

**Appendix B: Penultimate draft Cabinet paper with alternative financial recommendations**

This is an alternate version of the final cabinet paper which would seek a year-on-year appropriation over a multi-year appropriation. We are currently seeking advice from the Treasury on which appropriation to use.

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**Appendix C: Regulatory Impact Statement**

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## Appendix D: Current infringement offences and penalties under Schedule 1 of the Dog Control Act 1996

Section	Brief description of offence	Infringement fee (\$)
18	Wilful obstruction of dog control officer or ranger	750
19(2)	Failure or refusal to supply information or wilfully providing false particulars	750
19A(2)	Failure to supply information or wilfully providing false particulars about dog	750
20(5)	Failure to comply with any bylaw authorised by the section	300
23A(2)	Failure to undertake dog owner education programme or dog obedience course (or both)	300
24	Failure to comply with obligations of probationary owner	750
28(5)	Failure to comply with effects of disqualification	750
32(2)	Failure to comply with effects of classification of dog as dangerous dog	300
32(4)	Fraudulent sale or transfer of dangerous dog	500
33EC(1)	Failure to comply with effects of classification of dog as menacing dog	300
33F(3)	Failure to advise person of muzzle and leashing requirements	100
36A(6)	Failure to implant microchip transponder in dog	300
41	False statement relating to dog registration	750
41A	Falsely notifying death of dog	750
42	Failure to register dog	300
46(4)	Fraudulent procurement or attempt to procure replacement dog registration label or disc	500
48(3)	Failure to advise change of dog ownership	100
49(4)	Failure to advise change of address	100
51(1)	Removal, swapping, or counterfeiting of registration label or disc	500
52A	Failure to keep dog controlled or confined	200
53(1)	Failure to keep dog under control	200
54(2)	Failure to provide proper care and attention, to supply proper and sufficient food, water, and shelter, and to provide adequate exercise	300
54A	Failure to carry leash in public	100
55(7)	Failure to comply with barking dog abatement notice	200
62(4)	Allowing dog known to be dangerous to be at large unmuzzled or unleashed	300
62(5)	Failure to advise of muzzle and leashing requirements	100
72(2)	Releasing dog from custody	750

**Appendix E: Draft dog control policy project work plan – announcement to enactment**

The table below provides an overview of upcoming work to progress the dog control policy project to reduce the risk and harm of dog attacks. It provides indicative dates for activities from your announcement of policy decisions at the New Zealand Institute of Animal Management (NZIAM) conference on 22 September 2016, until enactment of the proposed bill to amend the Dog Control Act 1996. The work is separated into three major streams: policy shifts, practice development, culture change process, and a fourth supporting workstream: communications and engagement.

Sep 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	Jun 2017	July-Aug 2017
<b>Project Milestones</b>										
Policy announcement Launch subsidised neutering		s.9(2)(f)(iv)	s.9(2)(f)(iv)		Introduction of draft bill First reading and referred to Select Committee				Report back from Select Committee	Enactment of bill Launch best practice guidance Launch educational campaign
<b>Policy Shifts</b>										
<b>Policy development</b>										
Thu 22: Policy announcement Develop further detailed policy proposals	Continue developing final policy proposals and prepare EGI paper	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)	s.9(2)(f)(iv)					
<b>Legislative development</b>										
Develop and issue drafting instructions to Parliamentary Counsel Office (PCO)	PCO to draft amendment bill		Develop and issue further drafting instructions to PCO	PCO to finish drafting amendment bill	Tue 21: Introduction TBC: First Reading	Select Committee				TBC: Second reading TBC: Committee of the Whole House TBC: Third reading TBC: Assent

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Sep 2016	Oct 2016	Nov 2016	Dec 2016	Jan 2017	Feb 2017	Mar 2017	Apr 2017	May 2017	Jun 2017	July-Aug 2017
<b>Practice Development</b>										
LGNZ to develop project plan for development of best practice guidance	Local authority elections and post-election settling in period		Review and improve best practice guidance for local authorities about: <ul style="list-style-type: none"> <li>increasing uptake of registration, microchipping and neutering</li> <li>promoting responsible dog ownership (also see 'culture change process')</li> <li>information sharing</li> <li>enforcement – including breed identification and amendments to the Act once made</li> </ul>							Launch of up-to-date best practice guidance for local authorities
<b>Culture change process</b>										
<b>Public education campaign</b>										
Make policy announcements	Establish working group (central/local government and non-government stakeholders) to develop national education campaign: <ul style="list-style-type: none"> <li>socially responsible dog ownership</li> <li>safety around dogs by understanding dog behaviour</li> </ul> Begin subsidised neutering for classified dogs		Develop owner responsibility campaign (including signal of upcoming changes) Develop safety around dogs campaign Seek funding for educational campaign							Implementation of owner responsibility campaign (Emphasis on new responsibilities of classified owners)  Implementation of safety around dogs campaign
<b>Communications and engagement</b>										
<b>Minister's office communications</b>										
Thu 22: Speech at NZIAM conference to announce policy decisions Thu 22: Press release	TBC: Press release to launch subsidised neutering for dangerous and menacing dogs		s.9(2)(f)(iv)							Joint press release with LGNZ about best practice guidance  Press release about launch of education campaign
<b>Departmental communications</b>										
Fri 23: Publish Cabinet paper on DIA website Fri 23: Email to stakeholders			s.9(2)(f)(iv)  Wed 7: Email to stakeholders							

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Appendix F: Actions to reduce the risk and harm of dog attacks

Action area	Action	Leg or non-leg	Notes	DIA view
Councils	Remove council discretion:	Legislative	19 councils support mandatory neutering of all classified dogs 3 councils support a ban on re-homing classified dogs	
	All classified dogs to be de-sexed			Option proposed
	No re-homing of classified dogs			Considered as part of RIS; not recommended NZIAM informs us this is already the practice with most councils; very difficult to home even though they have passed temperament testing. Most appropriate for local communities to determine whether classified dogs should be rehomed
	Impounding of dogs:	Legislative and non-legislative	Auckland Council supports a shorter notice period for disposal Nelson City Council considers the current 7 day period to be appropriate 3 councils support further measures to ensure compensation for costs of keeping dogs impounded 5 councils support further measures to ensure recovery of court costs	
	Shorter notice period for disposal (rehoming/sale/destruction) of unclaimed dogs			Not recommended Less than 7 days does not provide adequate opportunity for the claiming of dogs. Significant equity issues for those who cannot afford to release their dog from a shelter as they cannot cover costs. Also, dog control officer from Tauranga mentioned that they have issues with not being able to hold a dog long enough to decide whether to proceed to prosecution in which case dog would not be released (takes about 5 days to do paperwork)
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
	Encourage councils to be proactive in their management of dogs and particularly menacing and dangerous dogs:			Non-legislative
	Ensure dogs are registered	Will form part of Stream 2 (preparation of best practice guidance on uptake of (i) registration)		
	Look at council best practice – produce guidance	As directly above		
	Threshold for barring people from owning dogs:	Legislative	Auckland Council supports the suggestion that multiple offences on one day should be considered separate offences 5 councils consider that the 'three strikes' rule for classification of owners as probationary or disqualified is too lenient Hastings District Council considers the probationary owner classification is not helpful because it is not widely used. 2 councils propose increasing the maximum period for disqualification from dog ownership 4 councils propose that owner disqualification should apply to a household rather than the individual (because ownership can be transferred to a family member)	
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
	Remove probationary owner classification			Not recommended An enforcement tool available to councils to address mid-level offending. Need to unpack why the tool is not being used more widely.
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
Disqualification should affect a whole household, rather than an individual	Not recommended Practical difficulties. Unclear how it would be enforced and raises the issue of unreasonable interference with the rights of others.			

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Action area	Action	Leg or non-leg	Notes	DIA view
	Breed identification:	Legislative and non-legislative	<p>Auckland Council supports clearer breed definitions</p> <p>Dunedin City Council proposes DNA testing. Nelson City Council notes that DNA testing does not work to determine dominant breed of cross-breed dogs.</p> <p>Ruapehu District Council supports the adding mastiff and bull terrier types to Schedule 4, along with any dog breeds historically bred for fighting, baiting or for attack purposes.</p> <p>No other councils mentioned adding breeds to Schedule 4</p> <p>Owners already have onus to prove dog breed (section 33A of the Dog Control Act 1996)</p> <p>Ruapehu District Council requires owners to provide photos of their dog as part of its registration process</p>	
	Easier way to classify dogs as a particular breed			
	<ul style="list-style-type: none"> <li>clarify definitions of Schedule 4 breeds, particularly American Pit Bull Terrier</li> </ul>			<p><b>Not recommended</b></p> <p>No foreseeable way to do this, as issue of 'what is a pit bull' is technical, not legal</p>
	<ul style="list-style-type: none"> <li>DNA testing</li> </ul>			<p><b>Not recommended</b></p> <p>There is no test for 'pit bull' type as the pit bull does not as yet have an established DNA profile. DNA testing for pit bull is a process of elimination: it relies on the exclusion of other possibilities.</p>
	<ul style="list-style-type: none"> <li>photos for dog register</li> </ul>			s.9(2)(f)(iv)
	Add more breeds to Schedule 4			<p><b>Not recommended</b></p> <p>Countries are moving away from breed-specific legislation. Expanding the list begs the question of where to draw the line</p>
	Onus on owners to prove otherwise when a dog has been classified by breed			<p><b>Not recommended</b></p> <p>Section 33D of the Act already sets out an onus on owners to prove that the dog is not of a breed or type listed in Schedule 4, within 14 days of classification.</p> <p>Would not be workable to require every owner to prove that their dog does not belong wholly or predominantly to a Schedule 4 breed or type.</p>
	Look at council best practice – produce guidance			Will form part of Stream 2 ( <i>preparation of best practice guidance on breed identification</i> )
	Behavioural screening	Legislative and non-legislative	<p>Porirua City Council animal control officers conduct educational visits with all owners of registered dogs. Officers assess the breed and temperament of the dog on arrival and adjust the visit to suit the dog and owner.</p>	
	Mandatory testing of dog temperament and sociability for all dogs			<p><b>Not recommended</b></p> <p>Temperament/sociability testing of every dog may assist to identify high risk dogs before any harm occurs. However, testing could yield little benefit as each dog's temperament is subject to change depending on its environment, health and other factors that cannot be controlled. Further, consistency and quality of testing would require standards for tests and certification of professionals to perform such tests at a cost to owners. Would be costly and difficult to enforce.</p>
	Enforcement practice:	Legislative and non-legislative	<p>The New Zealand Institute of Animal Control Officers supports a minimum standard of qualification for dog control officers.</p> <p>2 councils support a greater ability for dog control officers to enter private property (including cars)</p> <p>5 Councils propose that the legislation could more clearly define specific terms</p> <p>2 councils propose that all councils should take a consistent approach to handling complaints</p>	
	Industry qualification for dog control officers			<p>Work is already underway. G-Reg (the Government Regulatory Practice Initiative, which includes local government) is developing a National Compliance Qualifications Framework which will create an industry standard for enforcement officers. In time, this could include specific operational practice components for dog control officers. The first industry specific pilot modules will be for the Ministry of Social Development in mid-2016.</p>

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Action area	Action	Leg or non-leg	Notes	DIA view
	s.9(2)(f)(iv)		At the meeting with animal control officers in Auckland, officers requested clarification 'fresh pursuit' powers to enter a dwelling, under sections 52 (3A) and 56(6)(a) of the Act.	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)
	Consistent approach to handling complaints			To what extent this is an issue is yet to be established
	Look at council best practice – produce guidance			Enforcement guidelines exist. Could be updated
	Improve registration processes	Legislative and non-legislative		2 councils support improvements to registration processes Southland District Council support more consistency in fee-setting practices Wellington City Council proposes increasing minimum age for registration of dog from 3 months to 6 months, to align with minimum age for neutering The New Zealand Veterinary Association advise that six months is the traditional age for neutering, but it is safe to neuter a dog from 8 weeks of age subject to individual assessment.
	s.9(2)(f)(iv)		s.9(2)(f)(iv)	
	Improve consistency in fee-setting practices		Will form part of Stream 2 (preparation of best practice guidance on uptake of (i) registration)	
	s.9(2)(f)(iv)		s.9(2)(f)(iv)	
	Link dog registration to relevant public-council interaction e.g. payment of rates		Will form part of Stream 2 (preparation of best practice guidance on uptake of (i) registration)	
	Increase minimum age for registration of dog (to align with minimum age for neutering)		<b>Not recommended</b> Under section 36(3) a dog must be registered before it is 3 months old (12 weeks old). There is no need to increase the minimum age because an owner can be eligible for neutering discounts from the first time the dog is registered. Similarly, the council can advise that the dog should be neutered at the time of the first registration.	
	Look at council best practice – produce guidance		Will form part of Stream 2 (preparation of best practice guidance on uptake of (i) registration)	
Dog owners	Visual signifiers of classification:	Legislative	11 Councils support requirements for signage and collars to identify classified dogs Members of the public have approached DIA with concern about impacts of muzzling on dog behaviour	
	Signs on properties housing classified dogs			Considered as part of RIS; not recommended
	Special collars for classified dogs			Considered as part of RIS; not recommended
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
	Make it easier for people to surrender dogs:	Non-legislative		
	Look at council best practice – produce guidance			Will form part of Stream 2 (preparation of further best practice guidance) and Stream 3 (national education on socially responsible dog ownership)
	Certification/licencing of owners of classified dogs to prevent irresponsible ownership	Legislative	9 Councils support mandatory training for owners of classified dogs One council proposed an ability to remove a dog's menacing classification if its owner has proven he/she is responsible	
s.9(2)(f)(iv)	s.9(2)(f)(iv)			



