

NEW ZEALAND KENNEL CLUB SUBMISSION

Have Your Say on Dog Attacks



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BACKGROUND

The New Zealand Kennel Club (NZKC) is the largest organisation of dog owners in New Zealand. Currently it is a 'club of clubs' and a 'club of individuals' with about 5,700 individual members spread across 287 clubs throughout New Zealand. NZKC was formed in 1886 and is an incorporated society.

NZKC is very much based on the celebration of the benefits of the dog/human relationship for individuals of all ages and recognise that dogs are part of our community and working dogs are an essential part of our success as an agricultural country.

NZKC is the umbrella organisation for three main disciplines:

- Conformation (65% of membership)
- Agility (21 %)
- Obedience (14%)

All three disciplines are involved in their own range of sports and competitions which are the cornerstone of NZKC's existence.

In addition our conformation membership is very heavily involved in the breeding and sale of (pedigree) pure bred dogs. The NZKC maintains a registry for 218 recognised breeds of dog where qualification requirements must be met e.g. a three generation pedigree for the dog must be available and the NZKC member must have been granted a NZKC kennel name i.e. a licence to breed and register progeny.

The other area the NZKC membership is heavily involved in is the provision of domestic dog training/owner education throughout New Zealand. This service is provided by approximately 300 volunteers from 46 Obedience clubs. Approximately 12,000 puppies/dogs are trained per annum under the umbrella of the internationally acclaimed Canine Good Citizen programme which the NZKC administers in this country.

GOVERNMENT SURVEY

Why do you think dogs attack?

Any dog has the capacity to attack with the potential to damage heightened in a pack situation.

Dogs attack as a reaction to a stressful situation. They may attack because they're scared or threatened. They may attack to protect themselves, their puppies, their food, their property or their owners. They may attack if they're not feeling well, in pain or if they're startled, and they may also nip or bite during play (which is why rough play should be avoided to ensure that the dog is not overly excited).

NZKC agrees with the body of international research and experience that breed specific legislation does not work. Dog aggression is more complex than simply genetics. However, there are breeds that owners and the public need to be mindful of as some have the potential to do more damage than others when they do attack or bite. This does become a double edged sword as a fear of dogs can fuel aggression by the animal. This fear can be stimulated by media focus and attention particularly when certain breeds or types are identified.

The NZKC believes that the biggest contributing factor to dog attacks is a lack of education 1) of owners 2) of the dogs themselves (lack of training) and 3) of the non-dog owning public and children in particular.

An animal is part product of its environment. We fully understand that this is a very complex issue. There is a segment of the population who already do not comply with central and local government requirements e.g. not to register their dogs and they are then less likely to be involved in what we see as being of the greatest benefit i.e. an increase in dog training and owner education. Experience tells us that this same segment are more likely to be attracted to dogs with that potential to do more damage when they bite.

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What do you think is the best way to reduce dog attacks?

NZKC believes the best way to reduce dog attacks is through education. We are New Zealand's largest service provider in this area. As reported in this document the NZKC has 46 member clubs spread throughout New Zealand delivering dog training classes and owner education under the banner of the internationally acclaimed Canine Good Citizen programme. This training and education is open to all i.e. not restricted to NZKC members.

NZKC believes all dog owners should attend dog training classes and, as much as possible, involve all family members associated with the dog. As a minimum requirement NZKC believes that dog training and owner education should be mandatory for the registered owner of the dog. We also believe that dog training as such needs to be defined i.e. it is more than attendance at puppy classes. An analogy can be drawn with child education. It does not stop after kindergarten.

NZKC questions the process involved in the re-homing of unwanted dogs. Is the process rigorous enough in ensuring that these dogs are suitable for re-homing when many have had extremely unfortunate circumstances to contend with and consequently, through no fault of their own, have the potential to attack and damage?

The first step in a model going forward must be to identify all parties currently involved in any legislative, educational and management capacity regarding dogs and dog ownership. In simple terms this would be a stocktake of interested parties to establish the starting point for strategies and plans to be developed and resources targeted to ensure both dog owners and non-owners alike will feel safer within their environments.

The NZKC is becoming increasingly aware of the number of individuals and/or groups becoming involved in dog safety education programmes, in schools in particular, however, there does not appear to be any protocols in place to ensure that the programmes being delivered are best practice models.

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What can owners do?

Generally the problems appear to lie with those individuals who own unregistered dogs. The first step must be to target and upskill these owners.

Dog attacks will be reduced to some extent by dogs being kept on a leash. However, one key reason that dogs are not kept on a leash is that owners have trouble controlling them when the dog is restrained in this manner and this once again reinforces the need for education and training.

There is also very sound reasoning to have dangerous and menacing dogs classified as requiring muzzles when in public. NZKC supports the legislation already in place and any common sense approach to an extension of it. We do not support breed specific legislation.

All properties with dogs should be fenced. All citizens have a right to walk with or without a dog on our streets without the fear of a dog rushing out at them.

NZKC is of the belief that a fit and active dog is a much better companion animal and member of society. Consequently, NZKC is also heavily involved in a wide range of competitions and sports which cater for both pure bred and cross bred dogs. We believe owners should be encouraged to become involved in any club or organisation offering services based on dog socialisation and activities.

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What can local councils do?

NZKC sees local councils as having a responsibility to keep their citizens safe and that this responsibility extends to safety from irresponsible dog owners and their dogs. We believe that the local council's funding policies should clearly distinguish between the services provided for compliant dog owners and those who are non-compliant. A likely outcome of the drive to make dog owners and the general public safer will be increased costs and the NZKC and its membership do not wish to share in this cost any more than other responsible dog owners and the general public.

We believe that a first step for local councils is a concerted drive to target the owners of unregistered dogs. NZKC is aware of and applauds Auckland City Council's recent initiative. We are very interested in the outcomes in terms of the affected dogs and the part that education and training has to play in these situations. We are also interested in what resource is required for such targeting of non-compliant owners and any subsequent education and training.

NZKC believes that the services provided by the Animal Management groups within local government bodies are extremely valuable and to the best of our knowledge executed very well. We believe this needs to be further resourced, particularly in the short to medium term, targeting dangerous dogs which are more likely to be unregistered.

We reinforce our desire to see greater co-ordination in relation to dog education and training as it applies to local councils and their Animal Management teams. NZKC sees a role for local councils in the monitoring and auditing of dog training and owner education particularly if it is to become mandatory as recommended.

NZKC believes the costs associated with services provided as a result of non-compliant owners should not fall solely on compliant dog owners i.e. they should be borne evenly by all ratepayers.

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What can central government do?

NZKC believes central government must take a greater role in raising public awareness about safety around dogs and take a co-ordination role of those involved in dog education and dog ownership and the benefits of it for dog owners and the general public. The latter may be a short to medium term position for central government and the Department of Internal Affairs in particular. There certainly appears to be a disjointed approach to dog education in New Zealand and NZKC sees itself is part of that disjointedness. We recognise the work we are doing in this area is not well known but this is work in progress with initiatives set out in this document. (Refer last section in particular).

In recent years, a strong correlation between domestic violence, animal abuse and the incidence of aggressive dog behaviour has been established. Child and animal protection professionals have recognised this link. Anecdotal evidence from within NZKC and those involved in dog training also supports this link e.g. dogs chained unnecessarily and/or not exercised etc. and aggressive behaviour. Animal cruelty is one of the earliest and most dramatic indicators that an individual is developing a pattern of seeking power and control through abuse of others. When animals in a home are abused or neglected, it is a warning sign that others in the household may be in danger. When looking at this from a dog attack perspective why would any household, where family violence has been identified, be allowed to own dogs?

NZKC would like to see more police intervention and support of local government Animal Management services to ensure that non-compliant owners have their dogs impounded and any household with domestic violence issues is are treated similarly.

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HOW NZKC CAN ASSIST

NZKC has for some time been considering the challenges and opportunities involved with the expansion of our services in the dog owner education/dog obedience areas. In recent times the subject of Dangerous Dogs was a topic of discussion at NZKC's June 25, 2016 Annual Conference. A panel of outside parties was involved including representatives from NZVA, SPCA and Wellington City Council. A summary of the discussion and NZKC's previous considerations and ensuing, possible solutions is provided below.

It was clearly felt that a great deal of work and outside support would be required for NZKC, our member clubs and volunteers to extend our services to encompass reactive, difficult and dangerous dogs.

Furthermore, as the current services provided are nearly all undertaken by volunteer personnel any extension of these services to encompass more dogs (and their owners) would similarly require a great deal of work and outside support.

These challenges are well understood and the organisation has discussed a range of solutions, including:

- *NZKC business model prepared to include self-funding opportunities*
- *Meeting organised with interested groups – NZKC/DIA/LGNZ/ACC/SPCA/NZVA etc.*
- *Conference held in mid-2017 bringing together personnel from NZKC's 46 member clubs to establish a best practice model*
- *Discussions continue with tertiary institutions in establishing a tiered course for dog trainers*
- *Regional seminar training programme be established (training the trainers)*
- *Relationships developed between NZKC member clubs and private trainers*
- *NZKC organises an open to all, annual dog trainers conference*
- *NZKC introduces pilot schemes to bring together interested parties – 2016 NZKC/Central All Breeds Dog Training Club/Wellington City Council/2017 similar in Porirua.*

NZKC currently has no set view on either owner licencing and/or breeder licencing. We are already involved in both and more particularly the latter. Nearly 50% of NZKC's members (2,867) have active kennel names i.e. a licence to breed and register the progeny. These members are bound by NZKC Rules, Regulations and a Breeders Code of Ethics. There are also standards in place for the granting of a new kennel name. Nearly 8,000 puppies are registered annually of which approximately 60% are sold to the public. Therefore, the NZKC and its breeders have responsibilities to raise puppies that are well socialised and an opportunity to educate new owners as to their responsibilities.

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Local Government briefing

Hon Louise Upston
Associate Minister of Local Government

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

Title: Meeting with New Zealand Institute of Animal Management, 22 August 2016

Date: 18 August 2016

Key issues	
<p>You are meeting with Les Dalton, President of the New Zealand Institute of Animal Management (NZIAM), and three other members of NZIAM to discuss the dog control review. Background information on the New Zealand Institute of Animal Management and its views on dog control is included.</p>	
Action sought	Timeframe
Read prior to attending the meeting	By 22 August 2016

Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 st contact
Jemma Dacy	Policy Analyst	04 495 9461		✓
Stephen Reilly	Policy Manager	04 495 9303		
Return to	Jemma Dacy, Level 8, 147 Lambton Quay			
DMS references	PLG-5314-2_2	4664430DA		
Ministerial database reference	LG201600497			

Stephen Reilly
Policy Manager

Purpose

- This briefing provides you with information for your meeting with the New Zealand Institute of Animal Management (NZIAM), at 3:00pm on 22 August 2016.
- NZIAM will be represented at the meeting by:
 - Les Dalton, President of NZIAM and Regional Manager Animal Services at Hutt City Council;
 - Ken Thomas, representative of NZIAM's Northern Branch and senior animal control officer at Far North District Council;
 - Kevin Coutts, representative of NZIAM's Waikato/Bay of Plenty Branch and animal control supervisor at Rotorua District Council; and
 - Mark Vincent, animal management team leader at Christchurch City Council.
- Officials from the Department of Internal Affairs will also attend to support you at the meeting.

About the New Zealand Institute of Animal Management

- NZIAM (previously known as the New Zealand Institute of Animal Control Officers) is an incorporated society that represents the animal control industry in New Zealand. Its members are mainly practicing animal control officers who elect an executive to administer the Institute's affairs and organise annual training conferences.
- NZIAM keeps its members up to date with both national and overseas trends and events within the animal control industry.
- NZIAM aims to share information and resources about animal control. Its website features educational material for schools and families. The website provides specific information about dog ownership and answers to frequently asked questions about dog control. There is also an information section for owners of livestock as animal control officers are responsible for the removal of stock from public places and roads.

NZIAM Annual Conference

- NZIAM holds a conference each year for its members. These conferences focus on animal behaviour techniques, operational matters, self-defence, dog and human psychology and a range of other topics related to animal control.
- You have been invited to speak at this year's conference on 22 September 2016. The speech will be an opportunity for you to announce Government policy decisions to reduce the risk and harm of dog attacks.

NZIAM views on dog control

- On 2 May 2016, you met with representatives of NZIAM to discuss their suggestions for change to dog control legislation and practices. At that meeting, attendees presented their recommendations. These included:
 - mandatory notification to Territorial Authorities of all dog bite incidences reported through the medical professions (statistical evidence shows that approximately 85 per cent of dog bites reported to the Accident Compensation Corporation are not reported to Territorial Authorities);
 - mandatory training of all Territorial Authority Dog Control Officers and national audit programmes of Territorial Authority animal management operations (there

is no current requirement for Territorial Authorities to train their animal management staff within any required timeframe);

- compulsory dog safety awareness programmes in schools as part of the national education curriculum; and
- the following amendments to the Dog Control Act 1996 (the Act):
 - include the ability to issue an infringement notice to an owner of any dog, for biting or rushing at a person;
 - include a mandatory probationary classification for any person who commits any offence under sections 57 (dog attacks) and 57A (rushing) of the Act;
 - mandatory de-sexing of all dogs classified as menacing;
 - mandatory de-sexing of all dogs classified as menacing or dangerous prior to being released from an animal shelter; and
 - prohibit the adoption of any dog listed in schedule 4 of the Act, from any animal shelter or welfare agency.

Comments and suggested talking points

- You may like to thank NZIAM for promoting the recent online survey about reducing dog attacks. The Department received over 3000 responses. Officials are currently reviewing those submissions and working to develop and publish a summary of feedback in late August.
- You may wish to discuss NZIAM's views on how animal control officers might encourage dog owners to take greater responsibility for their dogs and for their own actions, and the tools that are most effective in enabling them to do this.
- The Department is considering introducing a definition of "American pit bull terrier" for the purposes of the Act. You may wish to discuss NZIAM's views on cross-breeding and how this makes defining a menacing dog type difficult. You may wish to discuss the usefulness of classifying dogs as menacing based on breed and whether any other dog breeds or types should be classified in this way.
- NZIAM may also wish to discuss with you its views on promoting greater consistency in the councils' implementation of the Act, particularly around prosecution for serious attacks. You are aware that some councils lack the resources to prosecute irresponsible dog owners. Councils may seize dogs but there are few barriers to owners adopting another dog.

Hon Louise Upston
Associate Minister of Local Government

_____/_____/_____

Priority Routine



INTERNAL AFFAIRS

Te Tari Taiwhenua

Local Government and Accident Compensation Corporation briefing

Hon Louise Upston
Associate Minister of Local Government

Hon Nikki Kaye
Minister for ACC

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

Title: **Consideration of the use of Accident Compensation Corporation data for enforcement of dog control law**

Date: 19 August 2016

Key issues

The Department of Internal Affairs (DIA) and Accident Compensation Corporation (ACC) have further investigated a survey of dog-related injury claimants, and a proposal to provide individual case data to territorial authorities.

Following our investigation, as well as consultation with the Office of the Privacy Commissioner, we do not consider there is sufficient merit in progressing with either of the proposals.

Useful information to inform policy proposals on dog control is being gathered from the recent survey of dog attacks. There are also ongoing opportunities to use aggregate ACC data and other sources to provide a reliable evidence base for dog control policy.

