

**REPORT TO THE NSW DEPARTMENT OF
LOCAL GOVERNMENT ON BREED SPECIFIC
LEGISLATION ISSUES RELATING TO
CONTROL OF DANGEROUS DOGS**

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EXECUTIVE SUMMARY

Management of the issues associated with dangerous dogs is a significant issue for regulatory agencies worldwide. The NSW Companion Animals Act 1998 is a well thought through and practical legislative approach to the problem.

Many countries and some Australian States including NSW have introduced restrictions and/or bans on specific breeds of dogs. Overseas experience has revealed that breed specific legislation has failed to improve the incidence of dog attacks and dog bites. The purpose of this report is to provide an independent review of the issues relating to control of dangerous dogs in NSW, the performance of breed specific legislation in overseas jurisdictions and any implications for the provisions of the NSW Companion Animals Act 1998.

Examination of reports from overseas countries reveals that data on the performance of breed specific legislation is relatively scarce. The UK has data on dog attacks and dog bites pre and post implementation of breed specific legislation. There was no difference in the incidence of dog bites with 73% of all bites requiring medical attention being due to dogs both before and after implementation of the legislation. Data available for other countries also demonstrates that the proportion of dog attacks and bites caused by the restricted breeds was very low prior to introducing the legislation so the likely impact was always going to be minimal.

All breeds of dogs have a proportion of individual dogs that are aggressive towards humans. Control and management of known aggressive dogs is the way to effectively manage the problem. The data presented in this report supports this approach. It is recommended that the Division of the Act dealing with restricted dogs be removed.

Some minor suggestions for amendments to the definition of a dangerous dog and controls that may be applied have been included in the report.

Education of dog owners and more intensive enforcement of the Companion Animals Act 1998 are seen as important methods for improving compliance with the Act.

In summary the NSW Companion Animals Act 1998 is comprehensive in the way it deals with the dangerous dog issue and with the amendments I have suggested would form an excellent legislative model for regulation associated with companion animals.

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INTRODUCTION

Pet ownership is an extremely important and beneficial part of everyday life for many families, couples and single people. There are many benefits of pet ownership including companionship, relaxation and improved health. Dog walking and socialization also aids in the development of community networks and social interaction. Unfortunately there are occasional instances where pets become a nuisance by exhibiting socially unacceptable behaviours. In some cases, particularly with dogs, this involves aggression towards humans that may result in the victim being afraid of the dog or even suffering physical injury. In rare cases serious injury or even death of the victim may occur.

Regulatory agencies around the world have been attempting to deal with the issue of dangerous and aggressive dogs over the last few decades. From a political perspective this has become a significant issue for governments as the public become more concerned about the extent of injury to humans that can occur as a consequence of a dog attack.

In Australia regulatory responsibility for control of dogs rests with States and Territories with dog control arrangements being implemented at the local government level. Several States (Queensland, South Australia and Victoria) have introduced Breed Specific Legislation banning ownership of specific breeds of dogs deemed to be aggressive. New South Wales has introduced the Companion Animals Act 1998, which covers legislative requirements for control and management of dogs including dogs deemed to be dangerous. In NSW any breeds deemed to be dangerous are not specifically banned but are subject to requirements for control and management.

The regulatory arrangements for importation of dogs into Australia also provide a mechanism for controlling the introduction of specific breeds into the country. The federal government currently prohibits the importation of the American Pit Bull Terrier, Argentinian Dogo, Brazilian Fila and the Japanese Toza.

The issue of regulation of dangerous dogs is currently under consideration by the NSW Department of Local Government. In the interest of ensuring effective regulation of dangerous dogs in NSW the NSW DLG has commissioned this report as an independent review of the issues relating to control of dangerous dogs and the performance of breed specific legislation in overseas jurisdictions.

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SCOPE

The NSW Department of Local Government (DLG) commissioned this report. Based on discussions, and correspondence from, the DLG the scope of the report is as follows:

- 1 Review information available on breed specific legislation with particular emphasis on:
 - (a) experience in the UK and Europe in relation to breed specific legislation
 - (b) the current provisions of the NSW Companion Animals Act 1998 in relation to dangerous dog attacks, dangerous dogs and restricted breeds.
- 2 Prepare a report on the above with appropriate recommendations for action.

