

Phase	Action area	Action	Key stakeholders	Product	Proposed timeframe	Responsibility
	Bill development	DIA Legal to work with Policy to work with PCO iterations of Bill	DIA Policy & Legal	Draft Bill	September – November 2016 (three months to draft – PCO to confirm)	PCO
	LEG paper	DIA Policy to draft LEG paper seeking introduction of Bill	Associate Minister of local government	LEG paper	November 2016	DIA Policy
	Introduction / First reading	DIA Policy to draft first reading speech and other support material for Associate Minister DIA Comms to assist development of PR and other Comms material	DIA Comms Associate Minister of Local Government	First reading speech PR / other Comms material	December 2016	DIA Policy & Comms
	Select Committee	DIA Policy & Legal provide advice to Select Committee in consideration of Bill DIA Policy to keep Associate Minister informed (including considering whether further policy decisions required – go back to EGI)	Associate Minister of Local Government Minister of Local Government Select Committee Committee staff PCO	Initial briefing Summary of submissions Departmental report Supplementary advice as required by Select Committee Cover briefings to Associate Minister Status report updates Meetings with Associate Minister EGI paper if required	December 2016 – May 2017 (six months at select committee)	DIA Policy & Legal
	Second reading	DIA to draft second reading speech and other support material for Associate Minister	Associate Minister of Local Government	Second reading speech	May/June 2017	DIA Policy
	Committee of whole House	DIA to prepare House Pack and other support material for Associate Minister DIA Policy & Legal to attend Committee stage	Associate Minister of Local Government	House pack (clause by clause notes, select committee reports, current version of Act, supporting evidence, etc.)	June 2017	DIA Policy & Legal
	Third reading	DIA to draft third reading speech and other support material for Associate Minister	Associate Minister of Local Government	Third reading speech	June 2017	DIA Policy
	Assent	DIA Policy and Comms to provide Associate Minister with PR and other Comms material	DIA Comms Associate Minister of Local Government	PR and other Comms material	June 2017	DIA Policy & Comms
Phase 4: Post-enactment	Implementation	DIA to issue guidance to councils, and other key stakeholders	Councils, animal control officers, SPCA, Kennel clubs, ACC, HNZ, Police	Guidance on new amendments to Act Closure report	June 2017	DIA Policy & Comms
	Review	DIA to review impact of amendments / actions	Councils, animal control officers, plastic surgeons, SPCA, Kennel clubs, ACC, HNZ, Police DIA K&I team	Review report Information / Policy briefing	Early-mid 2018	DIA Policy & K&I team

Appendix B: Advice on specific issues/potential actions

Adding further dog breeds to Schedule 4 of the Dog Control Act 1996

1. An Order in Council under section 78A of the Act is required to add more dog breeds/types to Schedule 4.
2. In 2010, the Government made an Order in Council to add the Perro de Presa Canario to Schedule 4 as a precautionary measure. At that time, there were no registered dogs belonging to the Perro de Presa Canario breed in New Zealand, but the breed was growing in popularity with dog fighters overseas. It was also identified as the breed of two dogs that were responsible for the death of a 33 year old woman in San Francisco, in 2001. As a result of the Order, import of the breed is banned and there are currently no registered Perro de Presa Canario dogs in New Zealand.
3. On 25 May 2016, we provided a short literature review by the American Veterinary Medical Association to your office. The review concludes that the characteristics of an individual animal and the context of where it is kept, contribute more to the probability that a dog will attack than its breed.
4. In light of that review, we are conducting further research to determine whether breed-specific legislation does have an impact on incidence of dog attacks. If so, we will research potential breeds to be added to Schedule 4.

Providing information to postal service staff and utility workers about the presence of menacing and dangerous dogs on private property

5. Many organisations including the New Zealand Police, New Zealand Post, utilities providers and others whose staff may be required to access private property on a regular basis have an interest in protecting their workers from workplace hazards, including dog attacks. Information and awareness of the residences of dangerous and menacing dogs may help to mitigate this risk.
6. An action for our consideration is a requirement for owners of dogs classified as menacing and dangerous to use collars on their dog and/or signage on their property to indicate the dog's status to the general public and visitors to the property.
7. The New Zealand Institute of Animal Control Officers and local authorities have expressed an interest in information about unregistered dogs that may be held by other parties such as Housing New Zealand Corporation (HNZC), the Accident Compensation Corporation (ACC) and those organisations listed above who have an interest in protecting their workers.
8. Another action is to consider the current legislative settings which determine who may have access to information about dogs (especially dangerous and menacing dogs) held by councils, and information about dogs (particularly unregistered dogs) held by other agencies. We will support you in your meetings with the Minister for ACC, and the Minister Responsible for HNZC about these matters.

The National Dog Database contains information about dogs and owners

9. The NDD holds information about all registered dogs including microchip number (if applicable), breed, year of birth and classification as menacing or dangerous (if applicable). The name, address and date of birth details of owners are also recorded.

Information about probationary owners and those disqualified from dog ownership is also recorded on the NDD.

10. The NDD was established in 2004, under section 35A of the Dog Control Act 1996 (the Act). The NDD was developed and is administered by Equinox, on behalf of the Department of Internal Affairs (DIA). Councils supply information to the NDD and maintain that information.

Access to the NDD is restricted to protect the privacy of individuals

11. Information on the NDD is accessible to councils and is not available to the general public. Under section 35A(2)(b) of the Act, the default position is that a council cannot disclose information recorded in the NDD that can be used to identify the name and address of an owner, or the address at which any particular dog is ordinarily kept.
12. Sections 30 and 35 of the Act provide exceptions to this default position. A council must provide information about an owner and their dog to another council if the owner and/or the dog have moved to that council's district. Aggregated information from the NDD is available to DIA. Such data does not enable the identification of individual records of owners or dogs.