Action sought

Note the recommendations in this briefing on page 5

Timeframe

At your convenience

Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 st contact
Steve James (DIA)	Acting Policy Manager	04 4940619	s.9(2)(a)	✓
Fergus Broom (DIA)	Senior Policy Analyst			
s.9(2)(a)	Head of Injury Prevention Partnerships and Delivery	s.9(2)(a)		
	Senior Policy Advisor			
Return to	Fergus Broom, Level 7, 147LQ			
DMS references	PLG-1725-38	4676110DA		
Ministerial database reference	LG201600514			

Purpose

1. This briefing provides you with further information following the Department of Internal Affairs' (DIA) and the Accident Compensation Corporation's (ACC) investigation into a survey of dog-related injury claimants and a proposal to provide individual case data to territorial authorities.

Background

Public concern about dog control has increased

2. On 15 July 2016, we briefed you on how DIA and ACC were collaborating to obtain further data to inform the Government's current project addressing the harmful behaviour of high-risk dogs and high-risk owners.
3. Recent media coverage of dog attacks has created an impression of a rise in the number and severity of dog attack incidents. At the same time, public interest and concern about dog attacks and the issue of dog control has increased. This was discussed at the Central Government/Local Government Forum in May 2016, and both central and local government have been working on ways to increase public safety around dogs.

The Department of Internal Affairs is considering options for a review of dog control legislation

4. DIA is gathering and analysing information in order to develop policy proposals for consideration by the Cabinet Economic Growth and Infrastructure Committee on 14 September 2016.
5. Following a request from the Associate Minister of Local Government to councils for suggestions for improvement to the dog control regime, four drew attention to the inconsistency between the number of dog attacks reported to them and the much larger number of ACC claims that refer to a dog. They have suggested that access to information held by ACC in their districts would enable them to identify dogs posing a risk to public safety. DIA and ACC have been working together to explore further uses of ACC data in this way.

You previously instructed officials to investigate further use of ACC claimant data for dog control

6. In our last briefing to you, we noted that we would consider the development of a survey of the most significant dog-related injury claimants to ACC.
7. We have also considered whether personal ACC claimant information could be provided directly to territorial authorities for enforcement purposes. ACC and DIA officials met with the Office of the Privacy Commissioner (OPC) to discuss this matter specifically.

We have investigated two proposals regarding the use of ACC claimant data for dog control

8. On balance, we do not consider there is sufficient merit in progressing either of the proposed options at this stage due to concerns regarding the privacy of claimants, and the availability of more accessible data sources.

Sharing ACC claimants' personal information with territorial authorities would raise privacy concerns

9. OPC raised significant concerns about sharing ACC claimants personal information with territorial authorities. They noted that ACC dog-related injury information is collected for different purposes to those of territorial authorities. Therefore, appropriate legal authority to be able to share this information would be required such as client consent obtained case by case, relying on Information Privacy Principles exemptions¹ (determined case by case), an approved information sharing agreement or legislative change.

Using ACC claimants' information may be ineffective for enforcement

10. OPC noted that even if such authority to share information with territorial authorities existed, the current health information collected from patients for treatment purposes would likely be ineffective for law enforcement purposes. ACC claims information is focused on injured persons rather than offending dogs, and would therefore not add value to enforcement. Information that would be of use, such as where a dog came from and who the owner was, is not collected.
11. Requiring ACC claimants to provide relevant information may also have an unintended negative consequence of discouraging potential claimants from pursuing treatment, and would go against the no-fault principle of the ACC Scheme.
12. Both proposals also raise ethical issues with re-victimising ACC claimants who may not wish to be contacted about their previous dog attack.

The recent public survey on dog attacks will provide useful information on dog control

13. The Associate Minister of Local Government's recent public survey, which sought submitter views on reducing dog attacks generally, will provide contextual information on the circumstances of attacks. The survey also asks about what the public considers to be the biggest contributing factor to dog attacks, and seeks suggestions for improving safety around dogs. Survey questions relating to specific dog attack incidents included:
- "Has your dog ever bitten an animal or person?"
 - "If so, what were the circumstances? Was your council informed?"
14. DIA is currently analysing the nearly 3,000 responses to the survey and will provide the complete analysis of the results to the Associate Minister of Local Government on 26 August 2016.
15. We anticipate that the results will provide useful information for more detailed analysis by providing the public's views on the causes of dog attacks and possible solutions. The results of the survey will meet many of DIA's information needs, and we do not consider a survey of ACC claimants will yield additional useful information.

¹ For example, Principle 11 (e)—disclosure of personal information is necessary to avoid prejudice to maintenance of the law or enforcement of a law; or Principle 11 (f)—disclosure is necessary to prevent or lessen a serious threat to public health or safety.

Existing ACC on dog attack injuries can be useful

ACC's data has helped DIA map dog-related injuries

16. The data collected on ACC's main claim form, the ACC45, is collected through electronic and paper based forms and is coded into practice management systems. While there is no field specifically dedicated to dog-related injuries, or injuries caused directly by dogs, people still provide information voluntarily.
17. The information ACC claimants must provide is limited to what is needed to determine whether a claim is covered. To this end, ACC requires claimants to provide information about themselves and their injury, but not who or what was to blame. Claimants or their treatment providers may submit additional information in the free text field on ACC's claim form. In support of this initiative, ACC has provided aggregate level data to DIA on injuries where the word 'dog' has appeared in the free text field, including:
 - location, date and scene of injuries,
 - activity of the claimant prior to the injury,
 - types and severity of injuries,
 - costs of treatment services and entitlements, and
 - demographic information about claimants.
18. DIA has been able to use this data to map the distribution of dog-related injury claims by territorial authority, and calculate claims per head of population per territorial authority. This will allow DIA to form an ongoing nationwide picture of where dog-related injuries are occurring and identify problem areas to be addressed.

Longer-term data analytics opportunities will continue to arise

19. Longer term, there are other analytics possibilities involving the use of ACC's aggregate data, for example, to map clusters of claims involving dogs and provide this information to councils. There may also be value in investigating mapping dog injury claims against other indicators of social wellbeing to test whether dog injury data has predictive value for other forms of harm or deprivation in the community. The value of these models would, however, be affected by the fact that ACC's data focuses on injured persons rather than the identity and location of offending dogs. DIA and ACC will continue to explore these possibilities in the context of the preferred policy direction.

DIA and ACC will explore potential education interventions to reduce dog attacks

20. ACC invests in injury prevention programmes that will reduce harm to individuals and reduce long term costs, not only for ACC but also for other agencies involved in dealing with injuries. ACC's statutory requirement for return on investment means it must focus on those areas that will have the greatest impact on reducing the incidence and severity of injury for New Zealanders.
21. DIA and ACC will continue their work exploring injury data and analysing the results of the Associate Minister of Local Government's recent public survey on reducing dog attacks to build the evidence base around high-risk dogs and owners. Greater scrutiny of the problem in this way will provide a foundation for identifying interventions including educational interventions most likely to reduce the risk of dog bites.

Next steps

22. The results of the public survey will inform upcoming policy proposals. ACC and DIA will continue to explore injury prevention initiatives, such as educational interventions to reduce the risk of dog bites, as this work progresses.

Recommendations

23. We recommend that you:

- a) **Note** that the Department of Internal Affairs (DIA) and Accident Compensation Corporation (ACC) have further investigated a survey of dog-related injury claimants and a proposal to provide individual case data to territorial authorities;
- b) **Note** that in consultation with the Office of the Privacy Commissioner, we have identified significant privacy issues with the proposal to provide individual case data to territorial authorities;
- c) **Note** that on balance, both proposals are unlikely to provide information to reduce harm relating to dog attacks that is not available from other sources;
- d) **Note** that DIA and ACC is obtaining useful data on dog attacks and dog safety using other methods such as the recent dog control survey and aggregate data from ACC; and
- e) **Agree** that DIA and ACC will work together to form the evidence base for reforms to the dog control regime using these data sources, rather than surveying ACC claimants or sharing individual case data with territorial authorities. Yes / No

s.9(2)(a)



Head of Injury Prevention Partnerships and
Delivery, Accident Compensation Corporation

Steve James
Acting Policy Manager, Department of Internal
Affairs

Hon Nikki Kaye
Minister for ACC

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Hon Louise Upston
Associate Minister of Local Government

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22 August 2016

DISCUSSION DOCUMENT ON DOG ATTACKS IN NEW ZEALAND

FUTURE SUMMIT

Industry applauds the summit proposal

- We want to discuss the idea of a **summit** – to showcase best practice and encourage councils to “step up” we want to work with the local government and minister on this achieve best outcomes.

1 – PREVENTING DOG ATTACKS

National education program

- Driven and supported by Territorial authorities, Local Government and SPCAs to protect communities.
- Using the DogSmart education program in schools
 - To highlighting responsible and safe behaviors from children around dogs
 - Promoting children’s safe passage to and from school
- Educating the general public about dogs and breeds, selection of dogs prior to purchase, consequences of dogs that attack.
- Using social media, DHB stats and reports to stun communities into correct dog selection, behaviors and responsibilities.
- Officers looking for solutions to problems not owners not barriers.

Mandatory administration of the Dog Control Act 1996

- Too much variation in the application and administration of this act throughout New Zealand, and local government need to force all Councils to use the legislation to its full extent as their primary enforcement and compliance tool.
- Councils should provide an approved community strategy/plan/policy on how they propose to combat dog attacks, apply enforcement and compliance of the act throughout their districts, which has to be approved by the minister, via Local Government.
- Local Government to implement and fund regional “Field advisory officers” who will report annually to the minister,

- via local government - based on each TAs strategy/Plan/policy including the administration of the law, reduction in dog attacks in their district and reduction in non-compliance of owners with dogs that have attacked.
- Compulsory Section 10 reports, with consequences for non-compliance of TAs
 - Potential to rate Councils "Excellence or poor" performance

National standards of operation

- Compulsory training regime of animal management officers to meet minimum G Reg level 4 standard of competence
- Compulsory annual audits on compliance by TA
- Certification of assessment at local level to maintain the standards.

Review the Dog Control Act

- Review existing regulations to incorporate modifications, infringement notice system for dog bites, suspension clause for menacing/dangerous dogs, mandatory probationary classification for owners who commit serious offences an infringement offence, de-sexing of all impounded menacing dogs, and no adoption of menacing dogs.

1st RECOMMENDATION – which the minister may consider

- The industry leaders of like-minded agencies conduct a summit to find answer to the issues relating to dangerous dogs and dog attacks
- Using Dogsmart as the platform to educate our children on how to be safe around dogs
- Using social media, DHB reports and stats to highlight the issues around dangerous dogs and the consequences of owning dangerous dogs
- Council to provide an approved community strategy or plan on how they propose to combat dog attacks, apply enforcement and compliance of the act throughout their districts, which has to be approved by the minister, via Local Government.
- Local Government to implement and fund regional "Field advisory officers" who will report annually to the minister, via local government on implementation of strategies or plans.

- The TAs to commit to G Reg training schemes to ensure field officers are fully trained and competent to carry out enforcement roles to the level expected.
- A review of the Dog control act 1996, making minor changes as required.

2 – RECOVERY FROM DOG ATTACKS

Mandatory notification of dog bites

- DHBs to notify Councils of attacks with victim's details to initiate an investigation action.
- DHB statistics, clearly show a large % of dog attacks occur within the home
 - Investigation may include education, awareness and/or enforcement action
- Council aren't notified and therefore fall of the radar with no corrective action
- Councils complete Data collection (John P) records

Compulsory dog owner competency testing

Owners of dogs that attack, bite or rush at people, stock, domestic animals or protected wildlife (not just American Pit Bull terrier dogs).

Should be required to meet the additional costs of obtaining a "Certificate of competency" from an authorized dog trainer confirming responsible dog ownership was achieved.

- Educating dog owners – probationary and others on responsible dog ownership
 - Compulsory education/socialization training
 - Compulsory education/training for owners of dogs that attack and socialization of dogs, at the owner's expense.
 - Training will identify gaps in a dog owner's ability to manage their dogs and therefore may change the owner's views of owning a dangerous dog.
 - Provides owners with consequences for owning dogs that attack.

Dog owner's meeting victims restorative costs

- Dog owners meeting all "*restorative justice*" or "*righting the wrong*" requirements - letter of apology, full and complete reparation and total containment or euthanasia of the dog.
- Dog owners meeting all requirements as set down in the Dog Control Act 1996 - menacing/dangerous dog classifications requirements.

Use of penalties

- Increase in penalties, the % fee in **annual fees** be increased even more to reflect the real cost of compliance checking.
- Fines for non-compliance of any of the above
- Annual **property inspection costs** - ensuring compliance with the classification requirements, Inspection ensuring dog's containment to the property, welfare and care needs are met and compliance/training requirements are met.
- Dog owners need to meet the additional **hearing costs** - when objecting to a menacing or dangerous classification.
- Strict application of penalties handed out to dog owners of dogs that have previously attacked, and that have previously known to have attacked on more than one occasion previously. **2 strikes and you're out** - prosecution.
- **Zero tolerance** to offenders of more than 1 attack.

Phasing out of dogs that attack

- Using the Dog control Act 1996 which currently covers all matters pertaining to dangerous/menacing dog classification
- Compulsory **neutering, muzzling and leash** law requirement of the breeds and types of dogs covered under the menacing dog legislation and all other dogs that attack.
- Mandatory **RED collar** identification on every menacing and dangerous dog to identify the dog has previously attacked or bitten.
- **Identification of properties** of dangerous dogs.
- Make it undesirable and unaffordable to have a dog that attacks.

2nd - RECOMMENDATION – which the minister may consider

- DHBs notify Councils of attacks with victim's details to initiate an investigation action.
- Councils collect data of dog attacks reported to them for comparison.
- Every owner of a dog classified as dangerous to be mandatory to successfully complete a competency examination at their own expense.
- Restorative justice be mandatory to every owner of a dog that attacks and injures, kills any person stock poultry domestic animal or protected wildlife.
- Owners pay for objections to classifications in annual fees.
- Compulsory neutering, muzzling and leash law requirement of the breeds and types of dogs covered under the menacing dog legislation and all other dogs that attack.
- Mandatory **RED** collar identification on every menacing and dangerous dog to identify the dog has previously attacked or bitten.
- Identification of properties of dangerous dogs.

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Priority Urgent

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: **Draft Cabinet paper: National strategy to reduce the risk and harm of dog attacks**

Date: 26 August 2016

Key issues

You intend to seek Cabinet's agreement to proposals to reduce the risk and harm of serious dog attacks in New Zealand. This is with a view to announcing decisions at the annual New Zealand Institute of Animal Management conference on 22 September 2016. We propose a package of measures, which collectively form a national strategy, that achieve the goal of reducing serious dog incidents. Appendix A of the Cabinet paper provides an overview of the strategy.

Action sought

note that the attached draft Cabinet paper proposes a national strategy to reduce the risk and harm of serious dog attacks;
note that a follow-up Cabinet paper may be appropriate to progress further matters we consider warrant additional consideration and analysis; and
provide feedback on the attached draft Cabinet paper at the officials' meeting on 29 August 2016.

Timeframe

By 29 August 2016

Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 st contact
Pallavi Chhibber	Senior Policy Analyst	04 494 5743		✓
Glenn Webber	Director, Local Government Policy	04 495 7296	s.9(2)(a)	

Return to	Pallavi Chhibber, Level 7, 147 Lambton Quay		
DMS references	4676576DA	PLG-1725-38	
Ministerial database reference	LG201600525		

Purpose

1. The purpose of this briefing is to advise you on options to reduce the risk and harm of dog attacks in New Zealand. It attaches:
 - An overview of the proposed strategy to reduce the risk and harm of dog attacks, showing an indication of stakeholder support (Appendix A);
 - a draft Cabinet paper based on officials' preferred options, for your review (Appendix B);
 - the draft Regulatory Impact Statement supporting the Department's analysis and proposed options (Appendix C); and
 - a summary of council and public feedback on proposed measures, and a media release to announce the results and thank submitters (Appendix D).