Action area	Action	Leg or non-leg	Notes	DIA view
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
	Remove menacing classification if owner can prove he/she is responsible			<b>Not recommended</b> Menacing classification relates to the dog, not the owner. Still need to have controls in place but menacing classification shouldn't exempt owner from any form of responsible dog owner licence. Will form part of Stream 2 ( <i>preparation of further best practice guidance</i> )
	Incentives to be a good dog owner/not own dangerous or menacing dogs:	Legislative	5 councils support higher infringement fines in general (not just for classified dogs)	
	Costs around (neutering, microchipping) dogs should fall heaviest on those with classified dogs.		Hastings District Council supports changing the wording of the Act to allow 'discounts' for good dog owners rather than 'penalties' for irresponsible owners 21 Councils support extending some or all of the restrictions on dangerous dogs to menacing dogs	<b>Not recommended</b> Disincentivises seeking/accepting classification of a dog and registration of a classifiable dog. Pushes dogs 'underground', which does not manage risks associated with dogs.
	Additional fees for owning classified dogs – alternatively framed as discounts for owning non-classified dogs		4 councils propose introduction of an infringement offence for dog attacking a person or animal 6 councils propose greater powers to seize dogs where owner is non-compliant	<b>Considered as part of RIS; not recommended</b> Disincentivises seeking/accepting classification of a dog and registration of a classifiable dog. Pushes dogs 'underground', which does not manage risks associated with dogs.
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
	Extend controls on dangerous dogs to menacing dogs			Option proposed. Fencing and mandatory neutering requirements for dangerous dogs to be extended to menacing dogs
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
	Restrictions on dogs on private property:	Legislative	Section 5(1)(b) already includes a requirement for owner to ensure that the dog is kept under control at all times	
	Owner responsibility to have dog under control at all times		Auckland Council supports a prohibition on leaving a dog with a child under 14 without owner supervision 2 councils support introduction of an infringement offence for rushing 3 councils support an offence for rushing on private land 2 councils support amendments to ensure dog-free access to homes	Sections 5(1)(b), 52(1) and 53 of the Act already require owners to ensure that the dog is kept under control at all times, including on owner's property. Section 53 of the Act sets out the corresponding offence of failure to keep dog under control.
	Prohibit child under 14 being left alone (without presence of owner) with classified dog			<b>Not recommended</b> Practical difficulties. Legal owner of dog may not be able to ensure a child is not left alone with the dog depending on the way responsibilities are shared for the dog and for children within families. Enforcement/prosecution difficulties may also arise as there it raises the question of how closely a caregiver needs to watch over a child.
	s.9(2)(f)(iv)			s.9(2)(f)(iv)
	s.9(2)(f)(iv)			s.9(2)(f)(iv)

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Action area	Action	Leg or non-leg	Notes	DIA view
	Extend fencing/containment requirements to all classified dogs – dog-free access to front door			Option proposed
	Make it easier for people to comply with ownership obligations:	Non-legislative	At least 6 councils have had ongoing success with 'amnesty' initiatives and other programmes to incentivise owners to neuter and/or microchip their dogs.	
	Look at council best practice – produce guidance			Will form part of Stream 2 (preparation of best practice guidance on uptake of (iv) responsible dog ownership)
	Subsidise neutering and/or microchipping			Option proposed (for neutering, not micro-chipping)
	Subsidise dog obedience training and owner education			<b>Not recommended</b> Not likely to be cost-effective and does not assist with the target group (the unwilling non-compliant)
Other agencies and organisations	Information sharing between agencies/organisations:  s.9(2)(f)(iv)	Legislative and non-legislative	6 Councils have requested access information about dog attacks that are not reported to councils DIA's operational team is considering improvements to and alternate uses for information in the National Dog Database Accident Compensation Corporation (ACC) holds some relevant high-level information about dog related-injuries of that is not currently provided to DIA or councils, but can be made available. ACC also holds detailed information about some individual cases that it cannot provide to DIA or councils for privacy reasons.	s.9(2)(f)(iv)
	Regulation of dog breeders/sellers  s.9(2)(f)(iv)			Legislative and non-legislative
	Codes of practice for dog breeders, sellers and/or temporary care facilities (e.g. kennels, dog daycare)	The National Animal Welfare Advisory Committee's Animal Welfare (Dogs) Code of Welfare 2010, sets out standards in relation to the breeding of dogs, as well as standards for containment and kennelling, among other matters It also refers to the Code of Recommendations and Minimum Standards for the Sale of Companion Animals, and Code of Recommendations and Minimum Standards for the Care of Animals in Boarding Establishments s.9(2)(f)(iv)		
	Improve public perception of dogs and understanding of dog behaviour	Non-legislative	5 councils proposed a nationwide media campaign 4 councils proposed compulsory dog safety education in schools	
Nation-wide media campaign	Will form part of Stream 3 (national education campaign)			
Compulsory dog safety/dog behaviour education as part of primary school curriculum	As directly above			

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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 serious dog attacks.

There is limited data available to assess the scale and characteristics of serious dog attacks in New Zealand. We do not have reliable data on the actual number of dogs in New Zealand, the characteristics of dogs involved in attacks and circumstances surrounding attacks.

Ministerial direction is to review settings with a focus on high-risk owners and high-risk dogs, and to consider specific proposals. This direction, as well as timing constraints, limits the options explored in this analysis. Not all options which have Ministerial and stakeholder support are supported by the analysis contained in this document.

The focus of options is on dogs and owners of (i) dogs that are classified as menacing and dangerous and (ii) unregistered dogs believed to be of 'pit bull type' that would therefore be classifiable as menacing under section 33C of the Act. Limitations include:

- We do not have evidence that menacing and dangerous dogs are more likely to be involved in attacks once classified;
- Other dog breeds that do not attract an automatic classification as menacing by breed are also well-represented in dog attacks and we do not have reliable evidence that pit bull type dogs are more involved in serious dog attacks than those other breeds. This is particularly so, given that visual classification of 'pit bull type' is known to be problematic, with international studies suggesting there is a high degree of inaccuracy with this approach.

Information provided by some territorial authorities is that there are a large number of unregistered dogs, of which a large number are cross-breeds that they would consider as being of 'pit bull type'.

Data on the number of dog-related injuries and dog bites, collected by the Accident Compensation Corporation and Ministry of Health respectively, provide some indication of the number of dog attacks that occur. However, this information is collected for a different purpose and that data captures incidents wider than attacks arising from dog aggression.

For statistical 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. 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.

The significant public engagement undertaken has helped to fill some data gaps and demonstrated support for options that provide stronger controls on ownership of dogs considered to be high risk.

  
Glenn Webber  
Director, Local Government Policy

2 / 11 / 2016

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## Executive summary

1. 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. This is to address concerns that serious dog attacks continue to happen, with long lasting impacts for victims and families.<sup>1</sup>
2. The Department has evaluated the status quo and a number of options being considered by the Government to reduce the risk and harm of dog attacks. The options fall into three broad categories: Measures to deal with the high number of unregistered dogs involved in the dog attacks, measures to increase socially-responsible behaviour among dog owners, and measures to address the current lack of reporting of dog bite incidents to territorial authorities.

## Status quo and problem definition

3. Any interaction between dogs and humans involves some risk. The central objective of dog control policy 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. In New Zealand, dog control is regulated by the Dog Control Act 1996 (the Act), which is implemented by territorial authorities. The Act provides for the management of increased levels of risk associated with dogs and dog owners by means of classification. Classification of dogs (as menacing or dangerous) and of owners (as probationary or disqualified) allows for appropriate controls to be put in place for the protection of the community.
4. A territorial authority:
  - 4.1 **Must** classify a dog as dangerous 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;
  - 4.2 **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). There are four listed *breeds* (Dogo Argentino, Brazilian Fila, Japanese Tosa, Perro de Presa Canario) and one *type* (American Pit Bull Terrier); and
  - 4.3 **May** classify a dog as menacing if it believes the dog poses a threat to public safety because of its behaviour.
5. Dogs classified as dangerous **must** be kept in a fenced part of the owner's property, **must** be muzzled, on a leash in public and neutered. Dogs classified as menacing **must** be muzzled in public, and councils **may** require them to be neutered. 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.

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<sup>1</sup> Serious dog attacks can be defined as an interaction with a dog which results in serious injury (i.e. requiring emergency/hospital treatment) or death or which has the potential for such.

6. Most councils have a policy of 'no rehoming' of classified dogs, meaning these dogs are destroyed.
7. Since 2013, the number of dogs classified as menacing 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.
8. Dog owners have a number of obligations under the Act. 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. Dog owners must also make sure the dog does not startle or injure any person or any other animal and is kept under control at all times; and care for their dog (providing adequate food, water and shelter and exercise).
9. Dog owners 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.
10. 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.
11. There were 415,144 owners of registered dogs in New Zealand in 2016. This number has increased by 7 percent since 2013. Currently dog owners do not require a license.
12. Evidence from councils and animal management officers is that irresponsible dog ownership is largely attributable to (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. Anecdotal evidence is that animal welfare issues are also extensive across New Zealand.

## The underlying causes of dog attacks

13. 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<sup>2</sup>),
  - early experience,
  - socialisation and training,
  - health (physical and psychological), and
  - victim behaviour.

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<sup>2</sup> 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.

14. Reducing the risk and harm of attacks warrants actions to address all five key factors. In terms of other relevant factors, international research findings are that:
  - Male dogs are more likely to bite than females
  - Dogs not neutered are more likely to bite than those that are neutered
  - Chained dogs are 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 than dogs 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
15. 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.

## Problems to be solved

16. The number of registered dogs in New Zealand has been increasing slightly over the past decade.<sup>3</sup> There were an estimated 492,741 registered dogs in 2007, and in 2016 there are an estimated 533,216 registered dogs (Figure 1). Over the last few years the number of registered dogs per capita has remained stable, at about 12 dogs per 100 people.
17. Ministry of Health data shows that the number of hospitalisations for dog bites<sup>4</sup> 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.
18. Otago University's Injury Prevention Unit's (IPU) data shows that the number of hospitalisations for dog bites<sup>5</sup> increased by 72 percent from 276 in 2000 to 474 in 2014 (Figure 2).<sup>6</sup> 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.

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<sup>3</sup> The National Dog 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.

<sup>4</sup> MoH analysis is for publicly funded hospital discharges with the cause code 'W54: Contact with dog', using ICD10 classification.

<sup>5</sup> IPU analysis is for publicly funded hospital discharges with the cause code 'W54: Contact with dog', using ICD10 classification.

<sup>6</sup> 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.

19. 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).<sup>7</sup> 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.
20. 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.<sup>8</sup>
21. 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.
22. There are three main problem areas that have been identified with respect to dog control. These are discussed below. In the absence of government intervention, the number and severity of dog attacks may continue. Although it is noted that data there has been a levelling-off in hospitalisations in the last few years.

### **Problem Area 1: There are potentially a large number of unregistered dogs in New Zealand; unregistered dogs are over-represented in dog attacks**

23. Risk associated with dogs a greatly increased by not having appropriate controls on them. Applying the appropriate controls requires dogs to be 'in the system' rather than 'underground'.<sup>9</sup> 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.
24. The recent Auckland Council amnesty which resulted in over 1500 unregistered dogs being 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 100,000 unregistered dogs. There are indications there is a similar problem of under-registration across the country, although evidence is limited.
25. Evidence from councils and the New Institute of Animal Management is that dogs classified as being of "pit bull-type"<sup>10</sup> are over-represented in attacks. In the Auckland area, for the 2015/16 year, 38 percent of the prosecutions taken were against actions of pit bull types and crosses. Rotorua and Gisborne District Councils have also submitted that pit bull types are over-represented in attacks. Enforcement practice largely relies on removal of the dog but achieving an overall reduction in the number of these dogs is challenging due to their high availability.

<sup>7</sup> It should be noted that the ACC claims data is for dog related injuries and includes more than just 'attacks' or 'bites'.

<sup>8</sup> Australian Veterinary Association "Dangerous dogs – a sensible solution: Policy and model legislative framework" (August 2012).

<sup>9</sup> 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.

<sup>10</sup> It is important to note that councils rely on a visual classification, which as discussed earlier, is not considered to be an effective method of identifying the breeds of a mixed-breed dog.



## Problem Area 2: There is a lack of socially-responsible behaviour among dog owners

26. Owners are crucial determinants of the risk associated with the dog and are key in managing that risk once it has been identified (i.e. when dog has been classified as menacing or dangerous). As such, ingraining responsible attitudes to dog ownership is an important area of action. Evidence from councils is that in general dog owners are not well-equipped to take on the responsibilities of dog ownership (the 'unable, noncompliant') and/or willing to do so (the 'unwilling, non-compliant'). Councils and other stakeholders consider measures are needed to encourage responsible dog ownership and discourage negligent and reckless behaviour. Part of socially- responsible ownership is mitigating risk to others, including by communicating high risk to members of the public so that they may modify their 'risky' behaviour.

## Problem Area 3: Territorial authorities are not receiving accurate information about dog bite incidents in their area

27. 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.

## Objectives and Criteria

28. The objectives of this review are to further refine regulatory settings to:
- 28.1 Improve community and individual safety from the threat and harm of dog attacks;
  - 28.2 Support the welfare of animals and the valuable role dogs play in our society and individual well-being; and
  - 28.3 Increase effectiveness the dog control regime.
29. Options were assessed using the following criteria:
- **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 and transparent:** people understand what is required of them and the basis of decisions; and
  - **Cost-effective:** the option is a cost-effective expenditure of public funds.
30. The single criterion of 'effectiveness' provides the assessment of how well each option meets the three objectives outlined in paragraph 28.

## Options and impact analysis

31. Within each of the problem areas identified, options with regulatory impacts are discussed below. It should be noted that those options being considered are part of a wider package that includes (i) a national public education campaign to increase awareness of dog behaviour and safety and socially responsible dog ownership, (ii) best practice guidance for territorial authorities to better approach enforcement challenges in a nationally consistent way, and (iii) a potential nation-wide subsidised neutering campaign for classified dogs.