Certain parties may request information for lawful purposes

13. A number of other parties are also entitled to request information from a council to identify a dog and its owner 'for any lawful purpose'. These parties include a constable, a Department of Conservation officer, an animal welfare or biosecurity inspector, a veterinarian, and a society established for the prevention of cruelty to animals or for animal welfare purposes.
14. Requests for information for lawful purposes include charges for offences under the Act or the Animal Welfare Act 1999, claims for compensation for damage caused by a dog, returning a lost dog that has been found (where the council has decided that animal control does not need to be involved), and advising the owner of a wandering dog that it has been destroyed due to immediate threat to wildlife or stock.

There is scope for Government to decide on further 'lawful purposes'

15. Under section 35(5)(f) of the Act, other purposes for the disclosure of information about a dog and its owner can be:
 - specified in a code of practice issued, in relation to the NDD, under section 63 of the Privacy Act 1993; or
 - in regulations made under section 78 (b) of the Act, "specifying, for the purposes of section 35(4) and in relation to the dogs register, purposes for which any person shall be entitled to be informed of the name and address of the owner of any dog".
16. The Privacy Commissioner could issue a code of practice to prescribe standards for the use of information in the NDD. Additionally or alternatively, the Government could make a regulation to specify, for example, that a person can request the addresses of dangerous or menacing dogs for workplace health and safety purposes.
17. Such measures would define what amounts to a legitimate disclosure of NDD information, and ensure that those using the information take steps to protect that information from illegitimate use.

Recent dog information privacy breach by Hamilton City Council

18. A media report on 28 May 2016 described a privacy breach by Hamilton City Council. The details of potentially hundreds of dog owners were mailed to the wrong addresses as a result of a mechanical fault when registration forms were being fed into envelopes.
19. The information contained in the forms is sensitive. It is drawn from the Council's dog registration database and includes the names, addresses, birth dates and other details about owners and their dogs.
20. The Council is currently working with the Privacy Commissioner to address the breach. It has advised unintended recipients of registration forms to destroy the forms and contact the Council.
21. The incident highlights the sensitivity of the dog registration information and the need to consider privacy issues carefully when enabling other parties to have access to such information.

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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-liga
 Minister of Local Government

Title: **Information briefing: Suggestions for change from local authorities and dog bite victims**

Date: 23 June 2016

Key issues

To inform changes to dog control policy that will reduce the risk of dog attacks, we are currently working with you to seek information, evidence and suggestions for change from local authorities and dog bite victims.

You recently wrote to councils, requesting their suggestions for legislative change and examples of innovative practice. In their responses, councils noted that the Dog Control Act 1996 is generally fit for purpose. However, councils have suggested changes that may reduce the risk of dog attacks and improve the consistency of council enforcement practices.

To gather further information, you will meet with victims of dog attacks in Auckland and Wellington during the week of 4 July 2016, to discuss their thoughts about preventing further dog attacks.

Action sought

Discuss with officials councils' suggestions for change and examples of innovative practice;
note that officials will provide you with a draft acknowledgement letter on 28 July 2016 to sign and send to councils; and
consider the attached draft run sheets for your meetings with victims of dog attacks in Auckland and Wellington during the week of 4 July 2016.

Timeframe

At your convenience

Contact for telephone discussions (if required)

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

Return to	Samantha Lay Yee, Level 7, 147 Lambton Quay		
DMS references	PLG-1725-37	4633582DA	
Ministerial database reference	LG201600391		

Purpose

1. This briefing provides a summary of suggestions for change to dog control legislation and examples of best practice. These were submitted by local authorities to the Department of Internal Affairs, in response to your letter of 19 May 2016.
2. This briefing also attaches draft agendas and talking points for your upcoming meetings with victims of dog bites in Auckland and Wellington during the week of 4 July 2016.

Responses to your letter to local authorities

3. 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 Dog Control Act 1996 (the Act). In the letter, you also requested suggestions for improvements to the Act and information about innovative council practices.
4. The deadline for councils to respond was 30 May 2016. We have received 56 annual dog control policies and practices reports for the year ended 31 June 2015. We have also received 42 responses from councils containing their suggestions for change and/or examples of innovative practice.

Councils suggest a variety of changes to dog control legislation and practice

5. Suggestions for change which have strong support from a number of councils and ideas which are particularly novel have been added to our current list of actions for consideration under Phase 2 of the project outline (attached as **Appendix A**):
 - Existing suggestions which have strong support from councils appear in **bold blue text**; and
 - New ideas proposed by councils appear in **bold orange text**.
6. 14 councils noted that current legislation is generally working well, though they would like to see greater consistency in its application. To achieve this, councils have requested some legislative change and guidance.

Councils have been innovative in their dog control practices

7. Councils provided information about their innovative practices which have encouraged owners to register their dogs, educated children and adults about dog behaviours and potential dangers, and ensured compliance with local dog control regulations and the Act.
8. The innovative initiatives that councils described tend to support educational approaches. The 42 council responses demonstrated that:
 - uptake of new technology is evident in some areas. Wairoa and Tararua District Councils described their use of mobile phone applications to support their dog control operations. Auckland Council and Ruapehu District Council described their use of Geographic Information Systems (GIS) for similar purposes;
 - 14 councils consider that all interactions with dog owners are opportunities to educate them about their responsibilities. Some councils, including Porirua City Council, Waimate District Council and Rotorua District Council visit individual dog owners to encourage registration and responsible ownership;

- five councils offer free or discounted microchipping or neutering. Auckland Council, Kaikoura District Council, Queenstown-Lakes District Council have held amnesties to encourage registration;
 - 14 councils visit schools and early childhood centres to educate children about dog safety and dog behaviour;
 - four councils monitor popular dog exercise areas via patrols; and
 - 68 per cent of councils require mandatory neutering of dogs classified as menacing (based on Auckland council's survey of 41 councils).
9. In some instances, it is difficult to determine what amounts to best practice. For example:
- Waikato District Council adopts a regulatory approach which balances education, engagement and enforcement. It described prosecution as an important enforcement tool. It has employed staff with expertise in prosecution and would like to see a more consistent approach to the enforcement of dog control regulations.
 - On the contrary, Timaru District Council has a small dog control team which also adopts a balanced approach. It has successfully responded to serious attacks by encouraging owners to surrender their dog and issuing an infringement, preventing the need to prosecute.
10. It is apparent from councils' responses that best practice dog control regulation requires a regulatory approach that combines education, engagement and enforcement.
11. Several councils have worked directly with individual dog owners to understand their circumstances and encourage their compliance. When describing their success with such approaches, councils referred to reduced numbers of reported dog attacks, or a high proportion of registered dogs, when compared to the number of known dogs within a district.
12. We acknowledge that direct engagement with dog owners can be resource intensive and not all councils have the means to undertake such initiatives. However, it is an approach that is likely to save enforcement costs down the track and reduce the number of high risk dog owners.