Executive summary

2. You intend to seek Cabinet's agreement to proposals to reduce the risk and harm of serious dog attacks in New Zealand. This is with a view to announcing decisions at the annual New Zealand Institute of Animal Management conference being held on 22 September 2016.
3. We propose a package of measures, which collectively form a national strategy, that achieve the goal of reducing serious dog incidents. The draft Cabinet paper provides an overview of the strategy.

Key findings that underpin our analysis on how to reduce risk and harm

4. The Department's analysis is summarised in the attached draft Regulatory Impact Statement. That Regulatory Impact Statement is currently being assessed by the Department's internal regulatory impact analysis panel and is subject to additional changes. We have provided it in draft form to act as supporting information as you consider the proposed strategy.
5. As part of our discussions with stakeholders and scan of literature, we have identified the following key findings, which form the basis of the proposed policy position on how to reduce the risk and harm of serious dog attacks.

Breed-specific legislation alone does not reduce the number of dog attacks

6. International experience has indicates that breed-specific approaches have not been successful in reducing dog attacks, and the trend observed internationally is a move away from this approach. Specifically, it shows that:
 - breed alone is not an appropriate indicator or predictor of aggression in dogs. Rather, certain breeds have a greater propensity for harm should they attack. Focussing on particular breeds fuels the misperception that other dogs won't bite;
 - it is not possible to precisely determine the breed of the types of dogs targeted by breed-specific legislation by visual identification or by DNA analysis; and
 - a breed-specific approach does not address the human element whereby dog owners who desire a classifiable dog will simply substitute another breed of dog of similar size, strength and perception of aggressive tendencies.
7. *Risk of attack and harm of attack* are two separate areas of policy action, which can often get conflated. All dogs have potential for aggression and carry risk of attack; the

dog breeds and type in Schedule 4 of the Dog Control Act 1996 have a greater potential to inflict significant harm. This is a sound rationale for placing greater precautionary controls on the keeping of these dogs. However, other measures are needed to address risk of attack.

Increasing controls and costs of ownership risks further disincentivising dog registration

8. Dog registration is the cornerstone of effective dog control. This is because it links dog control services to dog owners; allows for the appropriate placement of controls on individual dogs; and provides a source of revenue for dog control activities. Dog control policy needs to balance the need to have strict and appropriate controls in place for 'higher risk' dogs (which drives up compliance costs for their owners), with the need to ensure dog ownership is not pushed further 'underground'.
9. Any additional cost may act as a discouragement from complying with requirements such as registering dogs, or encourage irresponsible behaviours such as dumping dogs.

Having a dog classified as menacing is an important first step in being a responsible owner

10. It is important that being the owner of a dog classified as menacing is not stigmatised, and that policies around those owners, and their dogs, not be punitive in nature. This is because the menacing classification system is designed to put extra protections around those dogs so that they may be accepted into a society that is aware of and minimises the extra risk associated with these dogs. Having the appropriate controls will mean 'menacing' dogs do not become 'dangerous' dogs. It may be more appropriate to think of these dogs as 'potentially dangerous' rather than menacing.

Most dog incidents occur in the home; children are disproportionately involved in serious dog attacks

11. Both ACC claim and hospitalisation data show that most dog-related injuries and incidents occur in the home. This finding is supported by findings overseas¹ and what we have heard from dog control officers we have met with.
12. According to an analysis of hospitalisation data carried out by the University of Otago's Injury Prevention Unit, just under 30 per cent of the patients discharged for serious dog bite incidents (excluding day patients) were under the age of 10. SPCA New Zealand and other stakeholders we have met with also discussed the fact the children are disproportionately affected.

To be effective, policy tools need to be used in a phased approach

13. There are a number of policy tools available to deal with dog control issues. These include registration and licensing obligations; registration and licensing differential fees incentives; and classification of dogs or owners. Some of these tools we are currently using; others could be adopted. All have merit in theory, but have practical issues. We consider that the success of these further measures depends on the receiving environment being right.
14. Currently dog control in New Zealand is significantly hampered by the high availability of dogs. As such, 'supply-side' measures first need to be adopted to reduce the

¹ Australian Veterinary Association "Dangerous dogs – a sensible solution: Policy and model legislative framework" (August 2012).

availability of high-risk classified and dangerous dogs. This combined with a societal culture change process and more effective council action through development of best practice, will mean the conditions are ripe for ramping up controls on dogs, owners and breeders. This leads us to propose a package of amendments, which collectively form a national strategy.

The attached draft Cabinet paper proposes a national strategy to reduce the risk and harm of dog attacks

15. The draft Cabinet paper provides an overview of the proposed national strategy. A table of the particular options proposed and not proposed, and the level of support across stakeholders for our position is provided in **Appendix A**.
16. A financial contribution from Government will be necessary to run an effective subsidised neutering programme. We are working with SPCA New Zealand and Treasury to develop costings for a national neutering program, which will be included in the final Cabinet paper.

There is a list of potential legislative issues the stakeholder have raised that warrant investigation

17. In addition to the measures we seek to put in place through the Cabinet paper, there may be additional measures that will further reduce harm caused by dog attacks. At the later stages of stakeholder engagement, some issues that we consider warrant further investigated were raised.
- 18.

s.9(2)(f)(iv)

s.9(2)(f)(iv)

Next steps

24. Your feedback is requested on this draft paper by Wednesday 31 August 2016 in order to incorporate your feedback, before providing you with a final paper on 2 September 2016. You meet with officials to discuss the final papers on 5 September 2016 before they are lodged with the Cabinet office by 8 September 2016.
25. We will discuss with you how best to address the further issues raised by stakeholders, but not pursued, at your meeting with officials on 29 August 2016.
26. The proposed timeline for finalising the Cabinet paper and its consideration by the Economic Growth and Infrastructure Committee is provided in Table 1 below.

Table 1: Timetable for Cabinet process and policy announcement

Item	Date
Meeting with officials provide on draft Cabinet paper	Mon 29 August
Additional feedback to officials	By Wed 31 August
Final Cabinet paper and RIS to your office	Fri 2 September
Meeting with officials to discuss final papers	Mon 5 September
Cabinet paper and RIS submitted by your office to the Cabinet Office	Thu 8 September
EGI Cabinet Committee meeting	Wed 14 September
Cabinet meeting	Mon 19 September
Policy announcement	Thu 22 September

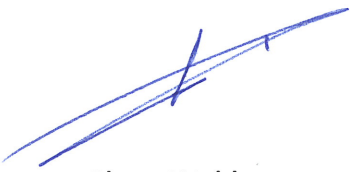
s.9(2)(f)(iv)

Recommendations

28. We recommend that you:

- a) **note** that the attached draft Cabinet paper proposes a national strategy to reduce the risk and harm of serious dog attacks;
- b) **note** that a follow-up Cabinet paper may be appropriate to progress further matters not able to be explored as part of this tranche of work and we consider; and
- c) **provide feedback** on the attached draft Cabinet paper at the officials' meeting on 29 August 2016.

Yes/No



Glenn Webber
Director, Local Government Policy

Hon Louise Upston
Associate Minister of Local Government

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Appendix A: Table of key options proposed and the level of support across stakeholders

The table below summarises the proposed legislative measures for the Phase 1a of the proposed national strategy to reduce the risk and harm of dog attacks. It also sets out examples of potential proposals for Phase 1b and beyond.

Objectives		Proposed measures	Stakeholders in support of our position	Stakeholders not in support of our position
Phase 1a:	Reduce the supply of new high-risk dogs	Require all dogs classified as menacing to be neutered	Broad support Particularly supported by Local Government New Zealand, territorial authorities, dog behaviour specialists, the Royal New Zealand Society for the Prevention of Cruelty to Animals	None expressed opposition, although an animal management officer from has Porirua CC explained to us that their approach is non-mandatory and they have had very successful uptake of neutering in their district
		Government to subsidise neutering of all dogs	Broad support	None expressed opposition
	Stricter controls on ownership of 'high-risk' dogs	Require dogs classified as menacing to be securely fenced within private property, in a manner which allows dog-free access to the dwelling	Broad support Particularly supported by territorial authorities, people encountering dogs on private property in the course of their work, the Ministry of Business Innovation and Employment, the Ministry of Health, the Accident Compensation Corporation	None expressed opposition
		Require dogs classified as menacing and dangerous to wear identification collars	Broad support Particularly supported by territorial authorities, dog attack victims, the Ministry of Business Innovation and Employment, the Ministry of Health, the Accident Compensation Corporation	None expressed opposition. The Society of Local Government Managers suggested that existing muzzling requirements may be sufficient to enable members of the public to identify a classified dog
Objectives	Examples of measures to be explored		Stakeholders in support of potential measures	Stakeholders not in support of potential measures
s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)
		s.9(2)(f)(iv)		
	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	
		s.9(2)(f)(iv)		
	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	
		s.9(2)(f)(iv)		

Objectives		Proposed future measures	Stakeholders in support of our position	Stakeholders not in support of our position
Phase 2:	Incentivise registration of all dogs and reduce the over-supply of existing high-risk dogs	Short term nationwide amnesty for registration of all dogs followed by targeted enforcement campaign against irresponsible dog ownership	-	None expressed opposition. The New Zealand Institute of Animal Management has consulted with a number of councils who considered that there is little need for an amnesty in areas outside Auckland
Objectives		Proposed future measures	Stakeholders in support of our position	Stakeholders not in support of our position
Phase 3:	Long term maintenance and of low-risk dog population	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)
		s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)
		Compulsory neutering of all dogs	Raised by dog behaviour specialists and Royal New Zealand Society for the Prevention of Cruelty to Animals New Zealand Institute of Animal Management expressed broad support for the overall strategy	-

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Appendix B: Draft Cabinet paper

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Appendix C: Draft Regulatory Impact Statement

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Appendix D: Summary report of survey results and council feedback, and draft media release

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Regulatory impact statement: Proposals to amend the Dog Control Act 1996

Agency disclosure statement

This regulatory impact statement has been prepared by the Department of Internal Affairs.

It provides an analysis of the options to reduce the risk and harm from dog attacks. Ministerial direction is to review settings with a focus on high-risk owners and high-risk dogs. This direction limits the scope of this work and the options explored in this analysis.

There is limited data available to assess the type and extent of problems with dog control regulation, and in particular the scale and characteristics of serious dog attacks in New Zealand. In particular, we do not have reliable data on the actual number of dogs in New Zealand.

For information about dogs in New Zealand, we are reliant on the national dog database (NDD). Information in the NDD is based on data uploaded from individual councils, and as a result there can be irregularities in this information from year to year. In the past not all councils had data in the NDD for every year, so totals in the NDD will be less than the actual number of registered dogs. Where councils do not report for a data period, an estimate is made based on data from previous or following years. As data prior to 2013 contains a higher degree of under-reporting, most of the analysis presented here is based on data from 2013 onward.

Steve Waldegrave
General Manager, Policy

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Executive summary

1. The Department has evaluated the status quo and a number of options to reduce the risk and harm of dog attacks. The preferred options fall into four broad categories:
 - Measures that transition New Zealand towards a lower risk dog population:
 - Measures that encourage responsible dog ownership behaviour and discourage negligent and reckless behaviour:
 - Measures that enhance the ability of territorial authorities to take effective preventative and enforcement action against high-risk owners and high-risk dogs:
 - Measures that help to protect individuals from becoming victims of dog attacks: Requiring visual signifiers of dog classification, public education campaigns to increase awareness of dog behaviour and safety.

Objectives

2. The Dog Control Act 1996 aims to establish and maintain an appropriate balance between the advantages of dog ownership to individuals and communities and the protection of individuals and communities from dog attacks. The objectives of this review are to further refine regulatory and non-regulatory settings to:
 - 2.1 Improve community and individual safety from the threat and harm of dog attacks;
 - 2.2 Support the welfare of animals and the valuable role dogs play in our society and individual well-being; and
 - 2.3 Increase effectiveness the dog control regime.

Criteria

3. The following five criteria were used when assessing options.
 - **Effective:** the option achieves the desired outcomes and addresses the problems identified;
 - **Efficient:** the requirements minimise compliance costs and are no more than necessary to achieve the outcomes sought;
 - **Equitable:** the requirements are fair and are consistently applied; and
 - **Clear and Transparent:** people understand what is required of them and the basis of decisions.
 - **Cost-effective:** the option is a cost-effective expenditure of public funds

Status quo and problem definition

4. Any interaction between dogs and humans involves some risk. The central objective of dog control policy in New Zealand is to strike an appropriate balance between the advantages to individuals and communities of dog ownership and the protection of individuals and communities from dog attacks.
5. Dog control is regulated by the Dog Control Act 1996 (the Act). The Act was introduced after a review of dog control in the mid-1990s which found that a serious dog control problem existed in New Zealand. The Act was amended substantially in 2003, and has been amended three times since then. The Act is implemented by city and district councils with the support of their communities. The Act places increased restrictions on dogs according to characteristics typically associated with a particular breed or type, or because of observed or reported behaviour.
6. The Government is reviewing the policy settings around dog control to determine if central and local government can do more to improve public safety around dogs. The review aims to address concerns that serious dog attacks continue to happen with long lasting impacts for victims and families. Serious dog attacks can be defined as an interaction with a dog which results in death or serious injury (i.e. requiring emergency/hospital treatment) or which has the potential for such.
7. There is limited data available to assess the nature and extent of problems with dog control regulation, and in particular the scale and characteristics of serious dog attacks in New Zealand. Available high-level evidence is as follows.

Problems to be solved

The rate of hospitalisation due to dog bites and number of ACC claims for dog-related injury have been increasing significantly more than the number of registered dogs

8. The number of registered dogs in New Zealand has been increasing slightly over the past decade.¹ There were an estimated 492,741 registered dogs in 2007, and in 2016 there are an estimated 533,216 registered dogs (Figure). Over the last few years the number of registered dogs per capita has remained stable, at about 12 dogs per 100 people.
9. Ministry of Health data shows that the number of discharges for dog *bites* has increased by 53 percent from 457 in 2005 to 724 in 2015 (Figure 2). The rate of hospitalisations by population is also increasing, with a rate of 15.8 hospitalisations per 100,000 people in 2015. The annual rate of change is variable with discharges in the last three years showing little change.

¹ The National Dogs database provides information on the number of registered dogs by councils. However, prior to 2013 not all councils supplied data for every year. In addition, the number of registered dogs does not reflect the total dog population in New Zealand.

10. Otago University's Injury Prevention Unit's data shows that the number of hospitalisations for *dog-related incidents* increased by 72 percent from 276 in 2000 to 474 in 2014 (Figure 2).² Both the IPU and MoH data show a significant increase in discharges in 2011, and a slowing/reduction in the rate of growth of hospitalisations over the last few years.
11. ACC data on dog-related injury claims shows a 25 percent increase in the number of active claims from 10,196 in 2006 to 12,695 in 2015 (Figure 3).³ The total pay-out for dog-related injuries from 2006 to 2015 was \$34.860 million. In 2015, the average cost per claim was \$407, and while there has been more annual variation in the average cost per claim than for the number of active claims, the cost of the average claim still increased by 72 percent from 2006 to 2015.

