



Centre for Companion Animals in the Community

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The Director  
Local Government Department  
Department of Premier and Cabinet  
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### Response to Dog Control Issues Paper

I apologise that this is being submitted past the closing date, but hope that even if it cannot be considered as a formal submission, you will accept it as adding weight to submissions by other parties.

#### Introduction

The Australian Veterinary Association's Centre for Companion Animals in the Community is a committee and developing resource centre whose mission is the successful integration of companion animals into Australian communities. It grew out of the AVA's Urban Animal Management Advisory Group which ran the successful National Urban Animal Management Conference for 15 years up to and including the final conference in Hobart in 2006.

Members of the committee include veterinarians, State and Local Government officers charged with companion animal management, and a town planner and urban analyst. Our many years experience in theory, research and practical implementation enable us to provide sound advice based on scientific research and data (where available).

#### Restricted Breed Legislation

AVA CCAC strongly supports the Tasmanian working group's recommendation NOT to introduce restricted breed legislation (RBL) into Tasmania. The fact that the other States have introduced such legislation is no reason for Tasmania to repeat their mistake. RBL is a "quick fix" political solution which is difficult if not impossible (and certainly expensive) to enforce for the reasons raised in your document – there is no simple solution to establishing whether an individual dog is a member of a restricted breed; how do you handle cross breeds?; it is an inherently unfair system, tarring all members of a breed and their owner with the same brush when that dog may be of good temperament and be kept in a socially responsible manner; it "captures" only a small percentage of the dogs responsible for harassing, biting and attacking; and it has not been demonstrated to be effective anywhere in the world.

In NSW, in the last published reporting period, Pitbull Terriers (and their crosses) were responsible for 7.3% of reported attacks, making them only the fifth ranked breed in terms of number of attacks. While they featured high in terms of numbers of attacks/registered number of dogs of that breed (and cross breed), the media interest in dog attacks and labelling of Pitbull Terriers as dangerous dogs means that a high proportion of dogs involved in attacks are misreported as Pitbull Terriers. The true number of attacks due to Pitbull Terriers and their crosses is likely to be lower

than the reported number, and their rank further down the list than they currently appear to be. It is clear that if a breed ban was to be effective, then at least the four breeds responsible for more attacks than Pitbull Terriers should be included.

Breed	No of attacks	Percentage of total attacks
Pit Bull Terrier (and crosses)	64	7.3%
German Shepherd (and crosses)	79	9.0%
Cattle Dog (and crosses)	99	11.3%
Rottweiler (and crosses)	80	9.2%
Staffordshire Terrier (and crosses)	73	8.4%

Dog Attacks in NSW June 2004-July 2005 <sup>i</sup>

A breed ban automatically alienates those in the community who own or are attracted to own one of the restricted breeds. Better dog legislation is inclusive for all animal owners and encourages responsible ownership, rather than penalising one group or forcing members of that group underground. Compliance is likely to be or and cost of enforcement high, for little gain in public safety.

If RBL was introduced, available data would suggest that crossbreeds should be included. However, including cross breeds increases the difficulty of breed identification and makes the legislation even more unworkable.

Dangerous dog legislation should always be on the basis of "deed" and not "breed". Determination of dangerousness by "deed" may include validated temperament testing by an accredited (preferably specialist veterinary) behaviourist.

#### Dangerous Dogs

AVA CCAC supports strong dangerous dog legislation. Declared dogs should be managed in the manner outlined in the discussion paper and we support the changes suggested.

In addition to the recommendations in the discussion paper, all declared dogs should wear an obvious collar at all times, the design of which is gazetted and whose meaning is obvious both by its colours and design and by notification to the public, and should be required to wear a metal basket/cage type muzzle when in public.

We support harmony of legislation across States and support the use of the NSW model for confinement of declared dogs. We recommend that Tasmania use the same database in use in Victoria. All States should utilise the same dog incident database and declared dog register to enable ease of data reference across State boundaries and to prevent owners relocating dangerous dogs to avoid penalties and conditions on ownership.

#### Compulsory Microchipping

Easy identification of animals is basic requirement for good animal management. It enables owners to reclaim lost dogs, and veterinarians, shelter and council operators to identify stray and injured animals quickly, and enables councils to penalise owners failing to fulfil their obligations. Microchipping is a well established, successful, and the only permanent form of identification.

AVA CCAC strongly supports the introduction of compulsory microchipping. We support a model whereby all animals born after the implementation date are required to be microchipped by an agreed age and/or before they are sold or given away, and where all other dogs are required to be microchipped by a determined interval after the implementation date (typically 3 years).

#### Noise abatement notices

AVACCAC support the recommendation to introduce noise abatement notices. Tools<sup>ii</sup> enabling councils to determine the validity of noise complaints and to monitor the success of changes are now available and should be included in any noise management legislation.

#### Effective Control

AVA CCAC agrees with the working group's recommendations to better define "effective control" and to limit the boundary to 5 metres, except when in a designated off leash exercise area.

In some areas, such as busy streets, near schools, playgrounds, barbecue areas etc, dogs should be on leash at all times. Public and dog safety can be enhanced by requiring dogs to be "on leash" at all times except when in a designated off leash area. This provision would require councils to provide off leash areas which are adequate in design, space, number and access for the public, and this is encouraged.

#### Compliance with control provisions

AVACCAC supports the amendment of the Act to precisely describe the responsibilities of councils in relation to dogs which are held for any reason. Councils should be required to take certain actions to advise the owner of an identified dog within one working day of it entering a pound or otherwise becomes the responsibility of council (for example, an injured dog at a veterinary facility). An owner should be required to reclaim their dog and pay any fees and fines within a reasonable period of time (5 days seems appropriate), so long as the council operator has the ability to negotiate extended payment terms at their discretion.

Councils should be required to keep an unidentified dog for at least seven days before being able to dispose of it, and only then if they have fulfilled a series of determined actions to locate the owner of the dog (for example, have scanned the animal on more than one occasion with a functioning microchip scanner capable of reading all forms of microchips implanted into small animals in Australia in the last 20 years; been available for public enquiry for a number (suggest 5) of working days; advertised the lost animal on one or more of a website, newspaper advertisement of radio "lost pets" service).

Thank you for the opportunity to comment on suggested changes to the Dog Control Act (Tas) 2000. AVA CCAC are willing to assist with detailed advice on areas of proposed change.

Yours sincerely,

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a vertical line extending downwards.

Michael Hayward BVSc CMAVA  
Australian Veterinary Association Centre for Companion Animals in the Community  
Chair  
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9 July 2007

## References

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<sup>i</sup> Council reports of dog attacks in NSW July 2004 – June 2005; NSW Government released June 2007

<sup>ii</sup> [http://www.uam.net.au/resources/files/PDFs/PUB\\_Pro05\\_DickMurray.pdf](http://www.uam.net.au/resources/files/PDFs/PUB_Pro05_DickMurray.pdf) ,  
[http://www.uam.net.au/resources/files/PDFs/PUB\\_Pro06\\_ChrisButton.pdf](http://www.uam.net.au/resources/files/PDFs/PUB_Pro06_ChrisButton.pdf)