### Problem Area 1: Involvement of unregistered dogs in a large proportion of attacks

- Measures to increase registration uptake

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

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**Option 2 Regulation of sale of dogs**

- 38. This option would also place obligations on a seller to ensure registration has been carried out prior to sale. As a large number of litters are unplanned and unwanted, owners may not be aware of obligations. Currently a large number of 'sales' are informal. Therefore, such a rule may be hard to enforce and potentially force sales further 'underground'. Also, there is a risk that such a policy could result in 'backyard' euthanising of unwanted litters.
- 39. This option would increase costs of enforcement at point of sale and would diminish and undermine owner-responsibility for unregistered dogs once a 'sale' has been completed. As such, it is not likely to be cost-effective in the current environment where there are a large number of dogs not neutered and consequently a large number of informal sales. This option is **not recommended**.

➤ **Measures to reduce the availability of dogs considered to be pit bull type**

**Option 3 Mandatory neutering of all dogs classified as menacing (remove territorial authority discretion)**

- 40. 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.
- 41. 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.
- 42. 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.
- 43. 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.
- 44. This option is **recommended** as it meets objectives better than the status quo and is cost-effective overall.

**Option 4 Ban on re-homing of dogs classified as menacing or dangerous**

- 45. Currently, many councils have a policy of no re-homing of dogs classified menacing or dangerous from their council shelters. This option would make that rule consistent across all councils and welfare agencies. This option is supported by stakeholders such as the New Zealand Institute of Animal Management.

46. This option would seek to lower the population of dogs with potential for high harm (for dogs menacing by breed) 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. People may also be less likely to surrender dogs to the council if there was such a ban. It is also important to note the current lack of clarity and consensus around how to identify dogs as 'pit bull type', and concerns about the accuracy of visual classification. The option would reduce shelter costs and would therefore save costs for councils however.
47. This option is **not recommended** due to the current challenges with visual classification and because local communities currently have the flexibility to implement no re-homing policies if they wish to do so.

## Problem Area 2: Lack of socially-responsible behaviour by dog owners

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

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

**Option 6 Extend fencing/containment requirements to all menacing dogs**

56. This option would extend current containment requirements on owners of dogs classified as *dangerous* to also apply to owners of dogs classified as *menacing*. Dogs classified as menacing would have to be confined to the land in a manner that they could not freely leave and kept in 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 the dwelling. It would significantly reduce the risk of people inadvertently encountering high-risk dogs on private property, dogs roaming/running off the property when provoked, and becoming agitated due to chaining. It would support the effectiveness of the dog control regime as currently a large part of dog control work is a result of dogs not being contained on their property.
57. A fencing requirement increases the cost of ownership of a menacing dog. It would disadvantage some owners, such as those who do not own their own house and those on low incomes, who are more likely to own dogs that are likely to be classified as menacing by breed. However, this option is likely to be cost-effective for councils, as homes and streets are the most common places for dog attacks to occur. This option is **recommended**.

**Option 7 Mandatory special collars to identify classified dogs**

58. This option would require owners to ensure dogs classified as menacing or dangerous are wearing identifiable, specially designated collars for each classification. The collar would be supplied by council at a cost to the dog owner.
59. The option seeks to enable the public and visitors to private property housing a classified dog to be well informed of risk, and those on the street when a dog may have escaped the property without the owner's knowledge (and so is not wearing a muzzle). As evidence suggests most incidents occur within the home or on the street, a visual collar would be a well-targeted measure. However in the public sphere, in many cases if an owner does not wish to use in a muzzle, they are unlikely to leave such a collar on because to do so is more likely to attract an infringement for failure to muzzle under section 33EC of the Act. Therefore, such a requirement is likely to only be complied with by already responsible owners who would already be using a muzzle when in public. As such, this option may be considered to be more than the minimum necessary in terms of communicating risk to the public.

60. The requirement to wear a signifying collar could also result in stigma that results in less socialisation for the dog, but it is unclear to what extent this may occur. The potential for such stigma will also vary from community to community. As with other measures that increase controls and costs of ownership, there is a risk of further disincentivising dog registration.
61. It is unclear whether the costs to individuals of this option would outweigh its effectiveness in terms of reducing risk and harm of attacks and further investigation is warranted on how well this measure has worked overseas. As such it is **not recommended at this stage**.

***Option 8 Mandatory display of signs on properties housing dogs classified as menacing or dangerous***

62. This option would require owners to ensure a property housing a dog classified as menacing or dangerous has a specially designated sign displayed on the property. Signs would be supplied by councils and so would be standardised.
63. The option seeks to enable the public and visitors to private property housing a classified dog to be well informed of risk. As most attacks occur in the home, this option is considered to be a well-targeted measure. However, the option would be more than the minimum necessary to achieve objectives for dangerous dogs for which section 32 (1)(a) requires that the dog 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 on the property. Furthermore, option 6 would extend this fencing requirement to also apply to properties housing dogs classified as menacing. If that measure was to be adopted, then this option would also be more than the minimum necessary for dogs classified as menacing, and therefore not meet the efficiency criterion. However, like option 6, this option would be a further mitigation of the risk and harm of dog attacks.
64. The option adds compliance cost for owners of purchasing a sign. As with other measures that increase controls and costs of ownership, there is a risk of further disincentivising dog registration. This option is **not recommended on the basis that option 6 is preferred**.

**Problem Area 3: Lack of reporting of dog bite incidents to territorial authorities**

***Option 9 Mandatory reporting of dog bite incidents to territorial authorities***

65. A number of councils and the New Zealand Institute of Animal Management have requested mandatory reporting of all dog bite incidents to territorial authorities. Such reporting requirements could be applied at different levels: to GPs, hospital staff, or ACC. Mandatory reporting would allow territorial authorities to investigate and apply appropriate actions to educate owners on responsibilities of being a dog owner and to place extra requirements on ownership of the dog via the classification process.
66. Current health information collected from patients for treatment purposes would not by itself be sufficient for council enforcement purposes. Information that would be of use, such as where a dog came from and who the owner is, is not collected. As such, councils would have to follow up patients/claimants who may not wish to be contacted.

67. Sharing ACC claimants' and/or patients' personal information with territorial authorities without their permission would raise privacy concerns. This is because such information is collected for different purposes to those that territorial authorities require it for. 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 exemptions<sup>11</sup> (determined case by case), or an approved information sharing agreement or legislative change. Requiring claimants and/or patients to provide relevant information may have an unintended negative consequence of discouraging people from pursuing appropriate treatment, and would go against the no-fault principle of the ACC Scheme. Higher levels of reporting could be achieved through public education on reporting voluntarily.
68. This option is **not recommended**.

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<sup>11</sup> 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.

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

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					
<b>Problem Area 1: Involvement of unregistered dogs in a large proportion of attacks</b>								
<i>Measures to increase registration uptake</i>								
1 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)	
2 Regulation of sale of dogs	<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"/> <input checked="" type="checkbox"/> Placing obligations on the seller does mean regular sellers can be targeted for registration. It is more efficient to require a seller of a litter to register all dogs than multiple buyers; however point of sale is a small point in time less resource efficiency for enforcement.	<input type="checkbox"/> No impact.	<input type="checkbox"/> No impact.	Unclear.	<b>Not recommended.</b>



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					
<b>Measures to reduce the availability of dogs considered to be 'pit bull type'</b>								
3 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 (papered American Pit bull Terriers), 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.	Costs of neutering vary with size and sex of the dog. The cost-price average is approximately \$150 per dog. It is an effective measure for dog control where there is sufficient uptake across the community (SPCA have informed us that sufficient uptake for population control is about 80% of dogs neutered).	<b>Recommended.</b>
4 Ban on rehoming of dogs classified as menacing or dangerous	<input checked="" type="checkbox"/> Supports in theory, as it lowers potential high-harm (and high-risk for dogs classified by deed) dog population. But whether this option would be particularly effective depends on whether dogs, once classified, are over-represented in 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.	Unclear whether it would be cost-effective as a measure to reduce risk and harm of serious attacks as it not known to what extent rehomed dogs are involved in serious attacks.	<b>Not recommended.</b>
<b>Problem Area 2: Lack of socially-responsible behaviour among dog owners</b>								
5 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)	<b>Recommended for implementation at a later date</b> as part of a package, due to potential for unintended consequences in the current environment.

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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					
6 Extend fencing/containment requirements to all menacing dogs (extension for requirement for dangerous dogs)	✔ 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.	✔ Supports as it reduces the need for dogs to be chained.	✔✘ Supports as Councils may have such requirements in bylaws, but they are not currently supported by legislation. However, increasing controls and costs of ownership risks further disincentivising dog registration.	✔ Fencing requirement increases compliance cost of ownership of a menacing dog, but this is targeted at a high-risk population.	✔✘ 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.	⚪ No impact.	Unclear to what extent it is cost-effective. Does not require and central or local government funding. Will save enforcement costs for councils associated with dogs that wander off properties, but unclear how much would be saved.	<b>Recommended.</b>
7 Mandatory special collars to identify classified dogs	✔ Supports. Enables the public and visitors to private property at risk of attack to be well informed of risk (and most attacks do occur in the home). Not likely to be a necessary or effective measure in the public sphere however.	⚪✘ Could potentially result in stigma that results in less socialisation, but unclear to what extent this is likely.	✘ Increasing controls and costs of ownership risks further disincentivising dog registration.	✘ 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.	⚪ No impact.	✔ Supports. Increases transparency for the public on the regulatory classification of a dog.	Unclear whether the costs to individuals of this option would outweigh its effectiveness in terms of reducing risk and harm of attacks.	<b>Not recommended at this stage</b> as further information required to determine whether it is likely to be cost-effective.
8 Mandatory display of signs on properties housing dogs classified as menacing or dangerous	✔ Supports. Enables visitors to a property where they are at risk of attack to be well informed of risk (and most attacks do occur in the home).	⚪ No impact.	✘ Increasing controls and costs of ownership risks further disincentivising dog registration.	✘ Adds compliance cost of purchasing a sign.	⚪ No impact.	✔ Supports. Increases transparency for the public on the regulatory classification of a dog.	Unclear whether the costs to individuals of this option would outweigh its effectiveness in terms of reducing risk and harm of attacks.	<b>Not recommended</b> as option 6 is preferred.
<b>Problem Area 3: Lack of reporting of dog bite incidents to territorial authorities</b>								
9 Mandatory reporting of dog bite incidents to territorial authorities	✔✘ May support, as it allows for action on dogs that could go on to commit further attacks. However, could also work against this criterion as people may be less likely to seek appropriate treatment, given that the majority of incidents occur in the home.	⚪ No impact.	✔ Supports, as currently placing appropriate controls on high risk dogs is hampered by the fact that the majority of incidents are not reported to territorial authorities.	✔ Increases efficiency as it reduces the need for victims of dog bite incidents to separately communicate with territorial authorities about their incident.	⚪ No impact.	⚪ No impact.	No significant direct cost to be incurred by government in order to implement the option.	<b>Not recommended</b> as it has potential unintended negative consequences and raises privacy implications.

## Consultation

69. 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.
70. 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.
71. This engagement enabled officials to gain some understanding of the nature and the size of dog control problems and to identify potential solutions. There was broad support for non-regulatory measures such as public and owner education, and for regulatory measures such a mandatory neutering. Many also supported owner licensing. Many have concerns about measures that increase costs and obligations for dogs classified menacing due to being of 'pit bull type', as breed-specific legislation has been shown to not be effective in other jurisdictions in reducing dog attacks.

## Conclusions and recommendations

72. A package of regulatory and non-regulatory interventions are required in order to achieve the goal of reducing risk and harm of serious dog attacks. Furthermore, to be effective, regulatory tools need to be used in a phased approach. This is because the success of more interventionist measures (such as breeder and owner licensing regimes) depends on the receiving environment being right. 'Supply-side' measures need to be adopted first to reduce the availability of dogs that are not neutered. This combined with a societal culture change process and more effective council action through development of best practice, will mean the better conditions for successfully increasing controls on dogs, owners and breeders. Potential unintended consequences of employing regulatory tools too early include and increased number of unregistered dogs, potential for 'backyard euthanasia' of dogs/unintended litters, and higher than necessary levels of euthanasia overall.

## Implementation plan

73. 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 as necessary (e.g. details of owner licensing scheme) to implement options preferred by the Government;

- *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 longer-term process, with central and local government and non-governmental sector working together to influence societal change in attitudes about responsible dog ownership and safety around dogs.
74. Work under phases 2 and 3 and the approach that will be taken has broad support across all stakeholders.

## Monitoring, evaluation, and review

75. 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. To enable this to occur, as part of the legislative phase of this work, there are plans to review section 10A requirements, in order to ascertain more fit for purpose information in future.
76. 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.