Letter to acknowledge the contribution of local authorities

13. We recommend you write to councils, acknowledging their contribution and informing them of the Department's next step to create an informal reference group to test various options. This would also be a good opportunity to set out your expectations around council best practice, including mandatory neutering of menacing dogs and other initiatives set out above at paragraph 8.
14. We will provide a draft letter to you on 28 June 2016.

Understanding the experiences of dog bite victims

15. We are currently working with your office to plan meetings with small groups of people who have been injured in a dog attack and those who are concerned about a real risk of dog attack. These meetings will take place in Auckland and Wellington

during the week of 4 July 2016 (TBC). Draft run sheets for each of these meetings are attached as **Appendix B**.

16. The meetings will be an opportunity for you to engage directly with those who have been affected by dog attacks to understand their perspectives, and account for their experiences when making policy decisions.

Recommendations

17. We recommend that you:

- a) **discuss** with officials councils' suggestions for change and examples of innovative practice; **Yes/No**
- b) **note** that officials will provide you with a draft acknowledgement letter on 28 July 2016, to sign and send to councils; and
- c) **consider** the attached draft run sheets for your meetings with victims of dog attacks in Auckland and Wellington during the week of 4 July 2016. **Yes/No**



Jo Gascoigne
Policy Manager

Hon Louise Upston
Associate Minister of Local Government

_____/_____/_____

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Appendix A: Actions to reduce harm and the risk of dog attacks - project outline (June 2016 - extract)

Action area	Action	Legislative or non-legislative	Notes
Phase 1: Information gathering and data analysis (Non-legislative actions currently in progress)			
Phase 2: Policy development			
Councils	Remove council discretion: <ul style="list-style-type: none"> All classified dogs to be de-sexed No re-homing of classified dogs 	Legislative	19 councils support mandatory neutering of all classified dogs 3 councils support a ban on re-homing classified dogs
	Impounding of dogs: <ul style="list-style-type: none"> Shorter notice period for disposal (rehoming/sale/destruction) of unclaimed dogs Make it easier to recover sustenance costs from dog owners where dog is held pending prosecution/appeal Make it easier to recover court costs from dog owners following prosecution/appeal 	Legislative and non-legislative	Auckland Council supports a shorter notice period for disposal Nelson City Council considers the current 7 day period to be appropriate 3 councils support further measures to ensure compensation for costs of keeping dogs impounded 5 councils support further measures to ensure recovery of court costs
	Encourage councils to be proactive in their management of dogs and particularly menacing and dangerous dogs: <ul style="list-style-type: none"> Ensure dogs are registered Look at council best practice – produce guidance 	Non-legislative	

Blue text indicates suggestions with support from councils

Orange text indicates new suggestions by councils

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Action area	Action	Legislative or non-legislative	Notes
	s.9(2)(f)(iv)	Legislative	s.9(2)(f)(iv)

Blue text indicates suggestions with support from councils

Orange text indicates new suggestions by councils

IN CONFIDENCE

Action area	Action	Legislative or non-legislative	Notes
	<p>Breed identification:</p> <ul style="list-style-type: none"> Easier way to classify dogs as a particular breed <ul style="list-style-type: none"> clarify definitions of Schedule 4 breeds, particularly American Pit Bull Terrier <ul style="list-style-type: none"> DNA testing photos for dog register Add more breeds to Schedule 4 Onus on owners to prove otherwise when a dog has been classified by breed Look at council best practice – produce guidance 	Legislative and non-legislative	<p>Auckland Council supports clearer breed definitions</p> <p>Dunedin City Council proposes DNA testing. Nelson City Council notes that DNA testing does not work to determine dominant breed of cross-breed dogs.</p> <p>Ruapehu District Council supports the adding mastiff and bull terrier types to Schedule 4, along with any dog breeds historically bred for fighting, baiting or for attack purposes.</p> <p>No other councils mentioned adding breeds to Schedule 4</p> <p>Owners already have onus to prove dog breed (section 33A of the Dog Control Act 1996)</p> <p>Ruapehu District Council requires owners to provide photos of their dog as part of its registration process</p>
	s.9(2)(f)(iv)	Legislative and non-legislative	s.9(2)(f)(iv)

Blue text indicates suggestions with support from councils

Orange text indicates new suggestions by councils

IN CONFIDENCE

Action area	Action	Legislative or non-legislative	Notes
	<p>Enforcement practices:</p> <ul style="list-style-type: none"> Industry qualification for dog control officers Clarify the need to sight an unregistered dog before issuing an infringement notice for failure to register Consistent approach to handling complaints Look at council best practice – produce guidance 	Legislative and non-legislative	<p>The New Zealand Institute of Animal Control Officers supports a minimum standard of qualification for dog control officers.</p> <p>s.9(2)(f)(iv)</p> <p>2 councils propose that all councils should take a consistent approach to handling complaints</p>
	<p>Improve registration processes</p> <ul style="list-style-type: none"> Remove requirement for owner to sign registration form Improve consistency in fee-setting practices Enable annual renewal of existing, instead of annual registration from scratch Link dog registration to relevant public-council interaction e.g. payment of rates Increase minimum age for registration of dog (to align with minimum age for neutering) Look at council best practice – produce guidance 	Legislative and non-legislative	<p>2 councils support improvements to registration processes</p> <p>Southland District Council support more consistency in fee-setting practices</p> <p>Wellington City Council proposes increasing minimum age for registration of dog from 3 months to 6 months, to align with minimum age for neutering</p>