APPROACH

In undertaking this review the following approach was taken:

- 1 Examination of various reports and papers on the issue of breed as a definitive factor in dog aggression with particular emphasis on overseas experience after implementation of breed specific legislation.
- 2 Examination of the NSW Companion Animals Act 1998 and associated regulations as they relate to dangerous dog attacks, dangerous dogs and restricted breeds.
- 3 Preparation of a report outlining the findings and recommendations on the issue.

THE IMPORTANCE OF UNDERSTANDING THE FREQUENCY AND NATURE OF DOG ATTACKS

In determining whether a legislative approach and associated enforcement arrangements is effective it is necessary to understand the background to dog attacks. Key information required is:

- where and when dog aggression incidences are occurring,
- who the victims are (sex, age, etc),
- the type of dog involved (including breed if this can be accurately determined),
- extent of supervision of children at the time of an attack on children,
- extent of supervision of the dog at the time of the attack,
- effectiveness of containment of the dog involved where the dog has escaped from the area to which it is normally confined,
- the extent to which the dog has been provoked to attack by persons other than the victim or other environmental factors, and
- the extent to which the dog has been provoked to attack by the victim.

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For effective analysis of the information on the type of dog, information is also required on the population base of dogs. In particular the structure of the population in terms of the breeds present in the population is required.

For the majority of dog attacks such information is not readily available. This makes it difficult to assess the performance of the legislative approach and any underpinning control and management strategies.

Fortunately the incidence of death of a victim as a consequence of a dog attack in Australia is extremely low. There have been 11 deaths attributable to dog attacks since 1978. Obviously this is 11 deaths too many however when compared to the overall death rate for violence against humans by other humans where aggression is involved it becomes much less significant.

There are however, many victims with physical injuries of low to medium severity. Many victims of dog attacks also suffer long term psychological effects predominantly fear of dogs or fear of going to places where dogs might be present. These have a significant effect on their quality of life. Effective legislation and enforcement arrangements are essential if the rate of dog attacks is to be kept to an absolute minimum.

It is still important to realize that dangerous dogs represent a small percentage of the population. Dangerous dogs represent less than 1% of the dog population recorded on the NSW Companion animals Register and only half of these were involved in an attack on a person. Obviously the structure of legislation needs to take account of this to ensure that resources required for enforcement of the legislation are kept to a minimum and owners of dogs that are not regarded as dangerous are not subjected to compliance requirements that are unduly harsh in terms of the quality of life they wish to enjoy with their pet.

In conclusion quality information is required to be collected in relation to all reported dog attacks. The information outlined above should be the minimum information collected. The incident reports should be subject to regular analysis and reporting and the legislation and enforcement strategies fine tuned for effectiveness and efficiency on the basis of the findings.

LINKING BREED AND AGGRESSION IN DOGS

Relationship Between Breed and Aggression

The American Pit Bull Terrier, Argentinian Dogo, Brazilian Fila and the Japanese Toza cannot be imported to Australia on the basis that they are dangerous dogs. Several States including NSW have taken steps to ban or restrict ownership of these breeds. In NSW the Companion Animals Act refers to the above breeds, any pit bull terrier and any other dog of a breed, kind or description prescribed in the regulations as being restricted dogs.

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Restricted dogs are not banned in NSW but are subject to certain control requirements as prescribed by the Act.

The breeds that cannot be imported comprise animals that have been specifically bred for fighting and have been bred for this purpose in some countries for many decades. As a consequence the breeds have been selected for and are predisposed towards aggressive behaviour toward other dogs. This however, does not necessarily mean that individual animals within the breed are aggressive or predisposed to aggression to other dogs or indeed humans. It simply means there is a higher proportion of animals within the breed that may behave in this way.

In the majority of dog attacks the breed of the animal responsible is not able to be accurately determined due to the variation in physical characteristics. Over 40% of dogs in Australia are crossbreeds and therefore do not demonstrate consistent breed type to any particular breed. In Australia a government media release on dog bites in NSW in 2001 revealed that there was 213 dog attacks in NSW from January to December 2000 and of these 41% were deemed to be crossbreeds. Where breed was identified, the predominant breeds involved were German Shepherds (13%), Bull Terrier types (13%), Rottweilers (11%), Cattle dog types (7%) and Maltese Terriers (3%).