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# Appendix A: Data/figures

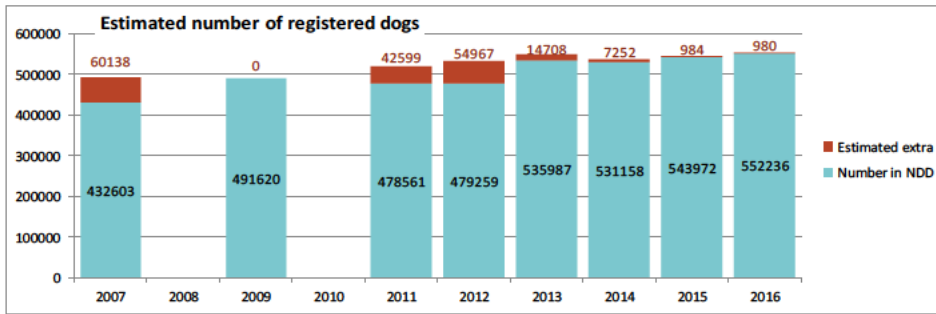


Figure 1: Estimated number of registered dogs in New Zealand from 2007 to 2016<sup>12</sup>

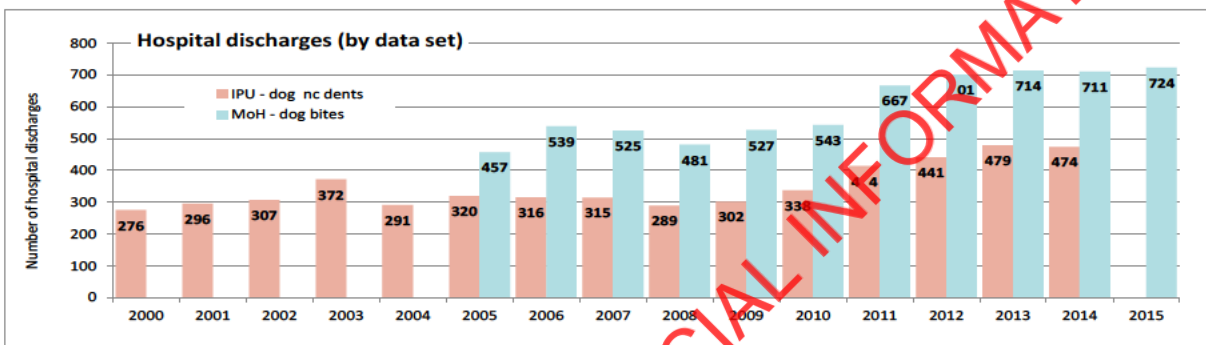


Figure 2: Number of hospital discharges for dog incidents (IPU data) and dog bites (MoH data)

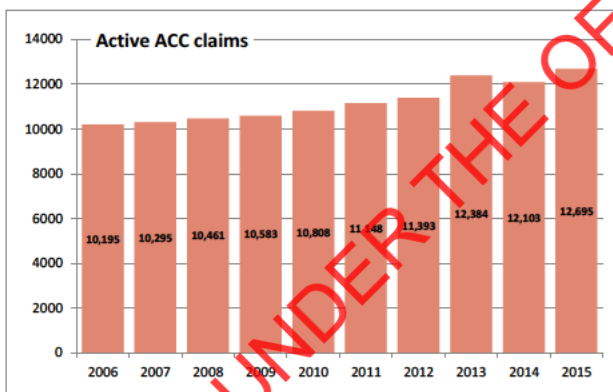


Figure 3: Number of active ACC claims from 2006 to 2015

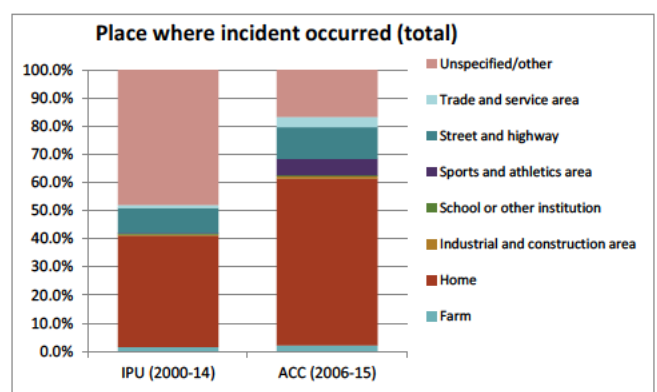


Figure 4: Place where incident occurred (IPU and ACC data)

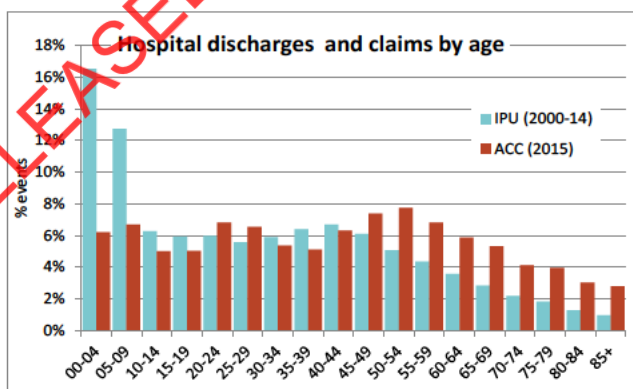


Figure 5: Hospital discharges and ACC claims by age

<sup>12</sup> The 'estimated extra' shown in red accounts for council under-reporting of registered dogs. It does not account for unregistered dog population in New Zealand.

Priority Routine

INTERNAL AFFAIRS

Te Tari Taiwhenua

## Local Government aide memoire

Hon Louise Upston  
Associate Minister of Local Government

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

Title: **EGI consideration of the *National strategy to reduce the risk and harm of dog attacks* Cabinet paper**

Date: 13 September 2016

### Key issues

Your Cabinet paper *National strategy to reduce the risk and harm of dog attacks* will be considered by the Cabinet Economic Growth and Infrastructure Committee (EGI) on 14 September 2016.

The paper includes a package of legislative proposals, which will result in an amendment to the Dog Control Act 1996, and non-legislative proposals to support such amendments. The proposal for a nationwide neutering programme seeks funding of \$0.850 million to subsidise the neutering of high-risk menacing dogs.

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

### Action sought

Read before the EGI meeting


### Timeframe

By 10:00am on  
14 September 2016

### Contact for telephone discussions (if required)

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

Return to	Samantha Lay Yee, Level 7, 147 Lambton Quay
Cohesion and Ministerial database reference	LG201600574

  
Jo Gascoigne  
Policy Manager

## Purpose

1. This aide memoire provides information to support you during discussions about your Cabinet paper *National strategy to reduce the risk and harm of dog attacks* (the Cabinet paper) at the Cabinet Economic Growth and Infrastructure Committee meeting on 14 September 2016.
2. This aide memoire attaches:
  - an explanation of costings for the proposed nationwide neutering programme; (Appendix A)
  - a revised timeline, based on your feedback, including new dates for Cabinet consideration of final policy proposals s.9(2)(f)(iv) (Appendix B);
  - a draft media release for your policy announcement on 22 September 2016 (Appendix C); and
  - a summary of agency comments on the draft Cabinet paper (Appendix D).

## Background

3. You have developed a Cabinet paper which proposes a two-year National Strategy to reduce the risk and harm of dog attacks. The strategy comprises three streams: policy shifts, practice development and culture change process. It was developed in light of wide-spread engagement with central government, local government and other relevant stakeholders.
4. The strategy targets the behaviour of high-risk dogs and their owners. High-risk dogs are dogs classified by a council as dangerous or menacing under the Dog Control Act 1996 (the Act), and dogs that would be classified as such if they were registered.
5. The Cabinet paper seeks agreement to legislative and non-legislative proposals. It also seeks authorisation to issue drafting instructions so that work can begin to prepare the required amendment bill. We intend that further policy decisions will be made and incorporated into the bill, so that the bill can be introduced in February 2017.

## Serious dog attacks have not reduced and there are problems with the current dog control regime

6. Despite substantial amendments to the Act in 2003, serious dog attacks continue to occur. Hospital discharges for dog bite incidents increased by 58 percent from 457 in 2005 to 724 in 2015.
7. Under the current regime, councils have problems locating unregistered dogs and identifying dogs belonging to restricted breeds or types. It is therefore difficult for councils to ensure that owners meet their basic legal responsibilities and place controls on the dogs that require them. This increases the risk of serious dog attacks.

## Talking points

- I am concerned about the increase in hospitalisations and ACC claims for dog related injuries over the last decade.
- Government can reduce the potential for harm by making it easier for councils to identify and place controls on high-risk dogs and high-risk owners.

**You have engaged widely with New Zealanders. Local government and the public are ready for change**

8. You have discussed the causes and effects of dog attacks with local government stakeholders including Local Government New Zealand, the New Zealand Institute of Animal Management, councils and their animal control officers.
9. You have also worked with New Zealand Veterinary Association, Federated Farmers of New Zealand, the Royal New Zealand Society for the Prevention of Cruelty to Animals and numerous other groups in the development of the National Strategy.
10. You spoke with victims of dog attacks, animal control officers, dog behaviour experts and others with first-hand experience of dog control issues.
11. Additionally, you launched an online engagement survey in August this year to gauge public perception about dog attacks. The survey attracted over 3000 responses over a two-week period. Respondents consistently identified irresponsible dog owners and poor education about dog behaviour as the two biggest contributing factors to dog attacks.

**Talking points**

- New Zealanders are concerned about the risk of dog attacks, both in public places and at home. They are particularly concerned that children are overrepresented as dog attack victims.
- Through broad engagement with the local government sector and dog sector, as well as the general public, I have heard about major challenges in the current dog control regime and potential solutions.
- Feedback from various parties has shaped policy development and informed my final proposed approach.

**You propose a National Strategy to reduce the risk and harm of dog attacks**

12. The proposed National Strategy to reduce the risk and harm of dog attacks (the National Strategy) comprises a framework of legislative and non-legislative measures to mitigate the risks posed by high-risk dogs and high-risk owners in our communities.
13. The initial package of proposals includes of five legislative measures (listed in the talking points below) and three non-legislative measures to support legislative change:
  - an immediate nationwide neutering programme for owners of high-risk menacing dogs, commencing in October 2016;
  - a review and improvement of best practice guidance to enhance council delivery of dog control services, to be launched following legislative change; and
  - a public education programme about responsible dog ownership and safety around dogs, to commence following legislative change.
14. The Department is developing additional policy proposals for consideration

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



15. The Department acknowledges there are limitations in the data to support the policy proposals. However, the initial package of proposals includes precautionary measures based on the evidence available. s.9(2)(f)(iv)
16. The Department has prepared a draft media release to announce the five legislative measures and two of the non-legislative measures (Appendix C). The public education campaign will be announced with other measures i s.9(2)(f)(iv)

### **Talking points**

- Owners of dogs that have the potential to cause the most harm need to shoulder the most responsibility. I consider that dogs that meet the criteria to be classified as menacing or dangerous should be subject to tighter controls.
- I also consider that councils and the general public can help to reduce the risk and harm of dog attacks by better understanding their responsibilities and rights.
- I propose a National Strategy to reduce the risk and harm of dog attacks. I seek your agreement to an initial package of legislative and non-legislative measures. I will report back s.9(2)(f)(iv) with additional policy proposals.
- It is important to progress this initial package of changes now so that the Parliamentary Counsel Office can begin drafting. This will allow legislation to be introduced by February 2017.
- There are limitations in the data supporting the policy proposals. Part of the National Strategy will address current information gaps, including consideration of the use of ACC dog-related injury claim data. However, we cannot afford to wait for further information before taking precautionary measures to reduce dog attacks.
- If Cabinet agrees, my announcement of decisions on 22 September 2016 will cover the measures specifically agreed to, namely:
  - mandatory neutering of all menacing dogs;
  - a requirement that classified dogs be securely fenced within private property;
  - mandatory signage on properties with classified dogs;
  - requiring classified dogs to wear identification collars;
  - prohibiting re-homing of classified dogs;
  - an immediate nationwide neutering programme for owners of high-risk menacing dogs, commencing in October 2016; and
  - a review and improvement of best practice guidance to enhance council delivery of dog control services, to be launched following legislative change.

### **A subsidy for neutering high-risk dogs is necessary to support the overall National Strategy**

17. The proposed nationwide neutering programme will include a temporary subsidy for neutering fees for high-risk menacing dogs. The programme and subsidy will:
  - ensure more high-risk menacing dogs are neutered;
  - reduce the overall population of dogs belonging to restricted breeds and types;

- reduce the likelihood that future generations of dogs will inherit menacing behavioural traits;
  - improve the behaviour of individual dogs which are neutered; and
  - make it easier and cheaper for owners of high-risk menacing dogs to prepare for the proposed mandatory neutering measures.
18. The neutering programme will also encourage owners to make themselves and their dogs known to veterinarians and councils, providing a key opportunity to identify unregistered dogs, and ensure they are registered and subject to controls.

#### **Talking points**

- I consider a nationwide neutering programme for high-risk menacing dogs is necessary to support the key proposal for mandatory neutering of menacing dogs and the overall National Strategy.
- Allowing the programme to take effect immediately will ensure that the Government has taken direct action in advance of the high-risk summer period when dog attacks are most likely to occur. Neutering lowers the chance of attack as it has been linked to reduced aggression and decreased roaming. It will also raise public awareness of the proposals over summer and give this work momentum.
- The neutering programme will include a temporary subsidy of \$0.850 million to cover neutering fees for high-risk menacing dogs.
- I am aware that some owners simply give up their dog and obtain a new one when faced with additional costs and restrictions. The subsidy will help to prevent such behaviour when the mandatory neutering requirements come into force.

#### **The need for a subsidy is immediate and it should be funded by central Government**

19. The temporary subsidy for neutering fees for high-risk menacing dogs will require \$0.850 million for 2016/17 in funding. Costs associated with the subsidy were established in consultation with Treasury. Details about the calculation of costs are attached as Appendix A.
20. Initial costings carried out by the Department estimated that it would cost a maximum of s.9(2)(f)(iv) over 2016/17 and 2017/18 to subsidise neutering fees for high-risk menacing dogs. However, the total cost will depend on uptake of the subsidy, the average cost of a neutering procedure and the number of unregistered high-risk menacing dogs. We have revised these estimates downwards to arrive at the new cost of \$0.850 million.

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

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

23. According to Accident Compensation Corporation data (from 2006-2015) and data from the University of Otago Injury Prevention Unit (from 1999-2014), numbers of dog-related injury claims and hospitalisations for dog-related incidents are highest between December and February each year

24.

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

25.