Blue text indicates suggestions with support from councils

Orange text indicates new suggestions by councils

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Action area	Action	Legislative or non-legislative	Notes
Dog owners	Visual signifiers of classification: <ul style="list-style-type: none"> • Signs on properties housing classified dogs • Special collars for classified dogs <p style="text-align: center;">s.9(2)(f)(iv)</p>	Legislative	11 Councils support requirements for signage and collars to identify classified dogs <p style="text-align: center;">s.9(2)(f)(iv)</p>
	Make it easier for people to surrender dogs: <ul style="list-style-type: none"> • Look at council best practice – produce guidance 	Non-legislative	
		s.9(2)(f)(iv)	Legislative

Blue text indicates suggestions with support from councils

Orange text indicates new suggestions by councils

IN CONFIDENCE

Action area	Action	Legislative or non-legislative	Notes
	<p>s.9(2)(f)(iv)</p>	<p>Legislative</p>	<p>s.9(2)(f)(iv)</p>

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Blue text indicates suggestions with support from councils

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IN CONFIDENCE

Action area	Action	Legislative or non-legislative	Notes
	<p>Restrictions on dogs on private property:</p> <ul style="list-style-type: none"> Owner responsibility to have dog under control at all times Prohibit child under 14 being left alone (without presence of owner) with classified dog <p>s.9(2)(f)(iv)</p> <ul style="list-style-type: none"> Extend fencing/containment requirements to all classified dogs – dog-free access to front door 	Legislative	<p>Section 5(1)(b) already includes a requirement for owner to ensure that the dog is kept under control at all times</p> <p>Auckland Council supports a prohibition on leaving a dog with a child under 14 without owner supervision</p> <p>s.9(2)(f)(iv)</p> <p>2 councils support amendments to ensure dog-free access to homes</p>
	<p>Make it easier for people to comply with ownership obligations:</p> <ul style="list-style-type: none"> Look at council best practice – produce guidance Subsidise neutering and/or microchipping Subsidise dog obedience training and owner education 	Non-legislative	<p>At least 6 councils have had ongoing success with 'amnesty' initiatives and other programmes to incentivise owners to neuter and/or microchip their dogs.</p>

Blue text indicates suggestions with support from councils

Orange text indicates new suggestions by councils

IN CONFIDENCE

Action area	Action	Legislative or non-legislative	Notes
Other agencies and organisations	Information sharing between agencies/organisations: <ul style="list-style-type: none"> • Enable councils to access information about unreported dog attacks/unregistered dogs 	Legislative and non-legislative	6 Councils have requested access information about dog attacks that are not reported to councils DIA's operational team is considering improvements to and alternate uses for information in the National Dog Database Accident Compensation Corporation (ACC) holds some relevant high-level information about dog related-injuries of that is not currently provided to DIA or councils, but can be made available. ACC also holds detailed information about some individual cases that it cannot provide to DIA or councils for privacy reasons.
	Regulation of dog breeders/sellers <ul style="list-style-type: none"> • Licence for dog breeders • Codes of practice for dog breeders, sellers and/or temporary care facilities (e.g. kennels, dog daycare) 	Legislative and non-legislative	3 Councils support the regulation of dog breeders and/or sellers Christchurch City Council proposes the introduction of codes of practice for dog breeders, boarding facilities, pet shops and dog trainers, similar to Victoria, Australia.
	Improve public perception of dogs and understanding of dog behaviour <p style="text-align: right;">s.9(2)(f)(iv)</p>	Non-legislative	s.9(2)(f)(iv)
Phase 3: Legislative development			
Phase 4: Post-enactment (implementation and review)			

Blue text indicates suggestions with support from councils

Orange text indicates new suggestions by councils

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Appendix B: Run sheets for meetings with dog attack victims

Run sheet for dog attack victims' meeting - Auckland

Location	National Library, 8 Stanley Street, Parnell
Time	10am-11.30am, 4 July 2016
Attendees	Associate Minister of Local Government Participants (victims, support people/next of kin, concerned residents) Counsellor Parliamentary staff and Departmental official (facilitator)

Agenda

10.00am Meet and greet – tea and coffee

10.10am Facilitator to gather participants

10.15am Minister to lead discussion on ideas for change

The purpose of this discussion is to look at how Government or local government acted before and after the incident. This is in order to understand how such actions could be improved to reduce the risk of attack, and harm caused by the attack. The purpose is not to focus on the participants' experiences of being attacked.

11.15am Facilitator to conclude discussion – tea and coffee

11:30pm Farewell

Talking points

- I am concerned about the devastating effects of dog attacks on people and their families.
- The Government has made changes over time to achieve balance between public safety and the responsibilities of dog owners. I am committed to improving our dog control laws and I have an opportunity now to reduce the risk of dog attacks.
- I am keen to hear from people like you, animal control officers and others with first-hand experience of dog attacks to see what needs to be changed.

Questions to ask

- How were you supported following the incident? Did you get the support you needed from Government or your council?
- What happened to the dog? What happened to the owner? Did the council respond as you expected?
- What can councils/the Government do to stop others being hurt?
- What else can we do to support families who have loved ones who are victims of dog attacks?

Run sheet for dog attack victims' meeting - Wellington

Location	National Library, Corner of Molesworth and Aitken Streets (TBC)
Time	TBC
Attendees	Associate Minister of Local Government Participants (victims, support people/next of kin, concerned residents) Counsellor Parliamentary staff and Departmental official (facilitator)

Agenda

TBC Meet and greet – tea and coffee

TBC Facilitator to gather participants

TBC Minister to lead discussion on ideas for change

The purpose of this discussion is to look at how Government or local government acted before and after the incident. This is in order to understand how such actions could be improved to reduce the risk of attack, and harm caused by the attack. The purpose is not to focus on the participants' experiences of being attacked.

