs around (neutering, microchipping) dogs should fall heaviest on those with classified dogs.</li> <li>Additional fees for owning classified dogs</li> </ul>	Councils, animal control officers, ACC, MoJ	Guidance to councils Letter from Associate Minister  Policy briefing EGI paper RIS	End of June/early July 2016  Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy
		Restrictions on dogs when they are on private property: <ul style="list-style-type: none"> <li>Owner responsibility to have under control at all times</li> <li>Prohibit child under 14 being left alone (without presence of owner) with classified dog</li> <li>Stricter fencing requirements for classified dogs – free access to front door</li> </ul>	Councils, animal control officers, SPCA, Kennel clubs, ACC, HNZ, Police, MoJ	Policy briefing EGI paper RIS	Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy
		Breed identification: <ul style="list-style-type: none"> <li>Onus on owners to prove otherwise when a dog has been identified by breed</li> </ul>	Councils, animal control officers, SPCA, Kennel clubs, vets	Policy briefing EGI paper RIS	Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy
	Other agencies	Information sharing between agencies/organisations: <ul style="list-style-type: none"> <li>Health and Safety issue for workers who need to enter properties: emergency services, meter readers etc.</li> <li>Ministerial meetings with Hon Nikki Kaye, Minister for ACC and Hon Bill English, Minister Responsible for HNZC</li> <li>Look at Auckland Council – what they share, with who and how, and look at rolling that out more widely</li> </ul>	Councils, animal control officers, plastic surgeons, SPCA, Kennel clubs, ACC, HNZC, Police, vets	Ministerial meeting (as above)  Information briefing Policy briefing EGI paper RIS	Mid June 2016 onwards  Draft EGI paper and RIS to Associate Minister in August 2016	DIA Policy
<b>Phase 3: Legislative development</b>	Drafting Instructions	DIA Legal to work with Policy to develop drafting instructions based on EGI paper / Cabinet minute Engage with PCO early	PCO	Drafting instructions	August/September 2016	DIA Policy & Legal