**Talking points**

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

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

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## Appendix A: Costings for the proposed nationwide neutering programme

1. The costs for the national neutering programme are based on the average cost to neuter a dog (\$90)<sup>2</sup> multiplied by the number of high-risk menacing dogs that would need to be neutered to achieve a reduction in the population of those dogs. It is estimated that a neutering rate of at least 80 per cent would be required to achieve a natural reduction of the population over time.
2. Based on National Dog Database information, there are around 9,128 registered menacing dogs in New Zealand. Of these, approximately 66.7 percent are neutered. Therefore, to reach a neutering rate of 80 percent, a further 13.3 percent would need to be neutered.
3. The costings include provision for unregistered dogs that would be classified as menacing if they were known to their local council. International literature and discussions with the animal control sector in New Zealand generally estimate that for every dog known to a dog control authority, there is another dog that is unknown. The costings assume that:
  - for every menacing dog known to a council, there may be an additional 0.8 dogs unknown to a council that would be classified as menacing. This figure is based on the proportion of registered to unregistered dogs that presented to Auckland Council during its recent amnesty; and
  - unregistered dogs are extremely unlikely to be neutered. Auckland Council suggests that 99 per cent of unregistered dogs they encounter are not neutered. The costings assume that 80 per cent of high-risk menacing dogs are unneutered. This accounts for dogs whose registrations may have lapsed, and the stricter requirements in many council areas to neuter menacing dogs.
4. This means there are potentially around 8,800 un-neutered high-risk menacing dogs across New Zealand currently. For each of these dogs to undergo neutering procedures would cost around \$0.800 million. The costings also provide for \$50,000 to carry out any associated promulgation to ensure uptake of the neutering programme.
5. The cost/benefit analysis (CBA) assumes that the neutering programme will reduce instances of dog attacks as the population of high-risk menacing dogs reduces over time. The assumptions are based on:
  - The average lifespan of a menacing dog (10 years);
  - The reproductive rate and yield for female high-risk menacing dogs (2 dogs per year for each female dog between ages 2 and 7); and
  - The average cost of dog-related Accident Compensation Corporation (ACC) claims (\$407).
6. The CBA finds net-positive benefits based on these assumptions. It is expected there would be additional benefits beyond the scope of the CBA through:
  - the prevention of serious dog attacks, which can carry higher ACC costs than the average claim, along with social costs to attack victims and those around them; and
  - the reduction in the immediate risk of attacks from high-risk menacing dogs, as neutering is linked to lower aggression in dogs.

<sup>2</sup> Based on data from the Royal New Zealand Society for the Prevention of Cruelty to Animals

## Appendix B: Revised timing for Cabinet consideration of policy proposals

The table below sets out revised timing for upcoming deliverables and meeting dates relating to Cabinet consideration of immediate policy proposals, final policy proposals and the draft bill:

Deliverable/meeting	Indicative date	
EGL meeting	14 September 2016	
Cabinet meeting	19 September 2016	
NZIAM conference and publish press release	22 September 2016	
Drafting instructions to PCO	Late-September 2016	
Draft Cabinet paper provided to AMoLG	s.9(2)(f)(iv)	
Discuss draft Cabinet paper and RIS with officials		
Final Cabinet paper provided to AMoLG for lodging		
Lodge Cabinet paper and RIS with Cabinet Office		
Aide memoire for EGL to AMoLG		
EGL meeting		
Cabinet meeting		
Further drafting instructions to PCO		
Draft Cabinet paper and draft bill provided to AMoLG		
Discuss draft Cabinet paper and draft bill		
Final Cabinet paper and draft bill provided to AMoLG for lodging		
Lodge Cabinet paper and draft bill with Cabinet Office		
Aide memoire for LEG to AMoLG		
LEG meeting		
Cabinet meeting		
Introduction		21 February 2017
First reading		Late-February 2017 (TBC)
Select Committee		February 2017 –June 2017 (TBC)
Second reading Committee of the Whole House Third Reading Assent Launch education campaign and council best practice guidance	July-August 2017 (TBC)	

# Hon Louise Upston

## **Associate Minister for Local Government**

22 September 2016

### **National strategy to reduce dog attacks**

Misbehaving dogs and their owners will be subject to stricter controls under changes to dog control laws announced by Associate Local Government Minister Louise Upston today.

"I know first-hand the joy that dogs bring to the lives of thousands of New Zealanders. Unfortunately, the statistics clearly show that dog bite incidents are on the rise and children are overrepresented as victims of dog attacks."

"New Zealanders have told me that irresponsible dog ownership is the number one contributor to dog attacks. This package focuses on the owners of high-risk dogs – defined as 'dangerous' or 'menacing' dogs in the Dog Control Act – and reducing the risk from them."

Immediate law changes will target dangerous and menacing dogs, requiring owners to:

- Neuter menacing dogs.
- Keep menacing dogs in a fenced in area at home that allows visitors dog-free access to at least one house entrance.
- Display signs at the front of their property alerting people of dangerous or menacing dogs.
- Ensure dangerous or menacing dogs wear collars identifying them as dangerous or menacing.

Animal shelters will also be prevented from rehoming dangerous and menacing dogs.

The package also includes initiatives to introduce a nationwide programme subsidising neutering for menacing dogs and to review and improve best practice dog control guidance for councils.

"While the package of measures will not create any extra cost or burden for good dog owners, it is important for all dog owners to recognise they have responsibilities, not only towards their dog, but also towards their families, friends and community."

**ENDS**

## NOTES FOR EDITOR

### DEFINITIONS OF DANGEROUS AND MENACING DOGS

The Dog Control Act 1996 defines dangerous and menacing dogs as:

- **Dangerous dogs** include those where:
  - the owner was convicted of an offence where the dog has rushed at a person or property, causing injury or damage;
  - the council believes a dog is a threat to public safety on the basis of sworn evidence; or
  - the owner records in writing that it is a threat to public safety.
- **Menacing dogs** include those that:
  - the council believes to pose a threat to public safety because of their behaviour or the characteristics of the dog breed; and/or
  - the council has reasonable grounds to believe belongs wholly or predominantly to one or more of the breeds or types of dog listed in Schedule 4 of the Act. Currently these are the Dogo Argentino, Brazilian Fila, Japanese Tosa and Perro de Presa Canario dog breeds and the American Pit Bull Terrier dog type.

ENDS

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### Appendix D: Agency comments on Cabinet paper proposals

The table below sets out substantive comments from government agencies on the policy proposals in the Cabinet paper. Other agencies including the Accident Compensation Corporation, the Treasury, the Ministries of Justice, Health, Education, Environment, Pacific Peoples, Civil Defence and Emergency Management, Transport and Social Development, the Department of Conservation and the New Zealand Police were consulted but did not have any substantive comment.

Agency comments	DIA response
<p><b>Ministry for Primary Industries (MPI)</b></p> <ul style="list-style-type: none"> <li>MPI considers a ban re-homing of dogs classified as menacing will not effectively reduce dog attacks. It noted there is no data to suggest that dogs, once classified and rehomed, are over-represented dog attacks; well-adjusted and non-aggressive dogs classed as menacing due to breed type may be less likely to be surrendered and if surrendered would be euthanised unnecessarily; breed alone is not an effective indicator or predictor of aggression in dogs; and there is a lack of clarity around identifying some dogs as pit bull type, again dogs could be euthanised unnecessarily.</li> <li>MPI also considers requiring menacing and dangerous dogs to wear an identifying collar will not effectively reduce dog attacks. It noted such dogs are already required to wear a muzzle in public; most dog attacks are on children on private property, so wearing a collar in public is unlikely to make a difference; and the stigma associated with identification is also likely to result in high levels of non-compliance.</li> <li>MPI is concerned that territorial authorities do not consistently exercise their powers to declare a dog as menacing.</li> </ul>	<ul style="list-style-type: none"> <li>MPI comments on specified proposals reflect the findings in the regulatory impact statement.</li> <li>The review and improvement of best practice guidance will encourage consistent understanding and exercise of classification powers across all territorial authorities.</li> </ul>
<p><b>Ministry of Business, Innovation and Employment (MBIE)</b></p>	<p>s.9(2)(f)(iv)</p>



**Housing New Zealand Corporation (HNZC)**

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

- HNZC noted that mandatory signage and fencing requirements would not affect HNZC properties because tenants are not permitted to have dogs classified as dangerous or menacing. However, the fencing requirements may have impacts for tenants and landlords of non-HNZC properties

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

**New Zealand Customs Service (Customs)**

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

- For the purposes of prohibition on import, Customs considers the 'American Pit Bull Terrier' dog type creates some confusion. It suggests widening the category of 'American Pit Bull Terrier' type to all pit-bull type dogs

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

- The review and improvement of best practice guidance will encourage consistent understanding and exercise of classification powers across all territorial authorities

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Chair  
Cabinet Economic Growth and Infrastructure Committee

## National strategy to reduce the risk and harm of dog attacks

### Proposal

1. I propose Cabinet agree to the first tranche of a national strategy to reduce the risk and harm of dog attacks in New Zealand.

### Executive summary

2. Dogs play a valuable role in New Zealand society as pets, companions, assistance for independent living, and as contributors to our economy. Though I recognise the benefits of dog ownership, I am deeply concerned about data which indicates an increasing number of dog attacks across the country.
3. Our most vulnerable are more likely to be the victims of dog attacks. Accident Compensation Corporation (ACC) data shows that children are disproportionately represented in dog-related injury claims. Dog attacks are also more likely to happen in the home, which should be the safest place of all. Dog attacks create costs for society, for the health system and for councils. Most importantly, there are immeasurable costs associated with the trauma suffered by dog attack victims, their families and their wider community.
4. While I acknowledge that the majority of dog owners in New Zealand are responsible, I consider it is time to take decisive action against the small number of irresponsible dog owners who are causing so much harm. With this in mind, I am seeking Cabinet's approval of a national strategy to reduce the risk and harm of serious dog attacks.
5. I have heard from a range of stakeholders and the public, and have considered many options for change. The strategy I am proposing represents the ideas that will make the most difference in terms of reducing the risk and harm of attacks, but impose the smallest burden on responsible dog owners.
6. Although I am outlining the overall strategy now, details of the policy decisions will be split into two separate papers. I have separated the details of the proposals to allow further consultation with the local government sector  

s.9(2)(f)(iv)
7. I am seeking Cabinet agreement to the first tranche of proposals in this paper, which includes details for:

#### *Legislative proposals*

- 7.1 mandatory neutering of all menacing dogs;
- 7.2 a requirement that classified dogs be securely fenced within private property;
- 7.3 mandatory signage on properties with classified dogs;
- 7.4 requiring classified dogs to wear identification collars; and
- 7.5 prohibiting re-homing of classified dogs.

IN CONFIDENCE

*Non-legislative proposals*

- 7.6 An immediate nationwide programme to increase the uptake of neutering by owners of high-risk menacing dogs. This will reduce the risk of dog attacks in advance of the high-risk summer period when attacks are most likely to occur. Although the costs for the neutering programme would be borne by central government, I will be signalling to local government that this commitment should be part of a wider partnership between central and local government to further encourage measures, such as registration and microchipping, to control high-risk menacing dogs. I am seeking Cabinet's agreement to provide expenditure in 2016/17 of \$0.850 million to fund the neutering of high-risk menacing dogs;
- 7.7 An education campaign to drive a much-needed cultural shift towards responsible dog ownership and general understanding of dog behaviour and safety around dogs to be completed over the 2017 to 2018 calendar years. I will provide further detail of this proposal as part of a report back s.9(2)(f)(iv) and
- 7.8 A review and improvement of best practice guidance to enhance council delivery of dog control services. This would be done in collaboration with the local government sector to ensure councils have the knowledge and skills they need to carry out their functions.
8. I intend to return to Cabinet s.9(2)(f)(iv) with details on a second tranche of proposals, which are:
- s.9(2)(f)(iv)
9. I am seeking Cabinet agreement to the first tranche of proposals in order to allow Parliamentary Counsel Office (PCO) to begin drafting immediately.
- s.9(2)(f)(iv)
- anticipate the draft bill will be ready for introduction into the House from February 2017.
- s.9(2)(f)(iv)
10. My nationwide engagement so far has revealed one common trend: there is strong public support for the Government to take action to reduce dog attacks in New Zealand.

**Background**

***Dog ownership is regulated through legislation administered by territorial authorities***

11. The Dog Control Act 1996 (the Act), together with the Animal Welfare Act 1999, recognises and respects the inherent value of dogs. At the same time, the Act aims to protect the fundamental rights of people and animals to be safe from harm and free from the nuisances that dogs may cause.

## IN CONFIDENCE

12. The Act was introduced following review of dog control in the mid-1990s, which found that a serious dog control problem existed in New Zealand. Territorial authorities implement the Act with the support of their communities.
13. The current dog control regime sets out obligations for dog owners to meet the welfare needs of their dog; keep their dog under control at all times; register and microchip their dog; and ensure that their dog does not injure or threaten people or animals.
14. The Act also provides a wide range of powers and obligations for territorial authorities in relation to registration, presence of dogs in public places, seizure, impounding and disposal of dogs, infringement, prosecution and regulation of dog owners. The Act enables dog owners to appeal decisions by a territorial authority and its dog control officers and dog rangers in respect of their dog and/or ability to own a dog.

*Territorial authorities can classify individual dogs to impose greater controls on them*

15. The Act provides for the management of increased levels of risk associated with dogs and dog owners by means of classification. Classification of dogs (as menacing or dangerous) and of owners (as probationary or disqualified) allows for appropriate controls to be put in place for the protection of the community.
16. A territorial authority:
  - **must** classify a dog as dangerous 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;
  - **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). There are four listed *breeds* (Dogo Argentino, Brazilian Fila, Japanese Tosa, Perro de Presa Canario) and one *type* (American Pit Bull Terrier); and
  - **may** classify a dog as menacing if it believes the dog poses a threat to public safety because of its behaviour.
17. Dogs classified as dangerous **must** be kept in a fenced part of the owner's property, **must** be muzzled and on a leash in public, and neutered. Dogs classified as menacing **must** be muzzled in public, and councils **may** require them to be neutered.
18. For the purposes of this paper, a 'high-risk dog' is defined as either:
  - a high-risk menacing dog: any dog that has been classified as menacing under the Act, including any dogs of breeds and types listed in Schedule 4 the Act, and any dog that would be classified as menacing but has not yet been classified as it is not registered; or
  - a high-risk dangerous dog: any dog that has been classified as dangerous under the Act, and any dog that would be classified as dangerous but has not yet been classified as it is not registered.

***The Act has not been substantially changed since 2003***

19. The Act was amended substantially in 2003 to improve dog control and increase public safety around dogs. The amendments introduced:
  - the 'menacing dog' classification;

## IN CONFIDENCE

- additional enforcement powers for councils, including a power to restrict or prohibit a person from dog ownership;
  - additional responsibilities for dog owners (particularly for owners of classified dogs);
  - requirements to microchip dogs; and
  - include a requirement for councils to report annually to the Secretary for Local Government.<sup>1</sup>
20. Aside from a 2012 amendment which introduced a regime for the certification of Disability Assist Dogs and other minor amendments, the dog control regime has not been significantly changed since 2003.