TBC Facilitator to conclude discussion – tea and coffee

TBC Farewell

Talking points

- I am concerned about the devastating effects of dog attacks on people and their families.
- The Government has made changes over time to achieve balance between public safety and the responsibilities of dog owners.
- I am committed to improving our dog control laws and I have an opportunity now to reduce the risk of dog attacks.
- I am keen to hear from people like you, animal control officers and others with first-hand experience of dog attacks to see what needs to be changed.

Questions to ask

- How were you supported following the incident? Did you get the support you needed from Government or your council?
- What happened to the dog? What happened to the owner? Did the council respond as you expected?
- What can councils/the Government do to stop others being hurt?
- What else can we do to support families who have loved ones who are victims of dog attacks?



Te Kaporeihana Āwhina Hunga Whara

ACC Briefing Paper: Sharing dog-related injury information

Date:	24 June 2016	Priority	Not urgent
Security classification:	Nil	Briefing paper no:	BP 16/051

Action Sought

	Action sought	Deadline
Minister for ACC, Hon Nikki Kaye	This paper is for your information only.	N/A

Contact for Telephone Discussion (if required)

Name	Position	Telephone	1st contact
s.9(2)(a)	Head of Injury Prevention Partnerships and Delivery	s.9(2)(a)	✓

MBIE consulted: No

Supporting documents: No

ACC Briefing Paper: BP 16/051 Sharing dog-related injury information

Report to: Minister for ACC

Recommended actions

This paper is for your information only

s.9(2)(a)

Head of Injury Prevention Partnerships and Delivery
Accident Compensation Corporation

Date: 24/06/16.

Hon Nikki Kaye
Minister for ACC

Date:

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Purpose of paper

- 1 This paper responds to your request for information on the potential sharing of ACC dog-related injury data.
- 2 This advice is intended to support your meeting with the Associate Minister of Local Government, Hon Louise Upston, on Tuesday 28 June 2016.
- 3 ACC officials attending the meeting are:
 - s.9(2)(a) Head of Injury Prevention Partnerships and Delivery
 - s.9(2)(a) Manager Customer Analytics
 - s.9(2)(a) Senior Policy Advisor

ACC could share statistical information on dog-related injuries

- 4 ACC could share statistical information on dog-related injuries with other agencies (eg Department of Internal Affairs) based on the information that we collect.
- 5 We recognise the need to balance the sharing of information for public protection purposes with the requirements under the Privacy Act 1993. We would be happy to work with Ministers and officials on how information ACC currently collects could support efforts around dog control.
- 6 An example of ACC data on dog-related injuries provided in response to a recent media request is attached as **Appendix 1**.

ACC collects a limited amount of information on dog-related injuries

Information ACC already collects

- 7 Broadly, ACC holds client information for injuries caused or contributed by dogs that describes:
 - the type of injury
 - the severity of injury, based on the entitlement the client receives rather than specifically classifying injuries as 'minor' or 'major'
 - how the injury occurred
 - the location and date of the injury
 - the scene of the injury (e.g. park or at home)
 - client demographics (e.g. age, gender)

- entitlements/rehabilitation provided to the client as a result of the injury (e.g. weekly compensation, rehabilitation)
- the cost to ACC of the injury.

8 An example of how we can look at dog-related injury data more specifically, targeting a region is provided in **Appendix 2**. Appendix 2 explores dog-related injury data for the Auckland region from 2011 to 2015 and looks at:

- entitlement claims (which require entitlement beyond medical treatment only, and are generally the result of a more severe injury), and
- compares claim numbers and costs for all injuries that happened at home with all injuries that occurred in a place of recreation.

9 The table shows that for Auckland, in 2015, new entitlement claims for dog-related injuries made up 1.7% of all new claims.

10 The table also shows that for Auckland, in 2015, 61.1% of all new claims were for dog-related injuries which happened at home. This compares with 7.7% of all new claims for dog-related injuries which happened in a place of recreation (e.g. park, beach etc).

ACC is limited in what we collect on dog-related injuries

11 There are limitations to the information that ACC collects. For example, ACC identifies dog-related injuries based on information provided by doctors or clients in an optional, free text field on the ACC claim lodgement form, or by specific medical codes.

12 There is no field designated solely to dog-related injuries, or injuries caused directly by dogs. This means that the following examples of dog-related injuries are broadly classified by ACC as dog-related claims:

- "hurt arm tripping over dog"
- "hurt arm patting dog"
- "hurt arm when attacked by dog."

13 In other words, ACC is limited by the information we are given, and by our ability to correctly code the very large volume of claims that are lodged with us every day (one claim is lodged with ACC every 20 seconds).

14 ACC is also limited by the fact that we do not know:

- the breed of dog that caused the injury
- the relationship between the injured person and the dog.

15 As a 'no fault' scheme, ACC also does not collect information about who was at fault or negligent in causing or contributing to the dog-related injury. It is irrelevant to ACC whether, in suffering the dog-related injury, it was the injured person, the dog owner, or the dog that was at fault.

Dog-related injuries account for less than 1% of new ACC claims

16 ACC received 13,206 new claims for dog-related injuries in 2015. Injuries caused by dogs made up less than 0.7% of all ACC new claims in 2015.

17 The costs associated with dog-related injuries are also relatively small (\$2 - \$4 million per year) because injuries tend to be minor (e.g. puncture wounds, cuts and abrasions).

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Appendix 1: Recent response to a media inquiry around dog-related injuries

Claim numbers and costs related to dog-injuries

ACC **does not** have a category for 'dog attack' claims and for this reason the information provided cannot be presented and/or referenced as being the result of 'dog attacks'. Most dog-related injuries are minor, requiring a visit to the GP. The three most common injuries are lacerations, and soft tissue injuries. Dog bite injury claims range from inadvertent simple nips from a household pet through to more serious attacks. The table below shows dog-related injury claims and the cost of those claims (2010 – 2015).