The Victorian Bureau of Animal Welfare reported similar findings in Victoria in 1998 where it was revealed that the predominant breeds involved were the German Shepherd (22 attacks), Rottweiler (22 attacks), Australian Cattle Dog or Queensland Heeler (19 attacks), Staffordshire Bull Terrier (13 attacks), Australian Kelpie (6 attacks) and Labrador (4 attacks). Only one attack in the Victorian findings could be definitively attributed to a Pit Bull Terrier as the breed of dog involved. However four possible Pit Bull crosses were identified within the total of 223 dog attacks in the report.

It is clear that the dogs involved in attacks on humans in Australia involve a range of common breeds of dog. While I have not accessed statistics on the ratio of dogs within certain breeds in Australia it is obvious that within any of the common breeds there will be a small percentage of dogs that are aggressive towards humans and will in fact attack humans. The same applies for crossbred dogs.

This is consistent with my observations as a veterinary behaviourist working primarily with small animals in Sydney and other areas of Australia.

While working as an animal behaviourist in the USA I had the opportunity to examine approximately 20 American Pit Bull Terriers at a kennel involved in breeding them for fighting. None of these animals showed signs of aggression toward humans. Aggression, if expressed, by some of these animals was directed toward other dogs.

Based on the above discussion it is concluded that breed alone is a poor indicator of whether or not an animal is going to be aggressive towards humans. It can also be concluded that in order to achieve a significant reduction in dog attacks on humans in Australia the following approaches are required:

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- the identification of individual animals (pure bred or otherwise) that are likely to be aggressive
- the implementation of appropriate control and management strategies for those dogs deemed to be aggressive.

Overseas Experience on Breed and Aggression

The following information relates to presentations made at the Aggression Symposium held on 6 August 2001 in Vancouver, Canada. The situation for Belgium is as reported by Dr T de Keuster at the 2002 Companion Animal Behaviour Therapy Study Group (CABTSG) Study Day in Birmingham UK. The German situation is as reported by Dr B Schoening at the 2001 CABTSG Study Day in Birmingham UK.

Belgium:

There are approximately 1.5 million dogs in Belgium. Belgium does not have breed specific legislation. Multidisciplinary work groups come together to identify better ways of dealing with problems that arise. The focus is on prevention strategies. A comparison was made with other accidents involving children requiring them to have medical attention. The incidence of dog bites was 1 bite per 4 traffic accident cases and 1 bite per 3 burn cases.

In 100 cases of dog bites involving children where the background to the incident has been assessed 65 occurred at home and 35 occurred in a public place. Most importantly it was noted that none of the children were accompanied by an adult at the time the incident occurred.

Canada:

Some municipalities have introduced breed-based legislation for dog control however data on actual bite statistics appears to be limited. Work is currently ongoing in this area.

Germany

Various breeds are listed as banned or restricted in many counties. There are two categories of dangerous based on the degree of danger; “more dangerous” versus “less dangerous”. Not all counties include the same breeds in each category. Typically the Pit Bull Terrier, English Bull terrier and the American Staffordshire terrier are in the first category. The second category typically includes the other Bull Terriers, Mastiff, Bullmastiff and Rhodesian Ridgeback.

Statistics on dog bites or attacks (reported as incidents) in 245 German cities over the period 1992-1996 reveal the following breed involvement:

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Breed	No of Incidents
Mongrel	2376
German Shepherd	1956
Pit Bull	320
Dobermann	223
Bull Terrier	169

Temperament, aggression and frustration tests are used on pure bred and crossbred animals to determine if inappropriate behaviour is present.

Japan:

There are approximately 10 million dogs in Japan. It is estimated that there are approximately 6,000 dog bites inflicted on humans per year. Japan does not have breed specific legislation. In terms of dangerous breeds the Shiba and Akita are regarded as more dangerous than the Toza.

Netherlands:

There are approximately 1.3m dogs in the Netherlands. Dog bite injuries were 50,000 in 1995 reducing to 30,000 in 1998. While the Pit Bull terrier was banned between 1995 and 1998 the reduction is attributed to education programs and not the banning of the Pit Bull Terrier.

Breeds are not banned per se however a leash and muzzle are required for the Pit Bull Terrier, Rottwieller, Argentinian Dogo, Brazilian Fila, Mastino Italiana, American Staffordshire terrier. Neutering is also required for some breeds.