Most dog incidents occur in the home; children are disproportionately involved in serious dog attacks

12. Both ACC claim and hospitalisation data show that most dog-related injuries and incidents occur in the home, followed by those that occur on the street (Figure 4). This finding is supported by findings overseas.⁴
13. According to the IPU data, just under 30 percent of the patients discharged were under the age of 10. In contrast the ACC claims data shows the peak rate of claims is for clients in the 50-54 age range (Figure 5). This suggests that while more people may claim for ACC injuries requiring treatment at older ages, the impact of dog-related injuries appears to be greater on younger people. An analysis of media reports of severe dog attacks supports the view that children were disproportionately involved in serious incidents. Fifty-nine dog attack incidents involving 68 people injured were reported on by the media over the last five years.⁵ A third of the people injured were under the age of nine.
14. Māori also appear to be a particularly affected group, as they tend to make up a higher proportion of ACC claimants and hospitalisations than their percentage of the total population (Figure 6). This is particularly evident for younger age groups (Figure 7).

The causes of dog attacks

15. The causes of dog attacks are known to be multifactorial. Literature identifies five key interacting factors as determinants of the tendency of a dog to bite, namely:
 - heredity (genes, breed),
 - early experience,
 - socialisation and training,
 - health (physical and psychological), and

² IPU analysis also originates from data collected and supplied by MoH. But as well as being subject to other selection criteria, IPU data excludes day patients. Hence, the much lower numbers than for MoH data presented here.

³ It should be noted that the ACC claims data is for dog related injuries and includes more than just 'attacks' or 'bites'.

⁴ Australian Veterinary Association "Dangerous dogs – a sensible solution: Policy and model legislative framework" (August 2012).

⁵ 275 media articles on dog attacks were examined from 2011 to 2016.

- victim behaviour.
16. Other factors include the sex and age of the animal, along with a range of other social and environmental factors. International research findings are that:
- Male dogs are 6.2 times more likely to bite than females
 - Undesexed dogs are 2.6 times more likely to bite than those that are neutered
 - Chained dogs are 2.8 times more likely to bite than unchained dogs
 - Dogs with “dominance aggression” are more likely to be 18-24 months old
 - Dogs bred at home are less likely to bite, compared to those obtained from breeders and pet shops
 - Dogs are more likely to bite the older they are when they are obtained
 - Biting dogs are more likely to live in areas of lower median income
 - Dogs are more dangerous when acting as a pack
17. There is no single contributing factor underlying all dog attacks. As such reducing the risk and harm of attacks warrants action to address all of the five key factors described above. In the absence of government intervention, the number and severity of dog attacks is likely to continue. At the broadest level of analysis there are four main problem areas that have been identified with respect to dog control. These are discussed below.

Problem Area 1: Inherent risk associated with dogs

18. The acceptance of dogs in our society means a baseline level of risk. However, a higher level of risk arises due (i) intrinsic risk variation in the dog population owing to the predispositions of particular breeds and (ii) the variation in potential for harm should a dog attack, owing to the size of the dog.

Status quo

19. Councils have powers and responsibilities to declare a dog menacing or dangerous in certain circumstances. Councils **may** classify a dog as menacing dogs if it believes the dog poses a threat to public safety because of its behaviour. Councils **must** classify a dog as menacing if there are reasonable grounds to believe it belongs wholly or predominantly to one or more of the breeds or types of dog that it is illegal to import into New Zealand (under Schedule 4 of the Act). Currently these 'banned' breeds are American Pit Bull Terrier, Dogo Argentino, Brazilian Fila, Japanese Tosa and Perro de Presa Canario. Other breeds or types of dogs can be added to the list of restricted dogs by Order in Council. Increased restrictions placed on dogs classified as menacing include mandatory muzzling when in public, and councils **may** require them to be neutered.
20. Dangerous dogs include those where an owner is convicted of an offence under 57A of the Act, or where, on the basis of sworn evidence, the council believes a dog is a threat to public safety or where the owner records in writing that it is a threat to public safety. Dangerous dogs must be kept in a fenced part of the owner's property, **must** be muzzled, on a leash in public and neutered.

21. The NDD records the number of registered dogs classified as menacing and as dangerous under the Dog Control Act 1996. Since 2013 the number of menacing dogs has steadily increased by six percent. The number of dogs classified as dangerous has increased by two percent over the same period, although the rate of annual change is more variable. The percentage of menacing and dangerous dogs in the total population of registered dogs has remained at 1.6 percent for the last four years.
22. International experience has shown that breed-specific approaches has not been successful in reducing dog attacks, and the trend observed is a move away from this approach. Reasons why it is not successful include:
 - Breed alone is not an effective indicator or predictor of aggression in dogs and focussing on particular breeds fuels the misperception that other dogs won't bite.
 - It is not possible to precisely determine the breed of the types of dogs targeted by breed-specific legislation by visual identification or by DNA analysis.
 - Breed-specific legislation ignores the human element whereby dog owners who desire this kind of dog will simply substitute another breed of dog of similar size, strength and perception of aggressive tendencies.

Pit bull-type dogs are over-represented in impounds, attacks, prosecutions, and euthanasia rates

23. While a number of the breeds in Schedule 4 are not known to exist in New Zealand, there is anecdotal evidence that some have been imported undeclared and are established here. With respect to the pit bull type dogs, councils' evidence is that they have increased greatly in number around the country. In the South Auckland region, for the 2014/15 year, 37 percent of total impounds were considered Pit bull types and crosses. Because of Auckland Council's no rehoming policy for classified dogs a large number of dogs are euthanised. Pit bull type dogs have been bred to eliminate submission inhibition. As such, even if an individual pit bull type dog does not have aggressive tendencies it has a latent potential for significant harm should an incident arise where the dog becomes stressed/agitated.

Options and impact analysis for Problem Area 1

Mandatory neutering of all dogs classified as menacing (remove territorial authority discretion)

24. At present, the territorial authorities have discretion as to whether they require the owner of a dog classified as menacing to neuter the dog. Approximately two-thirds of councils have adopted mandatory neutering. Where such a policy is adopted, a non-compliant owner can be fined (upon conviction) and the territorial authority can seize the dog and retain it until the owner is willing to comply, or dispose of the dog.
25. For dogs classified menacing *by breed*, the import of such dogs is already banned. So there is a clear rationale to require mandatory neutering. In fact, variation in this respect undermines the current regime intent of restricting Schedule 4 breeds and types to restrict these breeds in New Zealand. For dogs classified menacing *by deed*, neutering is understood to have behavioural advantages.

26. As such, there is no need for council variation on this matter and national consistency is desirable. Mandatory neutering would reduce the risk that the dog will commit a serious attack; it will also drive consistent practice across the country, and reduce costs for territorial authorities (by streamlining and simplifying the process). Neutering also supports animal welfare considerations as lowered aggression results in reduced risk of the dog attacking and having to be euthanised.
27. Overall mandatory neutering would enhance the effectiveness of the dog control regime, but there is a risk that some owners that wish to breed dogs that are classifiable menacing or dangerous will try to evade collection of accurate breed information via the registration system. It may also increase costs for councils if owners become less likely to seek or accept classification of dogs where it is appropriate.
28. This option increases equity between owners of menacing dogs as they are not subjected to regional variation and there is 'one rule for all'. However, dogs that are classifiable menacing by breed tend to be owned by those in lower socio-economic groups. As such, in practice it may impose more costs on those who can less afford it.
29. This option is recommended as it meets objectives better than the status quo and is cost-effective overall.

Differential registration fee: Require territorial authorities to charge increased registration fees of at least 50 percent for owning classified dogs

30. Differential fees are one tool for the creation of the right incentives among dog owners. This option would seek to disincentivise ownership of dogs classified menacing or dangerous, with the aim of transitioning to a lower-risk dog population, with a lower potential for harm inflicted in the event of an attack.
31. To a certain extent, this option disincentivises ownership of classified (and Schedule 4) dogs, thereby supporting transition to a lower-harm dog population. However, many owners of Schedule 4 dogs do not intend to, or are not aware of the need to, register their dog and pay fees. This option further disincentivises registration for that group. Once those dog owners are identified, they are less likely to be able to register their dog on the spot. Therefore more dogs may have to be euthanised if owners become aware they will have increased costs (especially if portrayed as punitive).
32. Many would see this option increasing equity as a significant amount of cost arises as a result of classified/ classifiable dogs. But, owners of pit bull-type dogs tend to be in the lower socio-economic demographic, who can less afford extra costs and may lose their dogs as a result. Further, their dogs may not have even exhibited aggressive tendencies to attract extra cost. This option is not recommended.

Differential registration fees: Require territorial authorities to charge reduced/equal registration fees for owning classified dogs

33. To be completed

Differential registration fee: Require territorial authorities to provide a registration fee reduction of at least 50 percent for dogs below 10 kilograms

34. As discussed in the option above, differential fees are a tool for the creation of the right incentives among dog owners. Although all dogs/breed types and have aggressive tendencies, the size of a dog plays a significant role in the potential harm that can be inflicted. This option would seek to incentivise ownership of smaller sized dogs, with the aim of transitioning to a lower-risk dog population, with a lower potential for harm inflicted in the event of an attack.
35. This option incentivises ownership of smaller sized dogs, which have less potential for harm when an attack takes place, thereby supporting transition to a lower-harm dog population. There are generally no animal welfare impacts, but may create an incentive to withhold food for dog on the boundaries of the cut-off weight. There are likely to be practical difficulties with this approach; dog control officers are often registering unregistered dogs on the spot when they are identified. This approach would potentially require them to carry scales. Also more councils are moving towards online registrations, and such information is not able to be verified. There are already inaccuracy issues with self-identified information in the system, such as breed of dog. As this approach aims to reduce potential for harm but not aggressive tendencies, a sense of inequity may also arise among some owners as a small dog displaying greater aggression would be endorsed over of dogs considered to be “gentle giants”.
36. It is also important to note that many councils already use fees incentives. Introduction of another variable in the calculation may result in a lack of upfront clarity about how fees are determined. The measure would however, be cost-effective.
37. This option is not recommended.

Differential registration fee: Require territorial authorities to provide a registration fee reduction of at least 50 percent for dogs that have passed temperament and sociability testing

38. As discussed in the options above, differential fees are a tool for the creation of the right incentives among dog owners. This option would seek to incentivise ownership of dogs with a lower individual risk profile, with the aim of transitioning to a lower-risk dog population. Once temperament tested, councils could require repeat test as appropriate (e.g. every three years), or once tested, the fees reduction may be retained as a result of no complaints and infringements being registered against the dog and their owner.
39. This option incentivises ownership of non-aggressive dogs thereby supporting transition to a lower-risk dog population. Also enables better behaviour-based identification and appropriate classification of dogs. It is also considered to support animal welfare considerations as it allows identification of high-risk dogs so that appropriate care and control can be applied to them.

40. It is important to note that many councils already use fees incentives. Introduction of another variable in the calculation may result in a lack of upfront clarity about how fees are determined. The measure would be cost-effective long term. However, temperament is a new and evolving area requiring a level of training and expertise. Testers/behaviourist used would need to be approved. Should this option be progressed, there is likely to be a need to invest in training across New Zealand to build up the skill-set. As such, appropriate lead-in time should be provided for councils to implement such a policy.
41. This option is not recommended.

Introduce a sub-classification under menacing for dogs kept for an aggressive purpose (hunting dogs)

42. Currently dogs can be classified as menacing by breed (section 33C) and by deed (section 33E). An additional appropriate menacing classification for dogs may be as menacing by purpose, for hunting dogs. These dogs are not only expected to have aggressive tendencies, they will be selected by their owner as a dog able to inflict significant harm. This option enables better behaviour-based identification and appropriate risk-and harm-based classification of dogs
43. There is no New Zealand data on the extent to which dog attacks in New Zealand are caused by hunting dogs, but it is appropriate that a higher-risk classification applies to them in light of their purpose.
44. There may be practical difficulties as councils would be reliant on owners self-identifying that a dog is being kept for an aggressive purpose.
45. This option is not recommended.

Ban on rehoming of dogs classified as menacing or dangerous

46. Currently many councils have a policy of the rehoming of dogs classified menacing or dangerous from their council shelters. This option would make that rule consistent across all councils and also prevent the SPCA from rehoming those dogs.
47. This is supportive in theory, as it lowers dog population with potential high-harm (and high-risk for dogs classified by deed). But the extent to which this option would be particularly effective depends on whether dogs, once classified and rehomed, are over-represented in dog attacks. There is no data on this. It does not support animal welfare considerations, particularly where a dog maybe well-adjusted and non-aggressive, but classified by breed due to its potential for significant harm should there be an attack. Such a ban may disincentivise owners to seek or accept classification of dogs where it is appropriate and to act responsibly when they can no longer adequately care for their dog. People will also be less likely to surrender dogs to the council if there was such a ban.
48. The option is however, likely to reduce shelter costs and be cost-effective.
49. This option is not recommended, as this is an area where local communities are best placed to decide what is most appropriate for their context.

Problem Area 2: Breeder and owner behaviour

50. As three of the five key factors in dog aggression involve a dog's environment,⁶ breeders and owners are crucial determinants of the risk associated with the dog. As such, ingraining responsible attitudes to dog ownership is an important area of action. Measures are needed to encourage responsible dog ownership and discourage negligent and reckless behaviour through a combination of removing unnecessary hurdles, providing incentives, and ensuring strong penalties.

Status quo

51. Dog owners have a number of obligations under the Dog Control Act 1996. These include registering their dog with the local council before it is three months old or when the owner receives the dog, and micro-chipping their dog when it is registered for the first time (except for farm dogs), or if it has been classified as dangerous or menacing.
52. Dog owners must also make sure the dog does not scare or injure any person or any other animal and is kept under control at all times; and care for their dog – exercise it and provide food, water and shelter.
53. A dog owner must take all reasonable steps to ensure that the dog does not:
- cause any nuisance to any other person, for example by constant barking, howling or roaming
 - injure, endanger or cause distress to any stock, poultry, domestic animal or protected wildlife
 - damage or endanger any property belonging to another person.
54. The penalty for owning a dog involved in an attack causing serious injury is up to three years' imprisonment and/or a fine of up to \$20,000. The penalty for not registering a dog is \$300 as is the penalty for not micro-chipping a dog if required to do so.
55. There were 415,144 registered dog owners in New Zealand in 2016. This number has increased by 7 percent since 2013. At the same time, the number of dogs per owner has decreased by around 7 percent. This suggests that while more people are owning dogs (and the total number of dogs has increased very slightly), people are tending to own fewer animals.
56. Evidence from councils and animal management officers is that irresponsible dog ownership is largely down (i) a lack of owner education about dog behaviour and how to be responsible (ii) socio-economic factors resulting in an inability to meet extra costs associated with responsible ownership, and (iii) unwilling non-compliant attitudes among members of society. Often dogs may be kept specifically for aggressive purposes, such for guarding property where illegal activity may be taking place, for intimidation, or for the purpose of causing injury to other people or animals.
57. Anecdotal evidence is that animal welfare issues are also extensive.

⁶ Early experience, socialisation and training, health (physical and psychological).

Options and impact analysis for Problem Area 2

s.9(2)(f)(iv)

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66. Owners of pit bull-type dogs tend to be in the lower socio-economic demographic, who can less afford extra costs. This is another reason why a long lead-in time is appropriate. There may be some confusion for owners who did not expect their dog to be classified by breed or do not agree with the breed classification of their dog.
67. This proposal targets high-risk groups and encourages behaviour changes as opposed to punitive action and is therefore recommended.