Accident Calendar Year	Claim Count	Claim Costs to Date Ex GST
2010	11,611	\$2,796,257
2011	11,796	\$3,097,977
2012	12,163	\$2,910,050
2013	12,798	\$3,608,765
2014	12,655	\$3,983,062
2015	13,206	\$3,146,940

The tables below show dog-related claims by age group and gender (2010 – 2015).

Age at Accident (5 year bands)	Claim Count					
	2010	2011	2012	2013	2014	2015
00-04 Years	896	878	843	777	841	825
05-09 Years	834	895	826	912	868	901
10-14 Years	700	706	690	660	636	664
15-19 Years	713	682	747	718	682	671
20-24 Years	796	804	829	850	931	887
25-29 Years	700	689	737	776	759	858
30-34 Years	632	614	625	700	661	708
35-39 Years	744	710	684	690	686	668
40-44 Years	841	820	814	865	822	813
45-49 Years	846	822	950	981	934	968
50-54 Years	756	862	893	949	914	1,008
55-59 Years	712	746	830	852	805	898
60-64 Years	632	642	685	706	720	778
65-69 Years	457	553	592	681	712	707
70-74 Years	436	434	535	544	526	547
75-79 Years	386	333	322	452	461	526
80-84 Years	294	350	303	356	349	402
85 Years and over	236	254	258	329	348	377
Unknown		<3				

Gender	Claim Count					
	2010	2011	2012	2013	2014	2015
F	5,737	6,029	6,238	6,753	6,659	7,121
M	5,874	5,765	5,925	6,045	5,996	6,085
Unknown		<3				

Severity of dog bite claims

ACC does not specially classify claims as being 'minor' or 'major' in severity. Instead, the data is classified by claims requiring only medical fee payments, and claims requiring entitlements (eg on going medical treatment, rehabilitation and weekly compensation). Claims requiring entitlements are generally the result of a more severe injury.

The table below shows the number of dog-related injury claims that required entitlements (2010-2015).

Accident Year	Calendar	Claim Count
2010		188
2011		226
2012		215
2013		252
2014		245
2015		273

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Appendix 2: Dog-related injuries in the Auckland region by calendar year, 2011 - 2015

	2011	2012	2013	2014	2015
Number of all new claims	2,742	3,077	3,460	3,495	3,603
Cost of all active claims	\$928,658	\$900,173	\$1,111,475	\$1,220,167	\$1,505,273

	2011	2012	2013	2014	2015	% of total for 2015
Number of new entitlement claims	37	49	60	55	61	1.7%
Active entitlement claims cost	\$430,216	\$328,660	\$414,022	\$533,874	\$819,874	54.5%

Number of new claims for dog-related injuries which happened at home	1,677	1,907	2,218	2,241	2,202	61.1%
Cost of active claims for dog-related injuries which happened at home	\$649,453	\$477,544	\$566,847	\$691,535	\$1,042,703	69.3%

Number of new claims for dog-related injuries which happened at a place of recreation	172	246	252	237	276	7.7%
Cost of active claims for dog-related injuries which happened at a place of recreation	\$73,523	\$76,454	\$124,015	\$115,460	\$99,162	6.6%

Please note:

- Data is current to 4 June 2016.
- The **region** is based on the location of the accident. The claimant did not necessarily reside in this area.
- **Active claims** are ones that generated a payment in the period. These claims were not necessarily lodged, or had the accident occur, in the same period. A claim may be active over many periods and therefore appear more than once in the data. Active claims also include all new claims in that period. Claims which only received bulk funded hospital services are not included.
- **Claim costs** include the cost (excluding GST) to ACC of all treatment and entitlements incurred for that claim except the cost of emergency treatment at public hospitals. Treatment provided by Public Health Acute Services (PHAS) is bulk funded and costs are not allocated to individual claims.

- **Entitlement claims** are considered to cover moderate to serious injuries requiring entitlement beyond medical treatment only. Examples of these payments include compensation for loss of earnings, allowances for attendant care and childcare, provision of wheelchairs and other equipment, and modifications to home and vehicles.
- **New entitlement claims** are those which generated an entitlement payment for the first time in this period. The injury or claim lodgement did not necessarily occur in the same period. It is possible that the claim had other payments types prior to this period.

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Local Government aide memoire

Hon Louise Upston
Associate Minister of Local Government

Title: Information briefing: Aide memoire for meeting with Hon Nikki Kaye to discuss dog-related injury claims data

Date: 24 June 2016

Key issues

Dog attacks have featured prominently in recent news media, creating a public expectation for the Government to take action. You have asked for advice about dog-related injury information sharing (particularly dog bites) between the Department of Internal Affairs, the Accident Compensation Corporation and local authorities in preparation for your meeting with the Minister for ACC, Hon Nikki Kaye, on 28 June 2016.

Action sought

Note the data being collected by the Accident Compensation Corporation on dog-related injuries is dependent on the information being provided by medical practitioners and claimants;
note there are no privacy implications with the sharing of information between the Accident Compensation Corporation and the Department of Internal Affairs as long as individuals are not being identified; and
note a strategy plan is currently being developed for you to take to the National Party caucus on 5 July 2016.

Timeframe

Before your meeting on 28 June 2016

Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 st contact
Jo Gascoigne	Policy Manager	04 494 0526		✓
Christian Opetaiia	Policy Analyst	04 495 6043		
Return to	Christian Opetaiia, Level 6, 147 Lambton Quay			
DMS references	PLG-1725-38	Document ID: 4635308DA		
Ministerial database reference	LG201600411			

Purpose

1. This briefing provides advice about dog-related injury information sharing in preparation for your meeting with the Minister for the Accident Compensation Corporation (ACC), Hon Nikki Kaye, on 28 June 2016.

Background

2. We provided you with a briefing on 3 June 2016 about actions being considered to reduce the risk of dog attacks in New Zealand. This included advice about the importance of sharing dog-related injury information between government agencies and local authorities.
3. You recently met with the Minister Responsible for Housing New Zealand Corporation (HNZC) who indicated support for the sharing of dog-related information between HNZC and local authorities. Such information will help local authorities to identify dogs residing at HNZC properties that may be unregistered, and to work with owners to meet their obligations.
4. You have also agreed to meet with the Minister for ACC to discuss opportunities to collect and share richer dog-related injury information, particularly dog bites and the circumstances of each incident.