### ***The problem: data indicates serious dog attacks have not reduced***

21. Despite the 2003 improvements to the regime, serious dog attacks continue to occur. Ministry of Health data shows the number of dog bite patients discharged from hospital per year has increased by 58 per cent, from 457 in 2005 to 724 in 2015. The number of active ACC claims for dog-related injuries also continues to steadily increase, from 10,196 in 2006 to 12,695 in 2015. The average cost of these claims in 2015 was \$407 per claim. However, this figure is skewed by the large number of minor dog-related injuries. What I am interested in addressing is the most serious dog attacks that require rehabilitative treatment over multiple years. ACC has noted that from 2011 to 2015, the average total cost for the top five most expensive dog-related claims was \$252,923.
22. Our children are more likely to be victims of dog attacks. Data from the University of Otago Injury Prevention Unit about dog related incidents shows that almost 30 per cent of patients from 2000 to 2014 were children under the age of ten. Plastic surgeons confirm that children are more vulnerable to serious injuries due to their size when compared to an average sized dog.
23. ACC data shows almost 60 per cent of dog-related injury claims were for incidents that occurred at home, and over 10 per cent occurred on a street or highway. The risk of attack can interfere with an individual's sense of safety at home and sense of freedom in public.

### ***There are also problems with the current dog control regime***

24. There are a number of areas in the current regulatory framework for dog control that present challenges to understanding and controlling the current population of dogs:
- New Zealand has a large number of unregistered dogs, and those unregistered dogs are over-represented in impounds and attacks. This alone makes it difficult to place controls on dogs that require them;

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<sup>1</sup> Cabinet recently agreed to amend this reporting requirement by way of a local government omnibus bill. The change will require councils to publish their annual dog control reports on their websites, instead of reporting to the Secretary for Local Government [CAB-16-MIN-0338 refers].

## IN CONFIDENCE

- purebred American Pit-Bull Terrier dogs<sup>2</sup> represent around 0.04 percent of the total registered dog population, but pit-bull type dogs make up a disproportionately high number of impounded dogs. In South Auckland alone, pit-bull type dogs (including pit-bull cross breeds) made up 37 per cent of impounded dogs in 2014/15;
  - there are issues with classifying dogs as menacing based on breed or type, with significant variation in how councils determine a dog to be menacing; and
  - all dogs have the potential to attack. Conflicting messages about correct socialisation of dogs and managing dog behaviour, from councils, breeders, trainers, veterinarians, pet shops, animal welfare and rescue organisations and other interested parties, creates confusion among dog owners and members of the public and increases the potential for non-compliance.
25. These issues increase the latent risk for dog attacks and serious harm to occur. It is difficult for a council to control a dog population that it cannot easily locate or accurately quantify. The potential overrepresentation of high-risk dogs in the unregistered dog population creates a barrier to preventing the most serious dog attacks. Additionally, with incomplete knowledge about the dog population, it is challenging to develop interventions that will be effective in reducing the risk and harm of dog attacks.

### ***New Zealanders want changes to the dog control regime to reduce the risk and harm of dog attacks***

26. I have engaged with Mayors, local authorities and interested organisations such as Local Government New Zealand, the New Zealand Veterinary Association, Federated Farmers of New Zealand, the Royal New Zealand Society for the Prevention of Cruelty to Animals and numerous other groups. I have also personally spoken with victims of dog attacks, animal control officers, dog behaviour experts and others with first-hand experience of dog control issues.
27. Public concern about dog attacks was highlighted in the overwhelming response to the online survey I launched in August this year about reducing dog attacks. The survey attracted over 3000 responses in the two-week period. Respondents consistently identified irresponsible dog owners and poor education about dog behaviour as the two biggest contributing factors to dog attacks. This feedback has shaped policy development and informed my final proposed approach.
28. Although I acknowledge that dog ownership has many benefits, the present risk of a person or animal being subject to a dog attack, and the level of harm caused by serious dog attacks, is unacceptable to New Zealanders.

### **I propose a national strategy to reduce the risk and harm of dog attacks**

29. The proposed national strategy will be led by central and local government. The proposed legislative amendments will place stronger controls on high-risk dogs and their owners to reduce the risk and harm of dog attacks, signalling this Government's intolerance for the risk these groups currently present. These proposals will also assist in moving New Zealand towards a lower risk dog population.

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<sup>2</sup> Note the American Pit Bull Terrier type is listed under Schedule 4 of the Act, which bans them from importation and requires territorial authorities to classify them as menacing.

## IN CONFIDENCE

30. However, I acknowledge that legislative change alone will not be sufficient to achieve these goals. I therefore also propose three additional supporting measures:
- an immediate nationwide programme of neutering for all high-risk menacing dogs, with the costs borne by central government;
  - an education campaign to promote a cultural shift towards responsible dog ownership and safety around dogs to take place in 2017 and 2018; and
  - best practice guidance to assist councils in their delivery of dog control services nationwide, to be produced in collaboration with Local Government New Zealand.
31. Together, I anticipate that my proposals will see an initial increase in the number of classified dogs as more dogs will be identified and classified, but there will be an eventual decrease in the numbers of those dogs in the population.

### ***Overview of legislative proposals targeting high-risk dogs and high-risk owners***

32. Although I am seeking Cabinet approval of the overall strategy now, details of the policy decisions will be split into two separate papers. I have separated the details of the proposals to allow further consultation with the local government sector to ensure a proposed licensing system can operate effectively, and ensure that territorial authorities have the right enforcement tools to carry out their responsibilities under the Act.
33. My proposed legislative changes are:
- mandatory neutering of all menacing dogs;
  - a requirement that classified dogs be securely fenced within private property;
  - mandatory signage on properties with classified dogs;
  - requiring classified dogs to wear identification collars; and
  - prohibiting re-homing of classified dogs.
34. Details of the proposals are provided below.

### ***Requiring all menacing dogs to be neutered will reduce aggression and help move New Zealand to a lower-risk dog population***

35. Approximately two-thirds of councils currently require dogs that have been classified as menacing to be neutered. 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.
36. I propose that all dogs classified as menacing be neutered, and the discretion for councils to adopt varying policies on the matter be removed from the Act. Dogs will be required to be neutered at the point of classification.
37. According to veterinarians and dog behaviour specialists, neutering is linked to lower aggression in individual dogs. In the short term, neutering may aid improvement in the behaviour of the individual animal. Over the longer term, there would be a smaller pool of unneutered dogs belonging to the breeds and types listed on Schedule 4 of the Act. There would also be fewer dogs inheriting menacing behavioural traits.
38. This proposal will be supported by the temporary nationwide subsidy of neutering fees for high-risk menacing dogs (discussed below under non-legislative measures).

## IN CONFIDENCE

### *Requiring menacing dogs to be securely fenced will increase safety on private property*

39. Under section 32(1)(a), owners of dogs that have been classified as dangerous are required to keep their dog within a securely fenced portion of their property that it is not necessary to enter to obtain access to at least one door of any dwelling on the property.
40. I propose to amend the Act to extend the requirement to owners of dogs classified as menacing. At the point of classification, councils would have to inspect the property to determine compliance, and the dog would not be returned to the owner until they were compliant. Owners of dogs classified as menacing that do not meet these obligations would have their menacing dog seized.
41. This will reduce encounters between visitors and classified dogs on private property, where ACC data shows 60 per cent of all dog-related injuries occur. Additionally, it will reduce the likelihood that those dogs will roam/run off from the property when provoked, and prevent them from becoming agitated from other containment methods, such as chaining.

### *Requiring owners of classified dogs to display warning signs on their property will allow visitors to be aware of potential risks*

42. Similar to the above proposal to securely fence menacing dogs, this proposal promotes safety on private properties. The owner would be required to pay the council for the sign, which would carry a warning and display the dog's classification.
43. My conversations with victims of dog attacks revealed that people often do not know when they may be entering a high-risk situation. This type of visual warning will allow visitors to be informed of the potential risk and act accordingly.

### *Requiring classified dogs to wear identification collars will assist the public in behaving appropriately around them*

44. Under section 32(1)(b)(i) and section 33E(1)(a), owners of dogs classified as dangerous or menacing must not allow their dog to be at large in any public place or private way without being muzzled.
45. I propose a requirement for dogs to wear collars that would identify them as menacing or dangerous dogs. Councils would issue these collars at a cost to the owner. While muzzles are an indicator that a dog may be classified as menacing or dangerous, a collar would make the classification clearer to people who may encounter the dog on private property and/or in public places. Allowing the public to visually identify high-risk dogs would enable them to tailor their interaction appropriately, reducing the likelihood of an attack. s.9(2)(f)(iv)

### *Prohibiting the re-homing of classified dogs will help move New Zealand to a lower-risk dog population*

46. Many territorial authorities have a policy of prohibiting the rehoming of menacing or dangerous dogs from their shelters. I propose that this be made a nationwide requirement. Territorial authorities could still return the classified dog to their original owner if they are compliant with the requirements for owning a classified dog. However, if the original owner cannot be identified, the dog will be destroyed rather than re-homed.



47. This proposal would significantly reduce the number of classified dogs in the current population.

**Overview of non-legislative proposals to support legislative change**

*An immediate nationwide neutering programme for owners of high-risk menacing dogs will support the overall strategy*

48. To underpin the strategy, I propose a nationwide programme to neuter high-risk menacing dogs, to take effect from October 2016, running until October 2017. This will:
- ensure more high-risk menacing dogs are neutered; and
  - reduce the overall supply of those dogs in the long-term.
49. A long-term overall reduction in the number of classified dogs will also support enforcement practises, as currently it can be easier to obtain a new dog rather than comply with council restrictions.
50. Allowing the programme to take effect immediately will ensure that the Government has taken direct action in advance of the high-risk summer period when dog attacks are most likely to occur<sup>3</sup>. Neutering lowers the chance of attack as it has been linked to reduced aggression and decreased roaming. It will also raise public awareness of the proposals over summer and give this work momentum.
51. Some members of the public may react negatively to the proposed requirement that all menacing dogs be neutered given the potential financial costs. The proposed temporary subsidy will mitigate that negative reaction, and provide owners of high-risk menacing dogs with a strong incentive to have their dogs neutered prior to the practice becoming mandatory.
52. Owners that come forward to have their dog neutered are also likely to, in turn, register their dog with their council. This secondary benefit of increased registration will also address one of the biggest challenges for dog control in New Zealand – preventing dog attacks by the vast numbers of unregistered dogs that are unknown to territorial authorities. Without knowledge of where potentially dangerous dogs are, territorial authorities are powerless to take preventive action and can only intervene when an attack has occurred and the damage has been done. Additionally, any regulatory measures that the Government might take can only be effective if owners have registered their dogs.
53. An increase in the number of registered and classified dogs would support the proposed measures specially targeting those groups, such as owner licensing and signage/fencing requirements, by extending the ‘reach’ of those restrictions to a greater number of owners.
54. Given the wide-ranging benefits of the neutering programme, I propose that central government provide the funding. I am therefore seeking Cabinet’s agreement to provide expenditure in 2016/17 of \$0.850 million to establish the required fund.

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

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<sup>3</sup> Data from the University of Otago Injury Prevention Unit for the period 1 July 1999 to 30 June 2014

IN CONFIDENCE

55. Although central government would provide the funding by way of a subsidy towards neutering costs, I expect that the local government sector will take the opportunity to support the initiative and get more dogs into the registration system. This could include providing similar financial incentives for other dog control services, such as registration fees and microchipping. This will essentially create a joint central and local government approach for increasing neutering and registration nationwide.
56. Auckland Council ran a similar 10-week amnesty this year with considerable success, resulting in around 1500 unregistered dogs being brought forward for registration, microchipping and neutering.
57. Overall, this programme will send a strong signal that the Government is setting clear expectations around dog ownership and will prepare the public.

*Education about responsible dog ownership and safety around dogs will support the legislative changes and lead to cultural change (2017-2018 calendar years)*

58. Responses to my recent online engagement survey on reducing dog attacks indicated strong public support for nationwide education. The vast majority of respondents identified education about dog behaviour for dog owners and the general public as a key tool to reduce dog attacks.
59. I propose an education campaign which will be led by central government and either in partnership with, or supported by, local government, with input from non-government organisations. The campaign would begin following the passage of the legislative changes, and continue for up to 12 months, to:
  - inform owners about their new responsibilities (immediately following the legislative changes); and
  - promote responsible dog ownership by normalising appropriate behaviour, and improving the ability of adults and children to interact safely with dogs (long-term cultural shift).
60. Further details on this proposal will be outlined [s.9\(2\)\(f\)\(iv\)](#)

*The Local Government Sector will produce best practice guidance to improve council delivery of dog control services (2017-2018 calendar years)*

61. While I acknowledge that irresponsible dog owners are generally the biggest contributing factor to dog attacks, territorial authorities have a key role to play in the administration of the dog control regime.
62. Local Government New Zealand has agreed to work with central government to produce best practise guidance for territorial authorities' administration of the dog control regime. Existing guidance materials published by the Department of Internal Affairs and legal compliance modules produced by the Society of Local Government Managers may be redeveloped or replaced, in light of best practice in dog control from around New Zealand and overseas jurisdictions.
63. This may include guidance centred around the proposed legislative changes, and implementation of the Act more generally, such as ways to:
  - increase uptake of registration, neutering, and micro-chipping;
  - promote responsible dog ownership; and
  - improve information-sharing and enforcement (including identifying breeds for classification as menacing).