Extend fencing/containment requirements to all menacing dogs

68. Currently there are containment requirements on owners of dangerous dogs. This option would extend that requirement to owners of menacing dogs. It would greatly reduce the risk of people encountering high-risk dogs on private property, dogs roaming/running off the property when provoked, and becoming agitated due to chaining. Some councils may have such requirements in bylaws, but they are not currently supported by legislation.
69. A fencing requirement increases compliance cost of ownership of a menacing dog, but this is targeted at a high-risk population. This option is likely to be cost-effective, as a larger part of dog control work is a result of dogs not being contained on their property.
70. This option is recommended.

Subsidise neutering

71. This option would incentivise neutering of dogs. Neutering is linked to lower aggression and more neutered dogs will decrease unintended litters/ over-supply of dogs. Councils consider this to be one of the most important actions to reduce the likelihood of dog attacks, as a large number of litters and unintended and unwanted, This lowers the value of these dogs and if one dog is impounded, often that owner will simply get another dog. This also increases the number of dogs that continue to be euthanised. As such, subsidised neutering also supports animal welfare considerations.
72. This option is likely to be cost-effective, however it is not possible to confirm this as it is unclear how many dogs would need to be neutered for an effective reduction in reproduction potential.
73. This option is recommended.

National educational campaign about socially responsible dog ownership

74. Councils considered people to not be very well informed about what socially responsible dog ownership is. Owner behaviour is known to be a significant contributor to dog attacks. Socially responsible owners result in more well-adjusted dogs with less risk of dog attacks, and it reinforces the value of dogs in society. Investment in upfront education and prevention would require less enforcement action and costs of non-compliance for owners due to greater awareness and culture change. How much it would cost to carry out an effective public education campaign is unclear. However, carrying out such a campaign at the national level is considered to be more cost-effective and individual efforts among councils.
75. This option is recommended.

Problem Area 3: Council enforcement

Status quo

76. Enforcement of the Dog Control Act 1996 is the responsibility of territorial authorities. Territorial authorities are also responsible for setting dog control policy in their area: this includes setting registration and other fees and stipulating leash-free exercise areas and areas where dogs must be kept on a leash or where they are prohibited (except for disability assist dogs).
77. Dog control officers can seize dogs that are not under direct control of a person and are free to leave the property along with dogs that are straying, unregistered, behaving aggressively, or not receiving adequate food, water or shelter.
78. Every council must keep a record of all dogs registered. All councils are required to provide information on the dog and its owner along with its microchip number (if it has one) to the national dog database.
79. There are also mandatory annual reporting requirements on councils under s10A of Dog Control Act 1996.

There are potentially a large number of unregistered and un-microchipped dogs in New Zealand; unregistered dogs are over-represented in impounds and attacks

80. Risk associated with dogs is greatly increased by not having appropriate controls on dogs. Applying the appropriate controls to dogs requires dogs being 'in the system' rather than 'underground'.⁷ Dog registration is considered to be the cornerstone of effective dog control because it links dog control services to dog owners, allows for the appropriate placement of controls on individual dogs, and provides a source of revenue for dog control activities. Micro-chipping for identification is an important part of connecting a particular dog to an incident and prior incidents that may have occurred.
81. The recent Auckland Council amnesty which resulted in over 1500 unregistered dogs brought forward for registration indicates that the current dog registration system is not effectively enforced. There are 100,000 registered dogs in Auckland and Auckland Council estimates that there are approximately another 100,000 unregistered dogs. There are indications there is a similar problem of under-registration across the country, although evidence is limited.

Councils are not receiving accurate information about dog attacks in their districts

82. Councils can only investigate attacks they are made aware of, generally by the victim or someone else involved in the incident. There are no mandatory requirements on health professionals or agencies (such as the Accident Compensation Corporation) to notify councils of an incident they become aware of. Councils have noted that without accurate information about the presence and behaviour of dogs in their district, it is not possible for councils to effectively address high-risk dogs or owners.

⁷ It is for this reason that any sort of ban on ownership of dog types or breeds is not considered a feasible option and therefore is not assessed alongside other options in this analysis.

Councils are not going through the full prosecution process due to the expense of this process and limited resources to work with

83. There are members of society for whom infringements are not an effective deterrent. However, prosecutions may not be able to be taken as much as territorial authorities would like, as they do not have the budget.

Options and impact analysis for Problem Area 3

Mandatory photos for national dog database for all dogs classified as menacing or dangerous

84. This option would make it easier for councils to identify classified dogs moving across council boundaries. It would also promote the taking of photos (important of evidentiary purposes) of classified dogs where currently this may not be council practice. Currently many councils are taking photos, which they store on their council systems but they are unable to upload them to the NDD. Making it mandatory would result in national consistency which is necessary otherwise the approach would be of limited value.
85. There would be cost to councils and government to modify registers for the additional functionality in the national dog database to incorporate photos. However, because the NDD has already been established, this measure is considered to be cost-effective. This option is not recommended.

Produce best practice guidance for increasing registration uptake in collaboration with the sector

86. This option would mean the production of best practice guidance, in collaboration with the sector. Sharing knowledge on increasing registration uptake supports less well-resourced councils to take appropriate action to bring dogs 'into the system' so appropriate controls can be applied to dogs.
87. A best practice guidance approach reduces the need for a 'one size fits all' type legislative approach to increasing registration uptake which may prove burdensome for some councils and decreases room for innovation. This option is recommended.

Regulation on sale of dogs - obligation to carry out initial registration and micro-chipping before sale

88. Never known unregistered dogs overrepresented in dog attacks and pounds. Currently there are obligations on an owner to register and microchip their dog. This option would also place obligations on a seller to ensuring registration and micro-chipping have been carried out. This option aims reduce the number of unknown unregistered dogs. However, as a large number of litters are unplanned and unwanted, owners may not be aware of obligations. A large number of 'sales' are informal. There is a risk that such a policy could result in 'backyard' euthanising of unwanted litters. Therefore such a rule may be hard to enforce and potentially force sales further 'underground'. This option is recommended for implementation at a later date.

Produce best practice guidance for working with other agencies to increase territorial authorities' access to relevant information to carry out enforcement activity

89. This option would mean the production of best practice guidance, in collaboration with the sector. Some councils have excellent working relationships with other agencies such as the Police, and Child, Youth and Family. This is because there are shared interests and an understanding that there are efficiencies in working together. This is an area of practice, rather than policy and therefore insights into how to work with other interested agencies may not be actively shared across the local government sector. Sharing knowledge on information-sharing supports less well-resourced councils to form effective relationships with other agencies to maximise benefits.
90. A best practice guidance approach reduces the need for a 'one size fits all' type legislative approach to information-sharing which may prove burdensome for many councils. Such a measure is also likely to be cost-effective.
91. This option is recommended.

s.9(2)(f)(iv)

94. This option is not recommended.

Problem Area 4: Lack of public knowledge of dog behaviour and high-risk dogs

95. The remaining factor determinant of whether a dog will attack is victim behaviour.
96. Because of the inherent risk associated with dogs, there will always be potential victims who are vulnerable to attack. Risks can be mitigated by having enhancing the ability of the public to be safer around dogs. People often do not know when they may be entering a high-risk situation, how to recognise and deal with an imminent attack or what to do when one has begun. At an even more basic level, only a small proportion of people know how to interact with dogs and understand dog behaviour.

Status quo

97. Anecdotal evidence from council officers suggests that victim behaviour is a significant contributor to outcome. Children are often running away, and children and adults alike may often be taunting an already somewhat agitated dog. Children and often unsupervised by an adult when they are attacked.

Options and impact analysis for Problem Area 4

National public education campaigns to increase awareness of dog behaviour and safety

98. The general public is not very well informed about dog behaviour and how to be safe. Victim behaviour is known to be a significant contributor to dog attacks according to international findings. Investing in education and prevention would require less enforcement action and costs of non-compliance for owners due to greater awareness and culture change.
99. How much it would cost to carry out an effective public education campaign is unclear. However, carrying out such a campaign at the national level is considered to be more cost-effective and individual efforts among councils. This option is recommended.

s.9(2)(f)(iv)

recommended.

This option is

Mandatory special collars to identify classified dogs

101. Supports. Enables the public and visitors to private property at risk of attack to be well informed of risk, as well as those out in public where the dog is not wearing a muzzle. The requirement to where a signifying collar could potentially result in stigma that results in less socialisation for the dog, but unclear to what extent this is likely. Also, currently menacing and dangerous dogs are required to wear a muzzle when in public. Therefore it could be argued this requirement is more than the minimum necessary, as a muzzle is also a visual sign. However, it is not clear to what extent the muzzling requirement is complied with. A large number of infringements are issued each year for failure to muzzle.
102. This option adds compliance cost of purchasing a collar, however is considered to be cost-effective. This option is recommended.

Mandatory display of signs on properties housing dogs classified as menacing or dangerous

103. This option enables visitors to a property where they are at risk of attack to be well informed of risk. As most attacks occur in the home, this option is considered to be the right area for action to reduce risk of dog attacks. The option adds compliance cost for owners of purchasing a sign. It may also be more than the minimum necessary given proposal 2.3 (extend fencing requirements). As such, this option is not recommended.

Summary of analysis of options for reducing harm and risk of dog attacks

Options	Criteria			Efficient: the requirements minimise compliance costs and are no more than necessary to achieve the outcomes sought	Equitable: the requirements are fair and are consistently applied	Clear & Transparent: people understand what is required of them, the basis of decisions and/or the process allows them to contribute to decision-making	Cost-effective	Summary
	Effective: the option achieves the desired outcomes and addresses the problems identified	1.1 Improve community and individual safety from the risk and harm of dog attacks	1.2 Support the welfare of animals and the valuable role dogs play in our society and individual well-being					
Problem Area 1: Inherent risk associated with dogs								
1.1 Mandatory neutering of all dogs classified as menacing (remove territorial authority discretion)	<input checked="" type="checkbox"/> Supports. Helps transition to low-risk dog population and reduces risk of aggressive behaviour among neutered dogs.	<input checked="" type="checkbox"/> Supports. Less dogs would have to be euthanised long-term.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Generally supports, but there is a risk that some owners that wish to breed dogs that are classifiable will try to evade collection of accurate breed information via the registration system. May also make owners less likely to seek or accept classification of dogs where it is appropriate.	<input checked="" type="checkbox"/> Increases direct costs associated with neutering of menacing dogs.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Increases equity between owners of menacing dogs as they are not subjected to regional variation. Would adversely affect breeders of schedule 4 dogs, whose enterprise would be curtailed. May impose more costs on those who can less afford it, due to ownership profile of Schedule 4 dogs.	<input checked="" type="checkbox"/> Increased clarity and transparency as there is one rule for all menacing dogs across New Zealand and it is simple to understand. Also clarifies rationale for ban on import.	<input checked="" type="checkbox"/> Supports.	Recommended
1.2 Differential registration fees: Require territorial authorities to charge increased registration fees of at least 50 percent for owning classified dogs	<input checked="" type="checkbox"/> Supports. Incentivises ownership of unclassified (and non-Schedule 4) dogs, thereby supporting transition to a lower-harm dog population.	<input checked="" type="checkbox"/> More dogs may have to be euthanised once classified if owners become aware they will have increased costs (especially if portrayed as punitive)	<input checked="" type="checkbox"/> Many owners of Schedule 4 dogs do not intend to, or are not aware of the need to, register their dog and pay fees. This option further disincentivises registration for that group.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Many would see this as being increasing equity as a significant amount of cost arises as a result of classified/classifiable dogs. But, owners of pit bull-type dogs tend to be in the lower socio-economic demographic, who can less afford costs. Further, their dogs may not have misbehaved to attract extra cost.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Many councils already use fees incentives. Introduction of another variable in the calculation may result in a lack of upfront clarity about how fees are determined.	<input checked="" type="checkbox"/> Supports.	Not recommended

Options	Criteria						Summary	
	Effective: the option achieves the desired outcomes and addresses the problems identified			Efficient: the requirements minimise compliance costs and are no more than necessary to achieve the outcomes sought	Equitable: the requirements are fair and are consistently applied	Clear & Transparent: people understand what is required of them, the basis of decisions and/or the process allows them to contribute to decision-making		Cost-effective
	1.1 Improve community and individual safety from the risk and harm of dog attacks	1.2 Support the welfare of animals and the valuable role dogs play in our society and individual well-being	1.3 Increase effectiveness of the dog control regime					
1.3 Differential registration fees: Require territorial authorities to charge reduced/equal registration fees for owning classified dogs								
1.4 Differential registration fees: Require territorial authorities to provide a registration fee reduction of at least 50 percent for dogs below 10 kilograms	<input checked="" type="checkbox"/> Supports. Incentivises ownership of smaller dogs and therefore less potential for harm by dogs that attack, thereby supporting transition to a lower-harm dog population.	<input type="checkbox"/> <input checked="" type="checkbox"/> No impact generally, but may create an incentive to withhold food for dog on the borderline of the cut-off weight.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> May create practical difficulties for dog control officers registering on the spot and for online registrations, both of which are being increasingly used.	<input checked="" type="checkbox"/> Sense of inequity may arise among some owners as a small dog displaying greater aggression would be endorsed over of dogs considered to be "gentle giants".	<input type="checkbox"/> <input checked="" type="checkbox"/> Many councils already use fees incentives. Introduction of another variable in the calculation may result in a lack of upfront clarity about how fees are determined.	<input checked="" type="checkbox"/> Supports.	Not recommended
1.5 Differential registration fees: Require territorial authorities to provide a registration fee reduction for dogs that have passed temperament and sociability testing	<input checked="" type="checkbox"/> Supports. Incentivises ownership of non-aggressive dogs thereby supporting transition to a lower-risk dog population. Also enables better behaviour-based identification and appropriate classification of dogs.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports. Allows identification of high-risk dogs so that appropriate control can be applied to them.	<input type="checkbox"/> No impact.	<input type="checkbox"/> No impact.	<input type="checkbox"/> <input checked="" type="checkbox"/> Many councils already use fees incentives. Introduction of another variable in the calculation may result in a lack of upfront clarity about how fees are determined.	<input checked="" type="checkbox"/> Supports.	Not Recommended
1.6 Introduce a sub-classification under menacing, for dogs kept for an aggressive purpose (hunting dogs)	<input checked="" type="checkbox"/> Supports. Enables better behaviour-based identification and appropriate risk- and harm-based classification of dogs	<input checked="" type="checkbox"/> Supports. Appropriate controls on high risk dogs reduce likelihood of attack; thereby reducing the risk those dogs will have to be euthanised.	<input checked="" type="checkbox"/> Supports. Allows identification of high-risk dogs so that appropriate control can be applied to them.	<input checked="" type="checkbox"/> May create practical difficulties as councils would be reliant on owners self-identifying that a dog is being kept for an aggressive purpose.	<input type="checkbox"/> No impact.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports.	Not recommended