High level dog-related injury data is currently shared between ACC and DIA

5. ACC provides information to the Department about dog-related injury claims on an annual basis. This information is publicly available on the local councils' website. ACC data about dog-related injury claims from 2006 to 2015 is summarised in the following chart:

Number and cost of ACC dog-related injury claims



Points to note

6. Dog-related injury claims, reflected in the data provided by ACC, are defined as injuries having a primary diagnosis of contusion, crushing, laceration, puncture wound or soft tissue injury caused by being kicked, butted or bitten by a live dog. These dog-related injuries are not collected categorically and are provided to the Department as a single group.

There are limits to the data collected by ACC about dog related injuries

7. Broadly, ACC holds client information for injuries caused or contributed to by dogs. This includes:
 - the type of injury;
 - the severity of injury (based on the entitlement the client receives, rather than specifically classifying claims as minor or major);
 - how the injury occurred;
 - the location and date of the injury;
 - the scene of the injury (e.g. park or at home);
 - client demographics (e.g. age, gender);
 - entitlements provided to the client as a result of the injury (e.g. weekly compensation, rehabilitation); and
 - the cost to ACC of the injury.
8. ACC identifies dog-related injuries based on information provided by medical practitioners or claimants in an optional, free text field of the ACC claim lodgement form, or by specific medical codes. There is no field designated solely for dog-related injuries.

Points to note

9. ACC has advised that any changes to the ACC claim lodgement form to collect richer dog-related injury information would need to benefit ACC as a whole. Injuries caused by dog bites made up approximately 0.7 per cent of all ACC new claims for 2015.
10. Due to the low number of claims directly related to dog bites, it may be difficult for ACC to reprioritise resources to collect specific dog-related injury information. However, collecting this information may not require extensive resources due to the relatively low number of dog-related injury claims.

Points to raise

11. You could seek your colleague's agreement for ACC to work with the Department to collect the necessary data that will assist the monitoring and evaluation of any future legislative changes to the Dog Control Act 1996. This will also help local authorities to be more aware of unreported dog-related injuries and to work with owners to address potential issues.

Privacy implications

12. There are no privacy implications for ACC to share high-level dog related injury information with the Department as long as the identities of individuals are not disclosed.

Points to note

13. In their responses to your letter of 19 May 2016, local authorities noted the disparity between the number of dog attacks reported to them and the number of ACC dog-related injury claims. Local authorities have requested access to ACC data or information held by medical practitioners about dog bite injuries.

14. We acknowledge that such a proposal raises privacy concerns and requires further analysis. This view is also shared by ACC. We need to work with local authorities to determine the purpose for the collection of personal information and whether ACC is the appropriate avenue (e.g. collecting the personal information of dog bite victims for the purpose of identifying high risk dogs and high risk owners).

Caucus meeting


15. We are currently developing a strategy plan for dog control for you to take to the National Party caucus on 5 July 2016, which you may wish to raise with your colleague.

Points to note

16. The National Party caucus will be an opportunity for you to gather feedback from your colleagues about preventative measures to reducing serious dog attacks. We currently propose that the strategy plan be implemented in two phases. Phase 1 will occur over the next 12 to 24 months and will mainly involve legislative amendments to the Dog Control Act 1996. Phase 2 will occur over the next five to ten years and could involve a mixture of legislative and non-legislative measures.

Recommendations

17. We recommend that you:
- note** the data being collected by the Accident Compensation Corporation on dog-related injuries is dependent on the information being provided by medical practitioners and claimants;
 - note** there are no privacy implications with the sharing of information between the Accident Compensation Corporation and the Department of Internal Affairs as long as individuals are not being identified; and
 - note** a strategy plan is currently being developed for you to take to the National Party caucus on 5 July 2016.



Jo Gascoigne
Policy Manager



Hon Louise Upston
Associate Minister of Local Government

26 Oct 2016



Local Government briefing

Hon Louise Upston
Associate Minister of Local Government

Title: **Information briefing: Proposed strategy to address high risk dog owners and high risk dogs**

Date: 1 July 2016

Key issues	
Dog attacks have featured prominently in media on a regular basis, creating a public expectation for the Government to take action. We have developed a strategy for high risk dog owners and high risk dogs for you to take to the National Party caucus on 5 July 2016. This will be an opportunity for you to gather feedback from your colleagues about preventative measures to reduce serious dog attacks.	
Action sought	Timeframe
Note the contents of the proposed strategy to address high risk dog owners and high risk dogs.	Before your meeting with caucus on 5 July 2016

Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 st contact
Jo Gascoigne	Policy Manager	04 494 0526	s.9(2)(a)	✓
Christian Opetaia	Policy Analyst	04 495 6043		
Return to	Christian Opetaia, Level 6, 147 Lambton Quay			
DMS references	PLG-1725-38	Document ID: 4641205DA		
Ministerial database reference	LG201600424			

Purpose

1. This briefing outlines the strategy to address high risk dog owners and high risk dogs for you to discuss with your colleagues at the National Party caucus on 5 July 2016.

Background

2. We provided you with a briefing on 20 May 2016 on options to improve the regulatory framework for dog control. The options provided to you were 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 change 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.
3. You agreed to pursue the development of all four categories and to ensure they were implemented in the strategy for high risk dog owners and high risk dogs.

Strategy to address high risk dog owners and high risk dogs

4. The strategy focuses on:
 - high risk situations and providing measures that will reduce the occurrence of serious dog attacks; and
 - understanding and changing attitudes and behaviours around dogs, and dog ownership.
5. We propose to implement the strategy in two phases. Phase 1 will occur over the next 12 to 24 months and will mainly involve legislative amendments to the Dog Control Act 1996. Phase 2 will occur over the next five to ten years and could involve a mixture of legislative and non-legislative measures. A summary A3 of the strategy is attached as **Appendix A**.
6. A summary of the key points to facilitate discussion with the caucus is also attached as **Appendix B**.