IN CONFIDENCE

64. I anticipate that this guidance would be launched in 2017 following the legislative changes.

***Proposals for which I will seek agreement***

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

**Consultation**

70. This paper was prepared by the Department of Internal Affairs. The following agencies were provided draft versions of this paper for consultation: The Treasury, the Accident Compensation Corporation, the Ministries of Justice, Health, Education, Primary Industries, Pacific Peoples, Social Development, Civil Defence and Emergency Management, Business, Innovation and Employment, Te Puni Kōkiri, the Department of Conservation, the Office for Disability Issues, New Zealand Police, New Zealand Customs Service and Housing New Zealand Corporation. The Department of the Prime Minister and Cabinet has been informed.

## IN CONFIDENCE

71. In the preparation of the proposed strategy, a wide range of external stakeholders were also consulted, including the Society of Local Government Managers and Local Government New Zealand, 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, TradeMe, and the Royal New Zealand Society for the Prevention of Cruelty to Animals.
72. I have personally met with victims of dog attacks, farmers and other members of the rural community and animal control officers. Additionally, 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.
73. The Minister of Local Government has agreed to the submission of this paper in accordance with the delegation to the Associate Minister of Local Government on matters relating to dog control.

### Financial implications

74. I seek Cabinet's agreement to provide expenditure in 2016/17 of \$0.850 million to establish a fund to subsidise the neutering of high-risk menacing dogs and to provide for the associated promulgation.

75.

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

### Human rights, gender and disability perspective

77. There are no human rights or gender implications arising from the proposals in this paper. There are also no implications from a disability perspective. The proposals do not change the settings for certification or ownership of Disability Assist Dogs.

### Legislative implications

78. I seek agreement to implement the policy proposals in this paper in a bill to amend the Dog Control Act 1996. I am seeking approval to include such a bill on the 2016 Legislative Programme.
79. I also seek authority to issue drafting instructions for that bill, and to make any adjustments to policy decisions consistent with the overall policy intent that are revealed to be necessary during the drafting process.
80. I also intend to develop further policy proposals for inclusion in the bill s.9(2)(f)(iv)

## IN CONFIDENCE

81. I anticipate the draft bill will be ready for introduction into the House from February 2017.

### Regulatory impact analysis

82. The regulatory impact analysis requirements apply to the proposals outlined in this paper. The Chair of the Department's Regulatory Impact Analysis Panel has reviewed the regulatory impact statement (RIS) prepared by the Department and considers that the information and analysis summarised in the RIS partially meets the quality assurance criteria. The Chair considers that although the RIS is comprehensive and contains a robust analysis, options cannot be fully assessed due to a lack of reliable evidence.
83. I note the Chair's comments around the lack of reliable evidence. I intend to look into ways to better collect information on dog attacks, s.9(2)(f)(iv)

### Publicity

84. Subject to Cabinet approval, I intend to announce the decision to progress the national strategy at the annual conference of the New Zealand Institute of Animal Management, which will take place on 22 September 2016. I will issue a media release the following day and wish to proactively release this Cabinet paper and associated minutes. Officials at the Department will advise key consulted stakeholders of decisions prior to the media release.

### Recommendations

85. The Associate Minister of Local Government recommends that the Cabinet Economic Growth and Infrastructure Committee:
1. **note** that 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;
  2. **note** that the Associate Minister considers that the current settings of the Dog Control Act 1996 do not maximise the ability to achieve both these objectives to the extent possible;
  3. **note** the Associate Minister's proposal to progress a national strategy comprising of both legislative and non-legislative measures to reduce the risk and harm of dog attacks in New Zealand;

#### *Legislative measures*

4. **agree** to include a Dog Control Amendment Bill on the 2016 Legislation Programme with a category 6 (drafting instructions to be issued to Parliamentary Counsel in 2016);
5. **note** that:
  - 5.1 it is expected that the Bill will be introduced in February 2017;
  - 5.2 the Associate Minister of Local Government will seek a category 3 priority on the 2017 Legislation Programme (to be passed in 2017 if possible) at the appropriate time;

**IN CONFIDENCE**

6. **agree** that the bill would:
  - 6.1 require all dogs classified as menacing to be neutered;
  - 6.2 require dogs classified as menacing to be securely fenced within private property;
  - 6.3 require mandatory signage on properties with menacing and dangerous dogs;
  - 6.4 require dogs classified as menacing and dangerous to wear identification collars;
  - 6.5 prohibit the re-homing of menacing and dangerous dogs;
7. **invite** the Associate Minister to issue drafting instructions to the Parliamentary Counsel Office in accordance with recommendations 6.1-6.5 above;
8. **authorise** the Associate Minister to make decisions on any subsequent minor issues arising from legislative drafting that align with the overall policy intent;

***Non-legislative measures***

9. **note** that for the legislative proposals to be fully effective in reducing the risk and harm of dog attacks, non-legislative measures are required before and alongside changes to the Dog Control Act 1996;
10. **note** that compliance with the proposed legislative measures will create resource implications for local authorities and owners of high-risk dogs, while producing significant public benefit through the reduced risk and harm of dog attacks;
11. **agree** to fund a nationwide subsidy of neutering fees for high-risk menacing dogs, which would take effect immediately ahead of legislative changes to the Dog Control Act 1996 to:
  - 11.1 lower aggression in the high-risk menacing dog population in the short-term, decreasing the immediate harm caused by dog attacks;
  - 11.2 reduce the supply of high-risk menacing dogs over the long-term, lowering the prevalence of dog attacks;
  - 11.3 encourage the uptake of regulatory compliance among the owners of high-risk menacing dogs, in order to successfully target future initiatives;
12. **note** that the local government sector will proceed with a review of best practice guidance in dog control for territorial authorities, to improve the delivery of services based on the most recent local and international evidence;

*Financial recommendations*

13.

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


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


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17.

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

note that the Department and other government agencies will work with the local government sector to develop a proposal, s.9(2)(f)(iv) for nationwide public education campaigns in 2017 and 2018 on:

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

**Next steps**

22. agree that the Associate Minister will announce the national strategy and Cabinet's decisions at the annual conference of the New Zealand Institute of Animal Management on 22 September 2016, and issue a media release shortly thereafter; and
23. agree to the proactive release this Cabinet paper together with the related Minutes, on the Department's website.

Authorised for lodgement

Hon Louise Upston

Associate Minister of Local Government



# Appendix A: Proposed dog control strategy containing package of amendments

		National strategy for reducing the risk and harm of serious dog attacks		
		2016	2017	2018
Stream 1 Central-led	<p><b>Proposed bill to reduce the risk and harm associated with serious dog attacks</b></p> <p><i>Considered in current paper</i></p> <ul style="list-style-type: none"> <li>• Mandatory neutering of menacing dogs</li> <li>• Requirement for high-risk dogs to be securely fenced</li> <li>• Mandatory signage on properties containing high-risk dogs</li> <li>• Requirement for high-risk dogs to wear identification collars</li> <li>• Prohibiting re-homing of classified dogs</li> </ul> <p>s.9(2)(f)(iv)</p>		<p><b>Bill enactment</b></p>	
	<p><b>Launch of nationwide subsidy of neutering fees for high-risk menacing dogs (funded by central government)</b></p>			
Stream 2 Local-led	<p>Preparation of best practice guidance, may include:</p> <ul style="list-style-type: none"> <li>• increasing uptake of registration, neutering, and micro-chipping</li> <li>• promotion of responsible dog ownership</li> <li>• information-sharing and enforcement (including breed identification)</li> </ul>		<p><b>Launch of best practice guidance</b></p>	
Stream 3 Central, Local & NGO	<p>Development of educational campaigns around:</p> <ul style="list-style-type: none"> <li>• socially responsible dog ownership</li> <li>• dog behaviour and safety around dogs</li> <li>• new owner responsibilities under proposed changes</li> </ul>		<p><b>Launch of national education campaign</b></p>	

## Key talking points for EGI: National Strategy to reduce the risk and harm of dog attacks

- The paper proposes a National Strategy to reduce the risk and harm of dog attacks. Minister Upston seeks Cabinet agreement to an initial package of legislative measures and non-legislative measures now, and will report back s.9(2)(f)(iv) with additional policy proposals s.9(2)(f)(iv)
- Proposals have been split across two Cabinet papers to allow Parliamentary Counsel Office to begin drafting immediately on the basis of the first tranche of proposals. The Minister is aiming to have a bill in the House by end of February 2017.

### *Minister Upston has engaged widely with New Zealanders. Local government and the public are ready for change*

- Minister Upston has engaged with the local government sector and dog sector, as well as the general public. She has heard about major challenges in the current dog control regime and potential solutions (see paragraphs 71-73 of the Cabinet paper).
- Key stakeholders, such as Local Government New Zealand and the New Zealand Institute of Animal Management, support the current proposals.

### *A subsidy for neutering high-risk dogs is necessary to support the overall National Strategy*

- A nationwide neutering programme for high-risk menacing dogs is necessary to support the key proposal for mandatory neutering of menacing dogs and the overall National Strategy. The neutering programme will include a temporary subsidy of \$0.850 million to cover neutering fees for high-risk menacing dogs.
- This programme will take effect immediately to ensure that the Government has taken direct action in advance of the high-risk summer period, when dog attacks are most likely to occur. Neutering lowers the chance of attack as it has been linked to reduced aggression and decreased roaming. Commencing the programme now will also raise public awareness of the proposals over summer and give this work momentum.
- For these reasons, expenditure for the neutering programme cannot be deferred until Budget 2017.

### *Potential Q&As*

#### *Will \$0.850m be enough to subsidise neutering of high-risk menacing dogs?*

- The Department of Internal Affairs originally estimated that it would cost a maximum of s.9(2)(f)(iv) to subsidise neutering. However, the total cost is difficult to estimate. The true cost depends on neutering uptake, the variable cost of neutering procedures, and the actual number of unregistered high-risk menacing dogs.
- The Department revised their estimate to arrive at the smaller cost of \$0.850 million. Significant benefit can still be achieved with this reduced amount.

#### *What is the role of local government in implementing the National Strategy?*

- Although the costs for the neutering programme will be borne by central government, the Associate Minister will be signalling to local government that this commitment should be part of a wider partnership between central and local government to further encourage measures, such as registration and microchipping, to control high-risk menacing dogs.

- Local Government New Zealand is reviewing best practice guidance to enhance council delivery of dog control services. This will be launched following legislative change.

*When will the Associate Minister be announcing the National Strategy?*

- The Associate Minister will announce the National Strategy at the New Zealand Institute of Animal Management conference on 22 September 2016. She will only announce the first tranche of changes. The further proposals to be considered by Cabinet in November will be announced at a later date.

*Was there a strong evidence base for the proposed changes?*

- The data supporting the policy proposals is limited. However, there is a need for immediate action to reduce the risk and harm of serious dog attacks.
- **s.9(2)(f)(iv)**

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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:** **Speaking notes for the New Zealand Institute of Animal Management (NZIAM) Annual Conference, 22 September 2016**

**Date:** 16 September 2016

Key issues	
Your speech, opening the New Zealand Institute of Animal Management's 55 <sup>th</sup> Annual Conference, announces the Cabinet decisions regarding the national strategy to reduce the risk and harm of dog attacks.	
Action sought	Timeframe
Read prior to your attendance	22 September 2016

Contact for telephone discussions (if required)

Name	Position	Direct phone line	After hours phone	Suggested 1 <sup>st</sup> contact
Lisa Mackay	Policy Analyst	04 494 5733	s.9(2)(a)	✓
Diane Wilson	Senior Policy Analyst	s.9(2)(a)		
Return to	Lisa Mackay, Level 8, 147 Lambton Quay			
DMS references	PLG-5314-2_2	4681548DA		
Ministerial database reference	LG201600442			

  
Stephen Reilly  
Policy Manager

## Purpose

- This briefing provides background information, speech notes and potential questions and answers for your attendance at the New Zealand Institute of Animal Management (NZIAM) 55<sup>th</sup> Annual Conference on 22 September 2016. You are officially opening the conference and will be speaking and taking questions between 10:30 and 11:00 AM. NZIAM has asked you to speak about the current work underway on dog control.
- Draft speaking notes are attached as **Appendix A** and potential questions and answers are attached as **Appendix B**.

## About the NZIAM Conference

- The conference is held across two days on 22 and 23 September 2016 at the Brentwood Hotel, 16 Kemp Street, Kilbirnie, Wellington.
- The annual NZIAM conferences focus on aspects of training such as animal behavioural techniques, operational matters, workplace health and safety, and dog and human psychology. The theme of this year's conference is 'animal management in the community'.
- Other speakers include Philip Rooyackers, founder of PiP, a pet facial recognition mobile application; Steve Glassey, chief executive of the Wellington branch of the Royal New Zealand Society for the Prevention of Cruelty to Animals (SPCA); Dr Arnja Dale, chief scientific officer of the SPCA; and Jill Calogaras, professional development manager at Local Government New Zealand (LGNZ).

## About NZIAM

- NZIAM 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 body to administer NZIAM'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.

## Cabinet decisions yet to be made

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

- If asked about them, you may wish to say the Government is still considering additional measures to improve dog control and will make a further announcement later this year, if appropriate.

***The neutering programme and subsidy***

- While Cabinet has agreed to funding for the subsidised neutering programme, decisions on the administration of the programme have not yet been made and the timing is therefore uncertain.
- The Department of Internal Affairs is working with Local Government New Zealand, the SPCA and the New Zealand Veterinary Association to develop the nationwide neutering programme. The Department will provide more advice as this progresses.

Hon Louise Upston  
Associate Minister of Local Government

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## Appendix A: Draft speaking notes

### Acknowledgements

- Les Dalton, President of NZIAM
- Members of the Executive Council of NZIAM
- Members of the Companion Animal Council
- Guest speakers
- Guests of the NZIAM Conference

### Introduction

- Thank you for inviting me here today. It is a pleasure to open your 55<sup>th</sup> annual conference.
- Today, I would like to announce Cabinet's decisions on a National Strategy to reduce the risk and harm of dog attacks in New Zealand.
- As animal control officers, your work is invaluable. You are at the front line of protecting people and animals. The animals and the members of the public that you deal with daily can be equally unpredictable. Your work directly contributes to community wellbeing.
- We share the goal of reducing the risk and the harm caused by dog attacks in New Zealand.
- Dogs are valuable contributors to our communities when handled responsibly, whether as pets, companions, or working dogs.