Options	Criteria						Summary	
	Effective: the option achieves the desired outcomes and addresses the problems identified			Efficient: the requirements minimise compliance costs and are no more than necessary to achieve the outcomes sought	Equitable: the requirements are fair and are consistently applied	Clear & Transparent: people understand what is required of them, the basis of decisions and/or the process allows them to contribute to decision-making		Cost-effective
	1.1 Improve community and individual safety from the risk and harm of dog attacks	1.2 Support the welfare of animals and the valuable role dogs play in our society and individual well-being	1.3 Increase effectiveness of the dog control regime					
1.7 Ban on rehoming of dogs classified as menacing or dangerous	<input checked="" type="checkbox"/> Supportive in theory, as it lowers dog population with potential high-harm (and high-risk for dogs classified by deed). But the extent to which this option would be particularly effective depends on whether dogs, once classified, are over-represented in dog attacks.	<input checked="" type="checkbox"/> Does not support animal welfare considerations	<input checked="" type="checkbox"/> May disincentivise owners to seek /accept classification of dogs where it is appropriate and to act responsibly when they can no longer adequately care for their dog.	<input checked="" type="checkbox"/> Increases cost of dog destruction as more dogs being put down, but likely to reduce shelter costs	<input checked="" type="checkbox"/> May not be fair to dog owners family members who lose their dog - if they are not able to pass on ownership to someone else in the family.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Dependent on council's communication with its dog owners. There is potential lack of transparency if dogs could be classified and removed from an owner as part of the same incident.	<input checked="" type="checkbox"/> Supports.	Not recommended
Problem Area 2: Breeder and owner behaviour								
s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)

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Options	Criteria							Summary
	Effective: the option achieves the desired outcomes and addresses the problems identified			Efficient: the requirements minimise compliance costs and are no more than necessary to achieve the outcomes sought	Equitable: the requirements are fair and are consistently applied	Clear & Transparent: people understand what is required of them, the basis of decisions and/or the process allows them to contribute to decision-making	Cost-effective	
	1.1 Improve community and individual safety from the risk and harm of dog attacks	1.2 Support the welfare of animals and the valuable role dogs play in our society and individual well-being	1.3 Increase effectiveness of the dog control regime					
s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	Recommended, and to be implemented at a later date.
2.3 Extend fencing/containment requirements to all menacing dogs (extension of current requirement for dangerous dogs)	<input checked="" type="checkbox"/> Supports. Less risk of people encountering high-risk dogs on private property, dog roaming/running off the property when provoked, and becoming agitated due to chaining.	<input checked="" type="checkbox"/> Supports as it reduces the need for dogs to be chained.	<input checked="" type="checkbox"/> Supports as Councils may have such requirements in bylaws, but they are not currently supported by legislation.	<input checked="" type="checkbox"/> Fencing requirement increases compliance cost of ownership of a menacing dog, but this is targeted at a high-risk population.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Discrepancy between owners of classified dogs and other owners would exist but this is fair given they are a high-risk population. May be perceived as unfair for owners of dogs classified by breed as these dogs haven't necessarily behaved in a threatening way.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports.	Recommended.
2.4 Subsidise neutering	<input checked="" type="checkbox"/> Supports. Neutering is linked to lower aggression and more neutered dogs will decrease unintended litters/over-supply of dogs.	<input checked="" type="checkbox"/> Supports. Appropriate controls on high-risk dogs reduce likelihood of attack; thereby reducing the risk those dogs will have to be euthanised.	<input checked="" type="checkbox"/> May support by increased number of micro-chipped dogs, therefore easier enforcement for councils.	<input checked="" type="checkbox"/> Yes, as long as subsidisation costs are taxpayer and ratepayer funded.	<input checked="" type="checkbox"/> Supports, (as long as subsidisation is carried out nationwide) as neutering becomes more accessible to those who cannot afford this extra cost.	<input type="checkbox"/> No impact.	Unclear, not sure how much funding is needed for an effective reduction in reproduction potential.	Recommended.

Criteria

Options	Effective: the option achieves the desired outcomes and addresses the problems identified			Efficient: the requirements minimise compliance costs and are no more than necessary to achieve the outcomes sought	Equitable: the requirements are fair and are consistently applied	Clear & Transparent: people understand what is required of them, the basis of decisions and/or the process allows them to contribute to decision-making	Cost-effective	Summary
	1.1 Improve community and individual safety from the risk and harm of dog attacks	1.2 Support the welfare of animals and the valuable role dogs play in our society and individual well-being	1.3 Increase effectiveness of the dog control regime					
2.5 National educational campaign about socially responsible dog ownership	<input checked="" type="checkbox"/> Supports. Councils considered people to not be very well informed about what socially responsible dog ownership is. Owner behaviour is known to be a significant contributor to dog attacks.	<input checked="" type="checkbox"/> Supports. Socially responsible owners result in more well-adjusted dogs with less risk of dog attacks, and value of dogs is reinforced in society.	<input checked="" type="checkbox"/> Supports. Raises awareness of owner responsibilities under the Dog Control Act 1996.	<input checked="" type="checkbox"/> Supports. Investing in education and prevention would require less enforcement action and costs of non-compliance for owners due to greater awareness and culture change.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports, as it increases transparency of rules people may not be currently aware of.	Unclear due to lack of data	Recommended
Problem Area 3: Council enforcement								
3.1 Mandatory photos for national dog database for all dogs classified as menacing or dangerous	<input checked="" type="checkbox"/> Supports. Easier for councils to identify classified dogs.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports. Many councils are already taking photos and storing them on their council systems but are unable to upload them to the NDD.	<input checked="" type="checkbox"/> Supports. Cost to councils and government to modify registers/additional functionality in NDD to incorporate photos.	<input type="checkbox"/> No impact.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports.	Not Recommended
3.2 Produce best practice guidance for increasing registration uptake in collaboration with the sector	<input checked="" type="checkbox"/> Supports. Sharing knowledge on increasing registration uptake supports less well-resourced councils to take appropriate action to bring dogs 'into the system' so appropriate controls can be applied to dogs.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports. Sharing knowledge on increasing registration uptake supports less well-resourced councils to take appropriate action to bring dogs 'into the system' so appropriate controls can be applied to dogs.	<input checked="" type="checkbox"/> Supports. Best guidance practice approach reduces the need for a 'one size fits all' type legislative approach to increasing registration uptake which may prove burdensome for some councils.	<input checked="" type="checkbox"/> Supports. Increases equity between councils and therefore communities that are more and less well-resourced.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports.	Recommended

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Options	Criteria						Summary	
	Effective: the option achieves the desired outcomes and addresses the problems identified			Efficient: the requirements minimise compliance costs and are no more than necessary to achieve the outcomes sought	Equitable: the requirements are fair and are consistently applied	Clear & Transparent: people understand what is required of them, the basis of decisions and/or the process allows them to contribute to decision-making		Cost-effective
	1.1 Improve community and individual safety from the risk and harm of dog attacks	1.2 Support the welfare of animals and the valuable role dogs play in our society and individual well-being	1.3 Increase effectiveness of the dog control regime					
3.3 Regulation on sale of dogs - obligation to carry out initial registration and micro-chipping before sale	<input checked="" type="checkbox"/> Supports in theory, as it would reduce the number of unknown unregistered dogs. However, as a large number of litters are unplanned and unwanted, owners may not be aware of obligations.	<input checked="" type="checkbox"/> Risk that it could result in 'backyard' euthanising of unwanted litters.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Supports, as never known unregistered dogs overrepresented in dog attacks and pounds. However, as a large number of litters are unplanned and unwanted, owners may not be aware of obligations. Such a rule may be hard to enforce and potentially force sales further 'underground'.	<input checked="" type="checkbox"/> Placing obligations on the seller does mean regular sellers can be targeted for registration.	<input type="checkbox"/> No impact.	<input type="checkbox"/> No impact.	Unclear	Recommended, and to be implemented at a later date.
3.4 Produce best practice guidance for working with other agencies to increase territorial authorities' access to relevant information to carry out enforcement activity	<input checked="" type="checkbox"/> Supports. Sharing knowledge on information-sharing supports less well-resourced councils to form effective relationships with other agencies to maximise benefits.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports. Sharing knowledge on information-sharing supports less well-resourced councils to form effective relationships with other agencies to maximise benefits.	<input checked="" type="checkbox"/> Supports. Best guidance practice approach reduces the need for a 'one size fits all' type legislative approach to information-sharing which may prove burdensome for some councils.	<input checked="" type="checkbox"/> Supports. Increases equity between councils and therefore communities that are more and less well-resourced.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports.	Recommended
3.5 Mandatory annual inspection of properties with dogs classified as menacing or dangerous	<input checked="" type="checkbox"/> Supports, as it provides a check on compliance with requirements and on dog ownership issues that pose a risk with a known high-risk group of dogs.	<input checked="" type="checkbox"/> Supports. Acts as a check on animal welfare as well.	<input checked="" type="checkbox"/> <input checked="" type="checkbox"/> Home visits allow for education of owner. On the other hand, may limit other activities councils can carry out, or limit their ability to carry out those activities well.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> May be perceived to be an unreasonable interference, and/or punitive in nature as it is only being applied to those with classified dogs	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> There would likely be resourcing issues for many councils.	Not recommended

Problem Area 4: Lack of public knowledge of dog behaviour and high-risk dogs

Options	Criteria						Summary	
	Effective: the option achieves the desired outcomes and addresses the problems identified			Efficient: the requirements minimise compliance costs and are no more than necessary to achieve the outcomes sought	Equitable: the requirements are fair and are consistently applied	Clear & Transparent: people understand what is required of them, the basis of decisions and/or the process allows them to contribute to decision-making		Cost-effective
	1.1 Improve community and individual safety from the risk and harm of dog attacks	1.2 Support the welfare of animals and the valuable role dogs play in our society and individual well-being	1.3 Increase effectiveness of the dog control regime					
4.1 National public education campaigns to increase awareness of dog behaviour and safety	<input checked="" type="checkbox"/> Supports. Councils consider people to not be very well informed about dog behaviour and how to be safe. Victim behaviour is known to be a significant contributor to dog attacks.	<input checked="" type="checkbox"/> Supports as people learn how to interact with dogs safely and reinforces value of dogs in society.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports. Investing in education and prevention would require less enforcement action and costs of non-compliance for owners due to greater awareness and culture change.	<input type="checkbox"/> No impact.	<input type="checkbox"/> No impact.	Depends on specifics of education campaign to be developed.	Recommended
s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	Recommended
4.3 Mandatory special collars to identify classified dogs	<input checked="" type="checkbox"/> Supports. Enables the public and visitors to private property at risk of attack to be well informed of risk.	<input type="checkbox"/> <input checked="" type="checkbox"/> Could result in stigma that results in less socialisation, but unclear to what extent this is likely.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Adds compliance cost of purchasing a collar. May also be argued that it is more than the minimum necessary, due to muzzling requirement in public. However, it is unclear to what extent that requirement is complied with.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports. Increases transparency for the public on the regulatory classification of a dog.	<input checked="" type="checkbox"/> Supports.	Recommended
4.4 Mandatory display of signs on properties housing dogs classified as menacing or dangerous	<input checked="" type="checkbox"/> Supports. Enables visitors to a property where they are at risk of attack to be well informed of risk.	<input type="checkbox"/> No impact.	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Adds compliance cost of purchasing a sign. May also be more than the minimum necessary given proposal 2.3 (extend fencing requirements)	<input type="checkbox"/> No impact.	<input checked="" type="checkbox"/> Supports. Increases transparency for the public on the regulatory classification of a dog.	Unclear	Not recommended

Consultation

- 4 In the preparation of these proposals, a range of external stakeholders were also consulted, including Local Government New Zealand, the Society of Local Government Managers, Auckland Council, the New Zealand Institute of Animal Management (previously known as the New Zealand Institute of Animal Control Officers), the New Zealand Association of Plastic Surgeons, the New Zealand Kennel Club, Federated Farmers of New Zealand, Rural Women New Zealand, the Veterinary Council of New Zealand, Dog behaviour experts, Trade Me, and the Royal New Zealand Society for the Protection of Animals the Pit bull Club, and the American Staffordshire Terrier Club.
- 5 We also undertook targeted engagement with victims of dog bites and dog owners in Auckland and Wellington. Officials also met with, farmers and other members of the rural community, and animal control officers. An online engagement survey was used to capture the sentiment of the general public about areas for improvement to the dog control regime. The two week survey period resulted in over 3000 responses.
- 6 This engagement enabled officials to gain some understanding of the nature and the size of dog control problems and to identify potential solutions.

Conclusions and recommendations

- 7 The Department recommends the following package of options:

Measures that transition New Zealand towards a lower risk dog population:

- Mandatory neutering of all dogs classified as menacing (remove territorial authority discretion)
- Differential registration fees: Require territorial authorities to provide a registration fee reduction for dogs that have passed temperament and sociability testing
- Introduce a sub-classification under menacing, for dogs kept for an aggressive purpose (hunting dogs)

Measures that encourage responsible dog ownership behaviour and discourage negligent and reckless behaviour:

- s.9(2)(f)(iv)
- Extend fencing/containment requirements to all menacing dogs (extension for requirement for dangerous dogs)
- Subsidise neutering
- National educational campaign about socially responsible dog ownership

Measures that enhance the ability of territorial authorities to take effective preventative and enforcement action against high-risk owners and high-risk dogs:

- s.9(2)(f)(iv)

- Produce best practice guidance for increasing registration uptake in collaboration with the sector
- Produce best practice guidance for working with other agencies to increase territorial authorities' access to relevant information to carry out enforcement activity

Measures that help to protect individuals from becoming victims of dog attacks:

- National public education campaigns to increase awareness of dog behaviour and safety
- s.9(2)(f)(iv)
- Mandatory special collars to identify classified dogs

8 These options are considered to be able to reduce the risk and harm of dog attacks.

Implementation plan

9 These proposals will be implemented as part of three phases of work.

- Legislative phase: a one to two year process to amend the Act and develop regulations to address deficiencies in the current dog control legislation;
- Best practice phase: a one to two year process (concurrent to the legislative phase), led by the local government sector, to develop best practice guidance for the local government sector about implementation of the Act, amendments, and associated regulations; and
- Public education phase: a five to ten year process, led by central and local government, to influence societal change in attitudes about responsible dog ownership and safety around dogs

10 Phases 2 and 3 will be carried out in collaboration with local government and other stakeholders.

Monitoring, evaluation, and review

11 Monitoring will continue to occur as it does currently via the annual collation and release of statistics relating to dog control from other agencies and the national dog database. Annual councils dog control reports prepared under section 10A of Dog Control Act 1996 will also be reviewed to ascertain a picture of the trends.

12 There are no plans for a future review of proposals at this stage. There is no legislative requirement to conduct regular reviews and such a review will likely occur as priorities allow.