Recommendations

7. We recommend that you **note** the contents of the proposed strategy to address high risk dog owners and high risk dogs before your meeting with the National Party caucus on 5 July 2016.

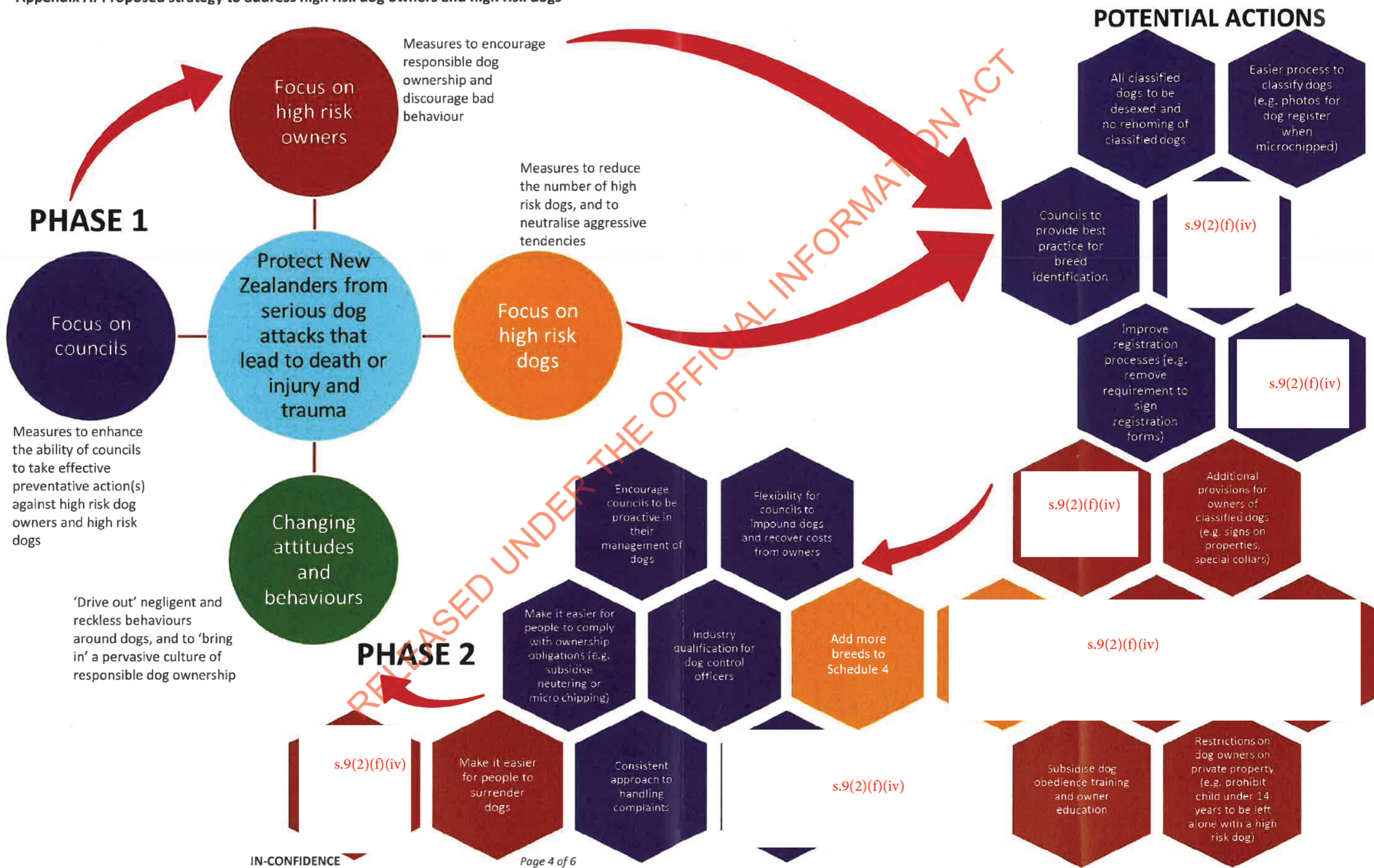


Jo Gascoigne
Policy Manager

Hon Louise Upston
Associate Minister of Local Government

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Appendix A: Proposed strategy to address high risk dog owners and high risk dogs



Appendix B: Key points to facilitate discussion

Background information

Points to note

1. There were concerns raised at this year's Central Government Local Government Forum about serious dog attacks. There have been several amendments to dog control since the introduction of the Dog Control Act 1996. The Dog Control Amendment Acts 2003, 2004 and 2006 were introduced to further improve the control of dogs and safety of New Zealanders around dogs. Despite the additional rules, serious dog attacks continue to occur, which is a public concern.

Points to make

2. Your primary objective is to reduce dog attacks through legislative and non-legislative measures. You are interested in gathering feedback from your colleagues about preventative measures to reduce serious dog attacks.

Proposed strategy

Points to note

3. Officials have developed a strategy to address high risk dog owners and high risk dogs. Measures to assist potential victims have not been included in the strategy. There are already existing initiatives such as school programmes to help children and young people stay safe around dogs. The strategy will focus on high risk dog owners and high risk dogs, and avoid implicitly blaming the victim(s).

Points to make

4. The proposed strategy will be implemented in two phases. Phase 1 will occur over the next 12 to 24 months and Phase 2 will occur over the next five to ten years.

Phase 1

5. Phase 1 will focus on providing legislative and non-legislative measures to:
 - enhance the ability of local authorities to take effective preventative action against high risk dog owners and high risk dogs;
 - encourage responsible dog ownership and discourage bad behaviour; and
 - reduce the number of high risk dogs, and neutralise aggressive tendencies.
6. Phase 1 could be achieved through the following mechanism:
 - s.9(2)(f)(iv)
 -
 - destroying impounded high risk unregistered dogs and any high risk registered dog which has attacked;
 - mandatory neutering of all high risk dogs;
 - s.9(2)(f)(iv)