### Dog attacks in New Zealand: problem

- Dog attacks in our communities have been increasing over the past decade. The number of dog bite patients discharged from hospital has increased by 58 per cent since 2005, and the costs of treatment and rehabilitation of the most serious injuries can be more than \$200,000 per patient. On top of that, there is the lasting trauma to the victims of dog bites and their families.
- I am concerned that children are most affected by these attacks. As well as being the most likely victims of dog attacks, children often suffer more severe injuries due to

their smaller stature. I heard about the physical and mental effects of these attacks on children from the New Zealand Association of Plastic Surgeons when I spoke to them about their concerns earlier this year.

- I know that councils around the country do a great job keeping our public spaces safe. However, statistics show the majority of dog attacks – around sixty percent – occur in our homes, and the homes of friends and family. These should be the places where we feel the safest.
- Unregistered dogs and dogs considered to be ‘pit bull terrier’ types are overrepresented in dog attack statistics.
- We need to work harder to identify these dogs and we need to work with their owners to put controls in place before an attack happens.
- However, we must bear in mind that most dog owners are responsible, well-informed and take good care of their animals. I am committed to ensuring that any changes to the dog control regime do not unfairly penalise these owners.
- Central and local government need to take sensible action that makes real steps towards improving dog safety for New Zealanders, and we need to do this now.

#### **Dog control review engagements**

- As you know, I have been undertaking a review of the current dog control policy settings. I wanted this review to have the scope to consider a wide range of options – all measures to reduce the risk and the harm caused by dog attacks were on the table, and all suggestions were given serious consideration.
- I have spent the past few months meeting with people with knowledge and experience dealing with dogs. I have met with Les and the team; mayors and councils; leaders of the New Zealand Association of Plastic Surgeons; Local Government New Zealand; the New Zealand Veterinary Association and the SPCA; dog behaviour experts; farmers; and dog attack victims, among others.

#### **Council feedback**

- I also wrote to every council in the country in May this year asking for their suggestions to improve the dog control regime.



- I would like to thank everyone here who contributed to the review by providing feedback on how our dog control laws are working and examples of innovative practices in your councils.
- I was excited to hear about some of the fantastic and forward-thinking work that you and your councils have been doing. While every community has different needs, sharing your dog control ideas and working together to solve problems will benefit everyone.
- I know of a number of councils who have had great success with amnesty initiatives to promote the registration, desexing and microchipping of local dogs. Wairoa and Tararua District Councils have developed mobile phone applications to support their dog control operations. Dunedin is working towards a dog DNA database. It is important that you capture any lessons as you progress such initiatives so your learnings can be shared with others in this room and beyond.

#### ***The public survey***

- In August this year I launched a public survey on dog control issues which ran for just two weeks, and attracted more than three thousand responses. People outlined their concerns about the cause of dog-related problems and provided their suggestions for improvement.
- This is clearly an issue of great concern to New Zealanders. The message I heard was clear: we need to do more to prevent dog attacks.
- Almost two thirds of respondents identified dog owners as the main contributing factor to dog attacks. The perception is that dog owners do not always understand how to manage their dogs, whether it is a matter of obedience training, understanding what their dog's behaviour means and how it should be dealt with, or just being a negligent owner.
- Just under a third of responders identified general education about dog behaviour as the most important contributing factor to dog attacks. There is a perception that not enough people, especially children, know how to safely interact with dogs. This is also a theme that came across in my conversations with animal control officers and other dog experts.

- The top suggestions from the public were focusing on educating people about dog behaviour and requiring owners to take their dogs to obedience classes. They also suggested introducing minimum standards for dog ownership and increasing penalties for breaches of dog control laws.

#### ***The NZIAM***

- As front line officers you need to be able to carry out your role effectively and safely, given the risks animal control officers face every day.
- Your feedback and the dialogue I have been able to have with you and the councils you work for has been invaluable in coming up with the details of the proposals.
- In response to my letter, councils told me that that the current settings work well overall, but some improvements need to be made to make the public safer.
- The top recommendations centred on extending neutering requirements, improving owner training and education, and improving the way the dog control regime is enforced.
- I have found listening to your views and the views of experts and the public exceptionally valuable.

#### ***Previous work on dog control***

- In 2003, the Government of the day responded to public concerns over serious dog attacks by reviewing and strengthening the Dog Control Act 1996. These changes provided an inventory of tools for local councils to use to crack down on unregistered dogs, roaming dogs, and irresponsible owners.
- As we have seen, effective legislation is not enough to prevent dog attacks. While there is no magic bullet solution to these issues, I consider that it is time to take a fresh approach to dog control in New Zealand.

#### **Decisions on National Strategy to reduce the risk and harm of dog attacks**

- I am pleased to announce that Cabinet has agreed to a National Strategy to reduce the risk and harm of dog attacks in New Zealand. This two-year Strategy takes a three-pronged approach which includes legislative change, an education campaign designed

to change New Zealand's culture around dogs, and the improvement of best practice guidance for animal control officers.

- The Strategy will involve central government, local government, and non-government organisations working together to reduce the overall tally of serious dog attacks.
- I am aiming to introduce a bill to the House in early 2017 to implement the following five proposals:

- Mandatory neutering of dogs classified as menacing. I know some councils do this already. This is a measure that will make this policy consistent across the country. I consider mandatory neutering of all dogs classified as dangerous and menacing is the most effective way to ensure the population of high risk dogs reduces over time. While even small dogs can cause injuries, especially to children, breed characteristics, in combination with an aggressive temperament, means some dogs have the potential to cause more damage than others. This measure will reduce the number of high-risk dogs breeding over time. Neutering has also been linked to lower aggression in dogs that have had the procedure.

Building on the recent success in Auckland with their amnesty programme, over the coming year I intend for central and local government to partner to develop and roll out a nation-wide neutering campaign for high-risk dogs. Central government will assist with funding for neutering, I expect territorial authorities to own and deliver programmes as appropriate for their communities. Further details on funding and when the campaign is expected to be rolled out to dog owners is still to come.

- Menacing and dangerous dogs must be secured and easily identifiable. All classified dogs will be required to wear collars identifying them as menacing or dangerous, to help others know how to respond or react when meeting the dog.
- Victims of dog attacks told me that they did not necessarily know that they were entering a dangerous situation. Owners of menacing dogs will be required to securely fence their properties and display signs that clearly mark their properties as containing a menacing or dangerous dog. This measure extends the current containment requirements for dangerous dogs to all classified

dogs. This will reduce unexpected encounters between visitors and classified dogs on private property, where almost two-thirds of all dog-related injuries occur, and prevent dogs from leaving the property.

- Finally, in a move to encourage consistency between councils and animal shelters across the country, re-homing classified dogs will be prohibited. This will reduce the population of classified dogs substantially, leading New Zealand towards a lower-risk dog population.
- As well as these initiatives, I am also considering an educational campaign to drive a much-needed cultural shift towards more responsible dog ownership; a better understanding of dog behaviour; and greater public knowledge of how to keep safe around dogs.
- Tying this all together will be a joint initiative between central and local government to review and improve guidance on best dog control practice. With your input, the guidance materials could become your everyday go-to for information about using the existing enforcement tools and training new animal control officers. It could also serve as a means for you to share your innovations and knowledge with your colleagues across the country. I expect to see the great examples of the work you have already shared with me reflected in the guidance.

### **Conclusion**

- Animal control officers already have a key role in reducing the risk and harm of dog attacks. You are the interface between the public and the law.
- The National Strategy will require some of you to refocus your efforts on high-risk dogs and high risk owners, if you do not do so already. This will require careful management by councils, because we cannot afford to lose sight of other dog control commitments to our communities.
- I hope that you will take the opportunity to learn from each other's experiences, both here at this conference, and going forward, as we progress the National Strategy together.
- Improving dog safety in New Zealand will take considerable effort from all of us. I know this issue matters to everyone here.

- Thank you for your time. I hope you enjoy your conference. I am happy to take some questions.

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## **Appendix B: Potential questions and answers**

### **Q. When will the measures come into effect?**

- A. Development of the nationwide neutering campaign is underway now, and is intended to begin in time for summer 2016/17, as this time of the year can be higher risk for dog attacks. The programme will run until later in 2017, when I expect stronger obligations to take effect via new legislation. There will be a chance for the public to submit on the legislative proposals during the select committee process. The local government sector will lead on the development of best practice guidance for councils over the next year, for launch by the end of 2017.

### **Q. Can you provide more information about the neutering programme?**

- A. The Department of Internal Affairs is talking with third-parties in the local government and animal management sectors to develop the nationwide neutering programme. The Government has agreed to contribute \$850,000 in 2016/17 to fund the neutering of high-risk menacing dogs, and associated promulgation.

This programme will build on recent success in Auckland with their amnesty programme. Over the coming year, I intend for central and local government to partner to develop and roll out a neutering campaign for high-risk dogs. While Central Government will assist with funding for neutering, I expect territorial authorities to own and deliver programmes as appropriate for their communities. Further details on funding and when the campaign is expected to be rolled out to dog owners is still to come.

### **Q. What about the suggestions NZIAM provided to you in May 2016 on dog control?**

- A. In May this year, NZIAM presented me with a number of recommendations including: mandatory neutering of all classified dogs, a prohibition on adoption of classified dogs, notification of dog attacks, an infringement notice regime for attacking and rushing incidents, and changes to the Probationary Owner classification. Work will begin immediately to legislate for mandatory neutering and to prohibit the rehoming of classified dogs. I am currently considering the remaining suggestions and I intend to seek further Cabinet decisions in November.

### **Q. How can animal control officers be involved in progressing the national strategy?**

- A. Animal control officers and their councils will be key to implementing the legislative changes and other elements which form the National Strategy. If you are interested in contributing to the review and improvement of best practice guidance, I encourage you to contact Local Government New Zealand.

### **Q. What is a high-risk dog?**

- A. High risk dogs are those classified as dangerous or menacing, both by behaviour and under Schedule 4 of the Dog Control Act 1996, and any dog that would be classified as dangerous or menacing but has not yet been registered.

### **Q. What about our letter to the Minister of Local Government about the Impounding Act?**

- A. The letter has been passed to officials for their consideration in due course.

**Q. What will the best practice guidance entail?**

- A. Local Government New Zealand has agreed to work with central government to produce best practise guidance for territorial authorities' administration of the dog control regime. Existing guidance materials published by the Department of Internal Affairs and legal compliance modules produced by the Society of Local Government Managers may be redeveloped or replaced, in light of best practice in dog control from around New Zealand and overseas jurisdictions.

This may include guidance centred around the proposed legislative changes, and implementation of the Act more generally, such as ways to increase uptake of registration, neutering, and micro-chipping; promote responsible dog ownership; and improve information-sharing and enforcement practice.

This guidance would be launched in 2017, following the legislative changes.

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**DRAFT Questions and Answers – Dog Strategy**How much will this package cost?

The Government is contributing \$0.85 million towards a neutering programme for menacing dogs. Costs for other parts of the strategy are still being established.

When will these changes come into force?

The changes to the Dog Control Act 1996 are expected to come into force mid-late next year.

To what extent are children overrepresented in dog bite incidents?

Data from the University of Otago Injury Prevention Unit about dog-related incidents shows that almost 30 per cent of patients from 2000 to 2014 were children under the age of ten.

What happens to the owners that don't take up programme, for example will the dogs be euthanized and who covers this cost?

Under current proposed changes to the Dog Control Act 1996, all menacing dogs will be required to be neutered. The details of penalties for noncompliance are still being established.

What happens to dogs that aren't rehomed?

Any dog that cannot be rehomed will be humanely put down by an animal shelter.

What is a dangerous dog?

Dangerous dogs include those where:

- the owner was convicted of an offence where the dog has rushed at a person or property, causing injury or damage;
- the council believes the dog is a threat to public safety on the basis of sworn evidence; or
- the owner records in writing that it is a threat to public safety.

What is a menacing dog?

Menacing dogs include those that:

- the council believes to pose a threat to public safety because of their behaviour or the characteristics of the dog breed; and/or
- the council has reasonable grounds to believe belongs wholly or predominantly to one or more of the breeds or types of dog listed in Schedule 4 of the Act. Currently these are the Dogo Argentino, Brazilian Fila, Japanese Tosa and Perro de Presa Canario dog breeds and the American Pit Bull Terrier dog type.

How many dangerous and menacing dogs are there in NZ?

There were 6,288 menacing dogs and 456 dangerous dogs registered with councils across New Zealand in 2016.

Don't these changes just target registered dogs? What is the government doing about unregistered dogs?

The neutering programme will incentivise a lot of dog owners to bring their dogs forward for registration.

What are the current enforcement powers for unregistered dogs?

Anyone who fails to register their dog can be fined up to \$3,000. The council may seize and impound the dog.



How many of the 6,288 already neutered?

Of the 6,288 registered menacing dogs in New Zealand in 2016, 4705 were neutered.

What will these collars look like?

The design of the new collars has not been confirmed.

Will owners have to pay for the collars?

These details are not yet confirmed.

Who will make these collars?

These details are not yet confirmed.

Who will administer the neutering programme?

Although the details have not yet been finalised, the neutering programme will be administered locally. We are in discussions with Local Government New Zealand, the New Zealand Institute of Animal Management, the Royal New Zealand Society for the Prevention of Cruelty to Animals, the New Zealand Veterinary Association.

People who made submissions on New Zealand's dog control laws highlighted that children do not know how to safely interact with dogs and often misunderstand dogs' behavioural signals – will this strategy address educating children?

The strategy includes a public education programme about responsible dog ownership and safety around dogs. The details of this programme are still being finalised.

How will this strategy address "bad owners" if they don't come forward or participate in the strategy?

The neutering programme will incentivise a lot of dog owners to bring their dogs forward for registration. The Government is also reviewing the current penalties under the Dog Control Act 1996, and may consider changes to current penalties for noncompliance.

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