Appendix A: Data

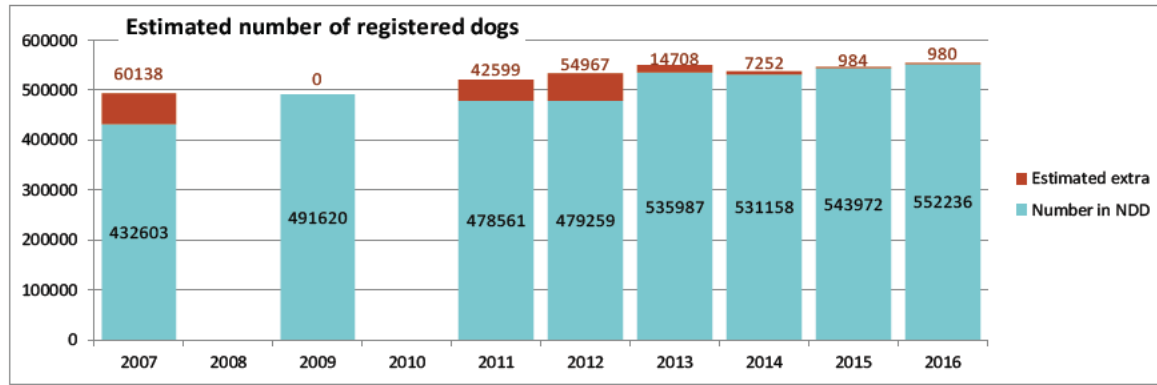


Figure 1: Estimated number of registered dogs in New Zealand from 2007 to 2016

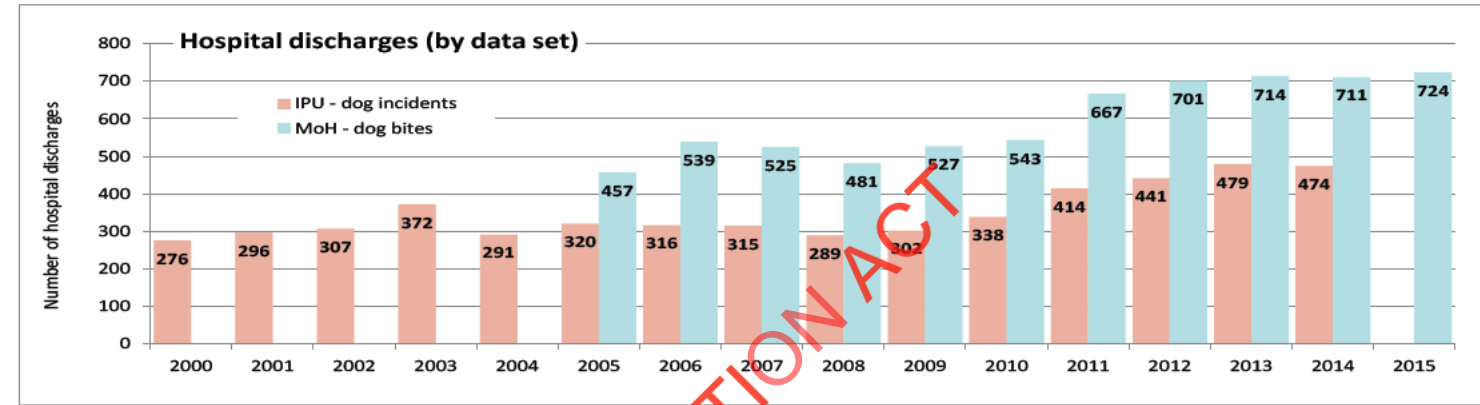


Figure 2: Number of hospital discharges for dog incidents (IPU data) and dog bites (MoH data)

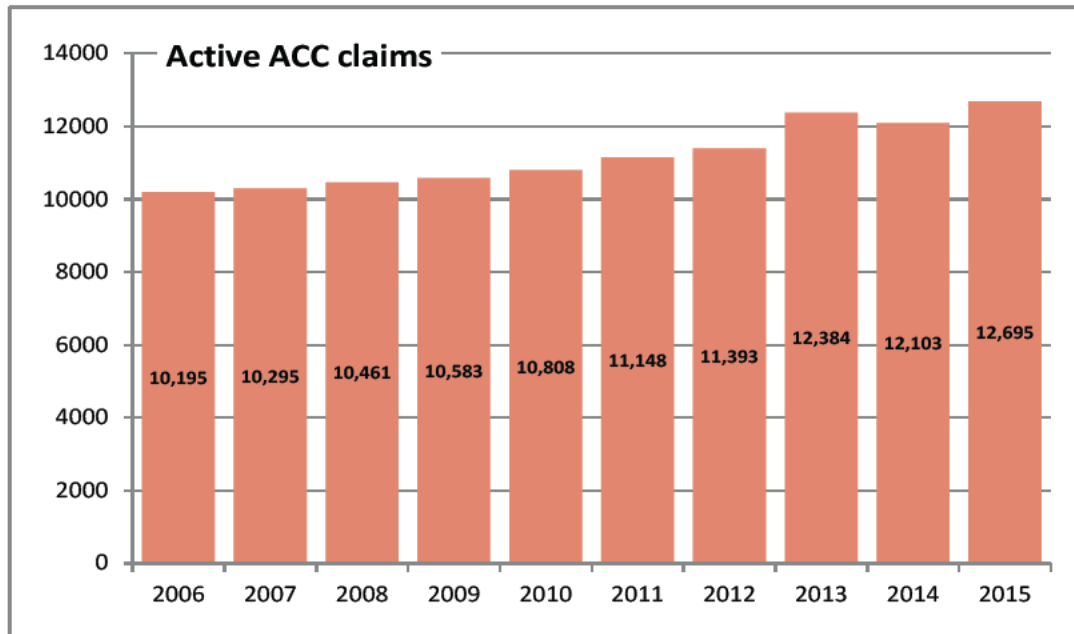


Figure 3: Number of active ACC claims from 2006 to 2015

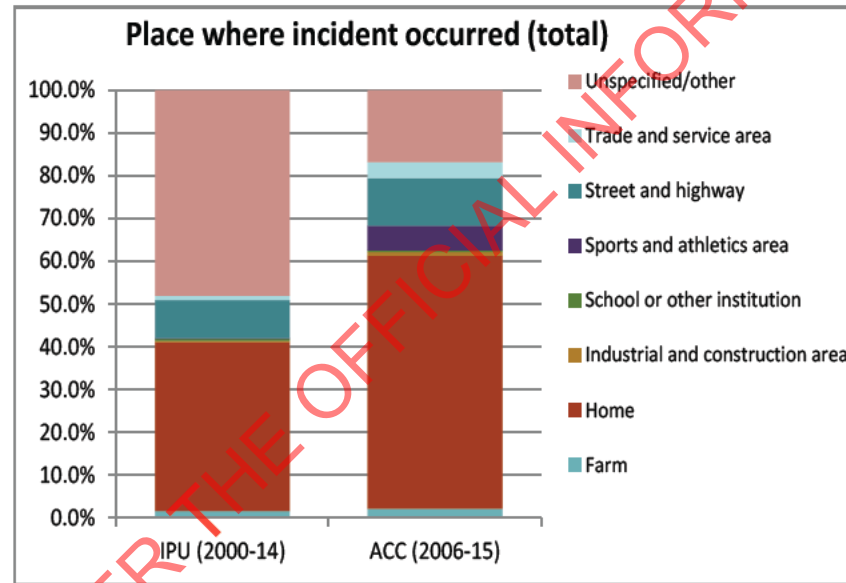


Figure 4: Place where incident occurred (IPU and ACC data)

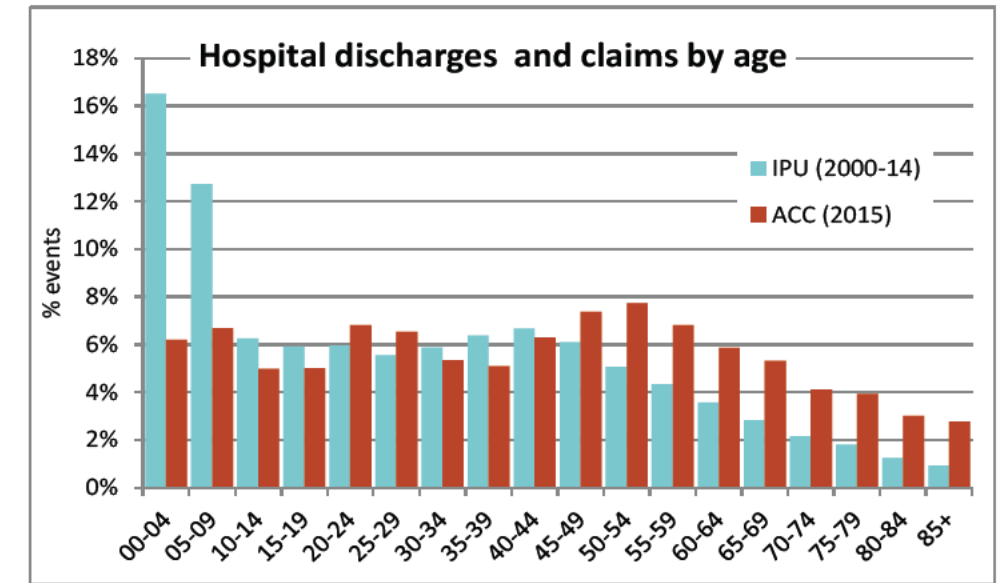


Figure 5: Hospital discharges and ACC claims by age

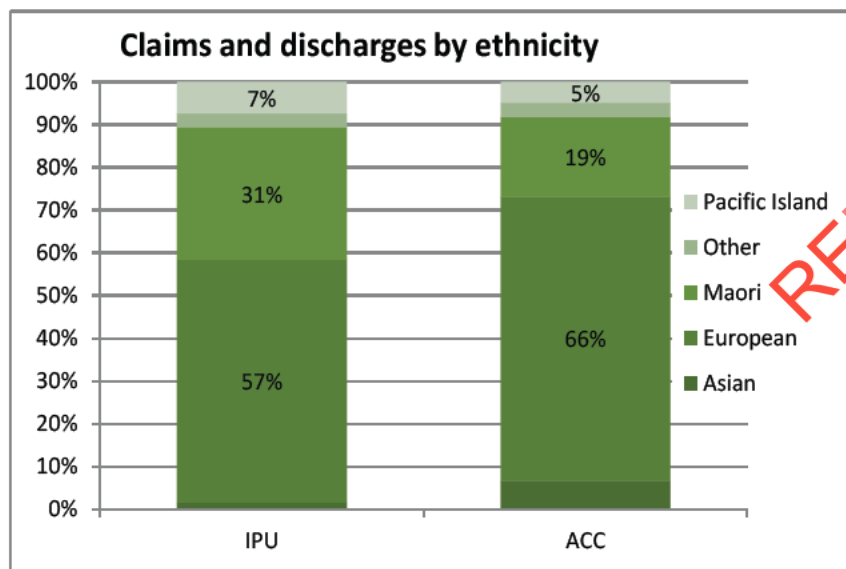


Figure 6: Hospital discharges and ACC claims by ethnicity

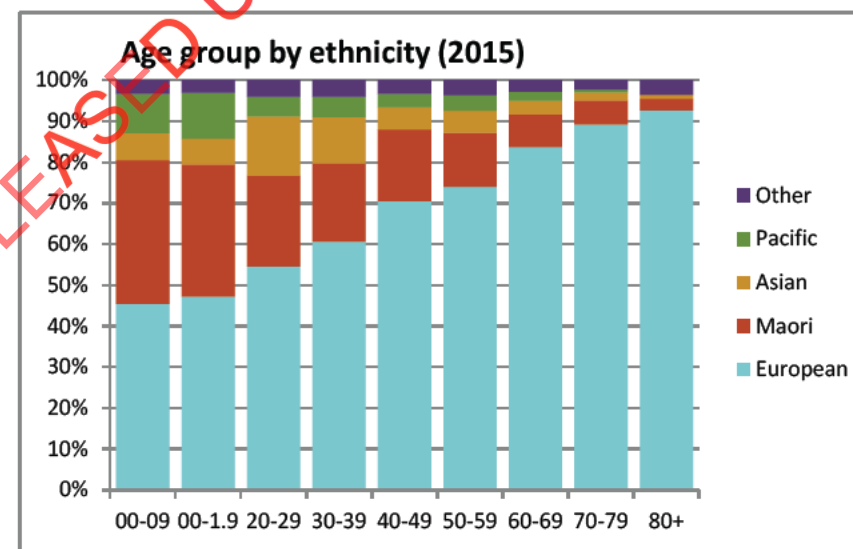


Figure 7: Ethnicity by age group for ACC claims in 2015

DRAFT Media Release

Hon Louise Upston

Associate Minister of Local Government

29 August 2016

Over 3000 submissions received on reducing dog attacks

Associate Minister of Local Government Louise Upston today expressed thanks to the more than 3000 people who made submissions on New Zealand's dog control laws.

"This huge response shows how passionate Kiwis are about our dogs and dog safety."

Of the 3,096 people who responded to the survey, 84% were dog owners and 48% were particularly concerned about dog attacks.

Respondents overwhelmingly identified dog owners and poor education about dog behaviour as the two biggest contributing factors to dog attacks.

"Interestingly, despite being predominantly dog owners, respondents typically considered dog owners to be problematic because bad owners created dangerous dogs and dangerous situations."

"Respondents typically saw education about dog behaviour and dog ownership as the best ways to reduce dog attacks."

"Of particular interest given the disproportionate number of child victims were submissions highlighting that many people and especially children do not know how to safely interact with dogs and often misunderstand dogs' behavioural signals."

The Government will consider the feedback in detail as part of its wider assessment of New Zealand's dog control regime.

ENDS

Key statistics follow over...

KEY STATISTICS

Respondents

Key characteristics of respondents		
	Count	Percentage
They were a dog owner	2,594	84%
They were concerned about dog attacks	1,482	48%
They were a parent	1,166	38%
They had an animal that had been attacked by a dog	828	27%
They had been attacked by a dog in past	593	19%
No answer given	58	2%
Total respondents	3,096	

Single biggest Contributing factor

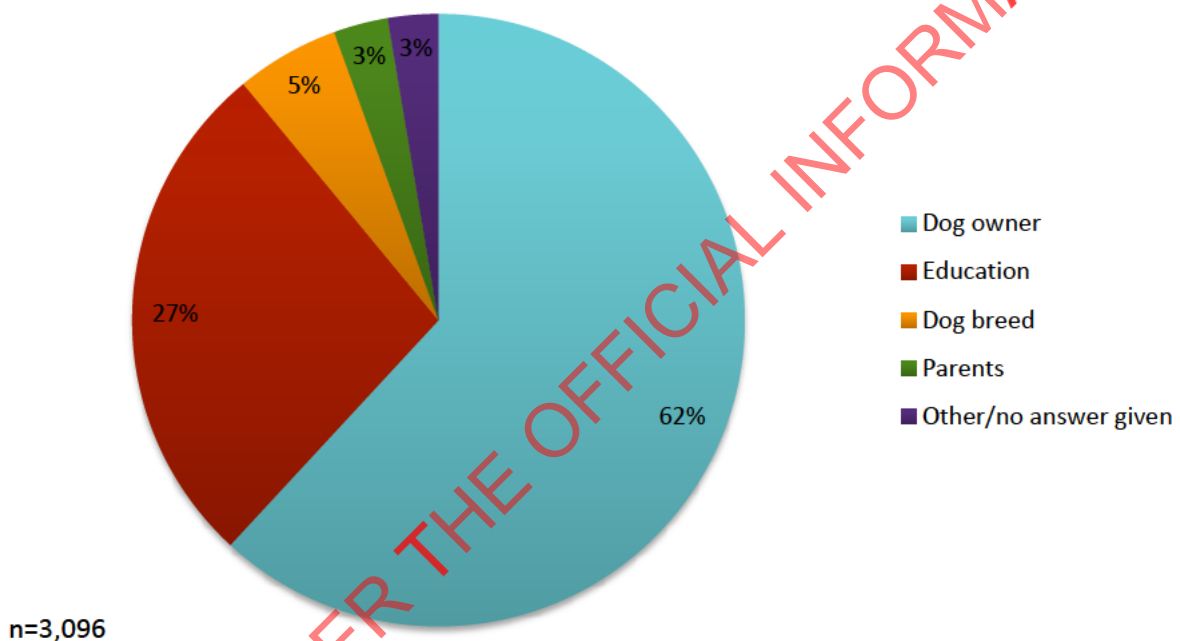


Figure 1: Perceived biggest contributing factor to dog attacks - Public survey

Best ways to reduce dog attacks

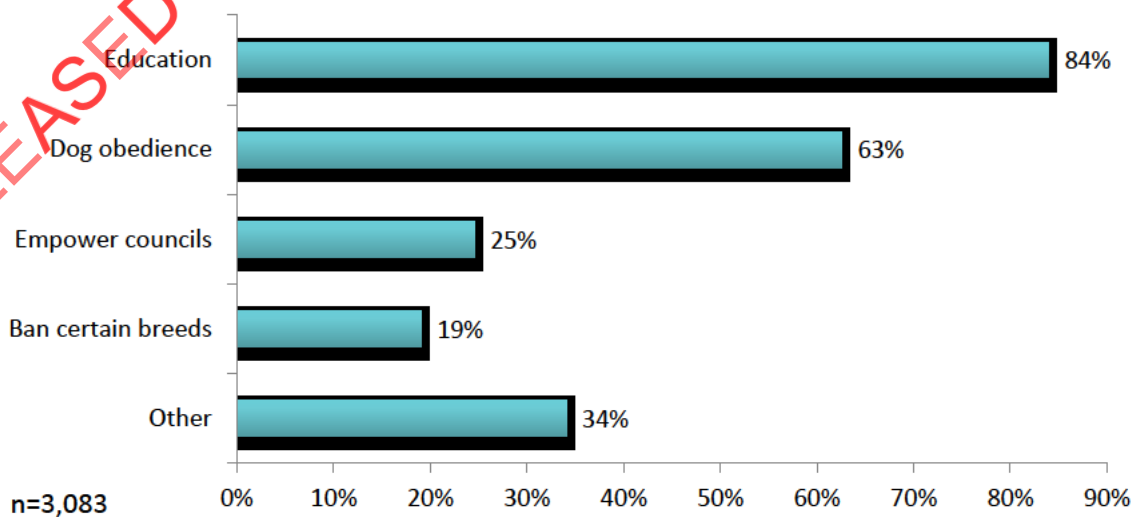


Figure 2: Best way to reduce dog attacks - Public survey

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Priority *Urgent*

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: **Final Cabinet paper: National strategy to reduce the risk and harm of dog attacks**

Date: 2 September 2016

Key issues

The draft Cabinet paper has been revised in light of your feedback, provided to officials on 29 August 2016. The revised Cabinet paper includes:

- a proposed two-year national strategy to reduce the risk and harm of dog attacks (rather than a ten year strategy);
- substantial changes to the policy shifts stream including;
 - addition and removal of policy proposals;
 - identification of proposals to be further developed for final policy decisions in s.9(2)(f)(iv)
 - removal of staged implementation of policy decisions – all legislative decisions would be implemented via a single amendment bill; and
- clarity that the three streams of the proposed strategy – policy shifts, practice development and culture change process - would begin and proceed concurrently.

Timing for the proposed national strategy is based on the premise that Select Committee would report back to the House on the bill by June 2017. Ideas and suggestions for change with strong support from relevant stakeholders are reflected in the proposed national strategy.

Action sought

Consider the revised Cabinet paper and discuss with officials; if you agree, lodge the Cabinet paper with the Cabinet office; s.9(2)(f)(iv) and the draft bill to amend the Dog Control Act 1996; and note that we are awaiting further advice from Treasury about the appropriation for subsidised neutering of menacing dogs. Treasury may also have additional comments on the proposals prior to the lodgement date.

Timeframe

by 5 September 2016
 by 10am on 8 September 2016

Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 st contact
Glenn Webber	Director, Local Government Policy	04 495 7296	s.9(2)(a)	✓
Jo Gascoigne	Policy Manager	04 495 0526	s.9(2)(a)	

Return to Cohesion and Ministerial database reference	Samantha Lay Yee, Level 7, 147 Lambton Quay LG201600525
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Purpose

1. This briefing outlines revisions to the draft Cabinet paper, provided to you on 26 August 2016, to incorporate your feedback. Due to the substantial changes made, we have provided new versions of the paper, rather than a revision-tracked version.
2. This briefing attaches the following documents for your review and for lodging with the Cabinet Office by 10am on Thursday 8 September for consideration by the Cabinet Economic Growth and Infrastructure Committee, pending your approval:
 - the final Cabinet paper which attaches a revised national strategy (**Appendix A**);
 - a final Cabinet paper with alternative financial recommendations to seek a year-on-year appropriation over a multi-year appropriation. We are currently seeking advice from the Treasury on which appropriation to use (**Appendix B**); and
 - the final Regulatory Impact Statement supporting the Department's analysis and proposed options (**Appendix C**).
3. It also attaches:
 - a list of current infringement offences and fines under Schedule 1 of the Dog Control Act 1996 (the Act) (**Appendix D**);
 - a work plan for implementation of proposed national strategy (**Appendix E**); and
 - a summary of ideas and suggestions gathered throughout the stakeholder engagement process (**Appendix F**).

The revised national strategy will span two years, rather than ten years

4. In light of your feedback, we have revised the proposed national strategy. We note your emphasis on immediate action and long-term impact. By adjusting and removing the Phase 2 and 3 proposals from the policy shift stream, we consider that the revised national strategy can be implemented in a shorter timeframe via a single amendment bill, without a phased approach.
5. The previous version of the strategy took a phased approach, in recognition that culture change, as a result of long-term public education, would be necessary for the successful implementation of the proposals set out in Phase 2 and 3 (including mandatory neutering of all dogs and breeder licencing). In light of your direction, these measures have been removed.

We have amended the policy proposals to focus on the current population of high risk dogs

6. Proposals in the policy shifts stream have been amended to change the focus from reducing the future population of high risk dogs to reducing the current population.

We have refined policy proposals for immediate Cabinet consideration and implementation

7. The revised Cabinet paper proposes the following package of legislative measures for immediate implementation:
 - a) mandatory neutering of menacing dogs;
 - b) a requirement that classified dogs be securely fenced within private property;
 - c) a requirement for classified dogs to wear identification collars;
 - d) mandatory signage on properties containing classified dogs; and

- e) a prohibition on the rehoming of classified dogs.
8. Measures a, b and c were included in the previous draft Cabinet paper. Measures d and e have been added at your instruction.
9. If Cabinet agrees to the proposed package of proposals for immediate implementation, we will develop instructions for the Parliamentary Counsel Office (PCO) to begin drafting a bill to amend the Dog Control Act 1996 (the Act).
10. The attached revised Cabinet paper also proposes three non-legislative measures including:
- a fund to subsidise neutering costs for classified dogs (explained below);
 - an educational campaign to drive a cultural shift towards responsible dog ownership and general understanding of dog behaviour and safety around dogs. This will be completed by the end of 2018; and
 - a review and improvement of best practice guidance to enhance council delivery of dog control services. This will be done in collaboration with the local government sector to ensure councils have the knowledge and skills they need to carry out their dog control functions.

We are working with Treasury to refine the proposal for subsidised neutering of classified dogs

11. The establishment of a fund to subsidise neutering costs for classified dogs was proposed in the previous draft Cabinet paper, and more detail is provided in the revised paper. The purpose of the subsidy is to incentivise owners of classified dogs to have them neutered. The proposed subsidy will assist owners of menacing dogs meet the proposed neutering requirement before it comes into effect. We anticipate that, once the package of immediate proposals is implemented, the level of non-compliance with measures requiring the neutering of menacing dogs will be lower as a result of the subsidy.

12.

s.9(2)(f)(iv)

13. We are awaiting the Treasury's advice and feedback on the most recent version of the draft Cabinet paper and Regulatory Impact Statement that includes costs for subsidised neutering of menacing dogs, which were finalised on 1 September 2016. We have requested advice about whether to seek a multi-year appropriation for the neutering subsidy fund. The Treasury may seek to make additional comments on the Cabinet paper and proposals prior to lodging on Thursday 8 September 2016.

Our regulatory impact analysis has changed based on feedback from the RIS Panel

14. The draft Regulatory Impact Statement (RIS) has been considered by the Department's RIS panel. Based on feedback, we have amended our analysis. On balance, the Department does not recommend that the final three measures (c, d and e) be included in the package of measures for immediate implementation.
15. Further information about our position is contained in the attached RIS. In summary:
 - 15.1 the requirement for high risk dogs to wear identification collars is a measure that we consider to be more than the minimum necessary in terms of communicating risk to the public. Muzzles are already a visual indicator of risk to members of the public. The proposed fencing requirements will ensure visitors to private property will be protected from any risk (refer to paragraphs 58-61 of the RIS).

s.9(2)(f)(iv)
 - 15.2 mandatory signage on properties containing high-risk dogs is also a measure that we consider is more than the minimum necessary to protect members of the public and visitors from harm. The objectives would be achieved by the proposed requirement that a dog classified as menacing be contained within a securely fenced portion of the owner's property that it is not necessary to enter to obtain access to at least one door of any dwelling (refer to paragraphs 62-64 of the RIS) ; and
 - 15.3 many councils already have policies against the rehoming of classified dogs. The Department considers that local communities are best placed to determine whether rehoming of classified dogs is appropriate for their context. A national prohibition on the rehoming of classified dogs would apply to all councils and animal welfare agencies. We consider that people would be less likely to surrender a classified dog if it meant the dog would be euthanised. There is no data about whether dogs, once classified, are over-represented in attacks. Therefore, there is uncertainty about whether the measure would effectively reduce the risk and harm of serious attacks (refer to paragraphs 45-47 of the RIS).

We will develop further final policy proposals for consideration s.9(2)(f)(iv)

16. We will develop a further package of final policy proposals for your consideration in mid-November 2016.

s.9(2)(f)(iv)

- funding a national education campaign about socially responsible dog ownership and safety around dogs, to be developed by local and central government in collaboration with non-government stakeholders; and

- working with the local government sector to review and improve best practice guidance, in order to enhance council delivery of dog control services.
17. We intend to also consider technical measures that would clarify the Dog Control Act 1996 (the Act) for dog control officers.
 18. At this stage, the revised attached Cabinet paper seeks in principle agreement to proceed with the development of the package of final policy proposals.
 19. There is a one-week Parliamentary recess between 21 and 25 November 2016.

s.9(2)(f)(iv)

20.

We have removed some proposals that would require long-term culture change

21. As instructed, proposals around breeder licencing and mandatory neutering of all dogs have been removed. Such measures could be considered at a later date, once we have established a culture of socially responsible dog ownership and safety around dogs in New Zealand.

The three streams of the national strategy will run concurrently

22. The proposed national strategy consists of three streams - policy shifts, practice development and culture change process. The revised Cabinet paper makes it clearer that all of the streams would begin immediately after Cabinet decisions and continue to run concurrently.
23. The revised policy shift stream involves implementation of all proposed legislative measures via a single amendment bill. The bill will give effect to policy decisions confirmed by Cabinet on 19 September 2016 s.9(2)(f)(iv)
24. The revised best practice stream, to be led by Local Government New Zealand, involves a review and improvement of best practice guidance for councils about:
 - increasing uptake of registration, microchipping and neutering;
 - promoting responsible dog ownership;
 - information sharing; and
 - enforcement – including breed identification and amendments to the Act once made.
25. The revised culture change process stream will be led by central and local government, with input from stakeholders including the Accident Compensation Corporation, the New Zealand Institute of Animal Managers, dog behaviour specialists, the Royal New Zealand Society for the Prevention of Cruelty to Animals and others with relevant expertise.
26. The culture change process will involve the development and of a national educational campaign about socially responsible dog ownership and safety around dogs. The

campaign will be crucial to reflect the feedback we received through the wide-reaching, stakeholder engagement process.

27. The launch of best practice guidance and educational campaign will coincide with enactment of the amendment bill in August 2017 (TBC).

There will be trade-offs to ensure timeframes will be met

28. If Cabinet agrees to the proposals in the revised Cabinet paper, we will work with you and the Parliamentary Counsel Office to prepare legislation for introduction in February 2017 and report back from Select Committee in June 2017.
29. In order to achieve this, we have developed a work plan (Appendix E) which sets out indicative timeframes for:
- implementation of the initial package of policy proposals;
 - including a campaign to promote the subsidised neutering of classified dogs;
 - the development and implementation of a further package of final proposals, to be considered s.9(2)(f)(iv) ;
 - the preparation and progress of a bill to amend the Act;
 - work to revise and improve best practice guidance for local government; and
 - the development and implementation of the proposed public education campaign.
30. Along with you, over the last four months we have engaged widely with stakeholders and the public. Implementation of the proposed national strategy requires the involvement of government agencies, the local government sector and other relevant stakeholders.

s.9(2)(f)(iv)

We will continue to consider the wide range of stakeholder suggestions and ideas

32. Throughout the engagement and information gathering process, stakeholders raised a wide range of ideas and suggestions for change attached as Appendix F. These have been considered in the development of the package of policy proposals for immediate implementation. s.9(2)(f)(iv)

Next steps

33. Along with your feedback, we have incorporated comments from agencies, Local Government New Zealand and the Society of Local Government Managers into the current Cabinet paper. These agencies and organisations have been provided with the paper. We will consult with you on any additional significant feedback on the paper, prior to it being lodged with the Cabinet Office on 15 September 2016.
34. The table below sets out indicative timing for upcoming deliverables and meeting dates relating to Cabinet consideration of immediate policy proposals, final policy proposals and the draft bill:

Deliverable/meeting	Date
Discuss revised Cabinet paper and RIS with officials	5 September 2016
Treasury feedback and comments on papers, including appropriation for subsidised neutering programme	5-7 September 2016
Final Cabinet paper provided to you for lodging (if changes required)	7 September 2016
Lodge Cabinet paper and RIS with Cabinet Office	8 September 2016
Aide memoire for EGI meeting on 14 September 2016	12 September 2016
EGI meeting	14 September 2016
Cabinet meeting	19 September 2016
NZIAM conference –policy announcement including subsidy for neutering of classified dogs	22 September 2016
Drafting instructions to Parliamentary Counsel Office	Late-September 2016
Draft Cabinet paper provided to you	
Discuss draft Cabinet paper and RIS with officials	
Final Cabinet paper provided to you for lodging	
Lodge Cabinet paper and RIS with Cabinet Office	
EGI meeting	
Cabinet meeting	s.9(2)(f)(iv)
Draft Cabinet paper and draft bill provided to you	
Discuss draft Cabinet paper and draft bill	
Final Cabinet paper and draft bill provided to you for lodging	
Lodge Cabinet paper and draft bill with Cabinet Office	
LEG meeting	
Cabinet meeting	
Introduction	21 February 2017
First reading	Late-February 2017 (TBC)
Select Committee	February 2017 –June 2017
Second reading, Committee of the Whole House, Third Reading and Assent	July-August 2017

Recommendations

35. We recommend that you:

- a) **consider** the revised Cabinet paper and **discuss** with officials; **Yes/No**
- b) **s.9(2)(f)(iv)**
- c) **note** that we are awaiting further advice from Treasury about appropriation for subsidised neutering of menacing dogs. Treasury may also seek to make other comments on the package of papers; and
- d) if you agree, **lodge** the Cabinet paper with the Cabinet office by 10am on 8 September 2016. **Yes/No**

Glenn Webber
Director, Local Government Policy

Hon Louise Upston
Associate Minister of Local Government

/ /

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Appendix A: Penultimate draft Cabinet paper

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