United Kingdom:

A prospective study of mammalian bites (including human bites) at one urban Accident and Emergency Department was undertaken by Klassen et al⁶ before the implementation of the Dangerous Dog Act in 1991 and again 2 years later to see the effect of the Act on the pattern of injury. In both groups 134 consecutive bites (representing 1.2 and 1.23 per cent of the total attendances during this three-month period) were recorded detailing the injury and the implicated species and if the animal was known to the victim. In the pre-legislation group 73.9 percent of the bites were caused by dogs while in the post-legislation group 73.1 per cent of bites were due to dogs (human bites were the next most common mammalian bite accounting for 17.9 percent of bites). Human bites were in fact as common as those from the most implicated breed of dog (24.2 per cent German Shepherd dogs, 18.2 per cent mongrels pre – legislation; 30.6 per cent mongrels, 17.4 per cent German Shepherd dogs post-legislation) and were found to require more active treatment and were more likely to require specialist referral than dog bites.

Additionally, the study found that dangerous breeds contributed to only a small proportion of the injuries. Only 6.1 per cent of bites were attributed to the “dangerous

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dogs” pre-legislation while “dangerous dogs” were implicated in 11.25 per cent of bites post-legislation. In both groups over half the patients were bitten by their own dogs or dogs that were well-known to them. Thus the study clearly demonstrated that the Act had little impact on the rate of attendance for such injury. Furthermore it concluded that “if legislation aims to reduce and prevent injury from animal bites in its present form it (the Act) does little to protect the public”.

United States of America:

There are approximately 53m dogs in the USA. Dog bite injuries in the USA involve treatment of 800,000 victims per year. Approximately 334,000 of these involve attendance at an emergency room (hospital casualty equivalent).

In the USA there are 15 to 20 fatalities per year and this has been consistent since the late 1970s. Breeds involved in fatalities have been Pitbull, Rottweiler, Husky Malamute, German Shepherd Dog (GSD), Chow, Doberman, St. Bernard, Great Dane, Labrador and other breeds to a lesser extent. In the 1980s Pit Bulls were involved in the most fatalities whereas the Rottweiler is now involved in the most fatalities on an annual basis.

Overseas Experience with Breed Specific Legislation

It is clear from the information in the previous section that many common or popular breeds are involved in aggressive behaviour towards humans. This is likely due to sheer numbers of animals of the most popular dogs in Australia such as the German Shepherd, Labrador Retriever, Golden Retriever, Rottweiler, Staffordshire Bull Terrier and their crosses. However it is only a relatively small proportion of animals within a breed that exhibit this aggressive behaviour to the extent that there is an attack by the dog. On this basis it is clear that breed specific legislation that targets the fighting breeds is unlikely to impact on the overall rate of attack by dogs. The UK experience with breed specific legislation supports this conclusion.

In 1991 breed specific legislation was introduced in the UK. The breeds identified as dangerous were the Pit Bull Terrier, Dogos Argentinos, Fila Brazilleros and Japanese Tosa. Under the Dangerous Dogs Act 1991 owners of a dog that was one of the so-called dangerous breeds were given a limited time to euthanase the dog or to have the dog registered, neutered, tattooed, microchipped and insured. Thereafter the dog would have to be muzzled and on a lead at all times when it was in a public place. Failure to comply would result in mandatory destruction. The requirement for mandatory destruction of pit bulls and dogs that had previously injured a person where the act had not been complied with was removed in 1997. The effect of the 1997 amendment to the act means there is now a presumption that the dog will be destroyed unless the owner can prove that the dog would not constitute a danger to public safety.

A survey of dog bites before the introduction of the new legislation and for the two years after the legislation had been introduced was conducted at the Department of Accident and Emergency, Aberdeen Royal Infirmary⁶. The study found that the introduction of the

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legislation had made no difference to the incidence of dog bites. Dogs were responsible for 73.9% of all bites before enactment of the legislation and 73.1% of all bites after the legislation had been introduced. The report also identified that the so-called dangerous breeds contributed only a small proportion of all the injuries reported.

An interesting observation in the UK is that since the amendments to the act in 1997 although the total number of dog attacks and bites has remained constant, the number of prosecutions relating to dog attacks/bites has doubled⁴. There is no clear reason as to why this would be so.

In the USA the AVMA Task Force on Canine Aggression and Human-Canine Interaction¹ considered the issue of the effectiveness of breed specific legislation in detail. The task force concluded that dog bite statistics do not give an accurate picture for a variety of reasons associated with the data actually collected such as misidentification by the victim and also the media upon reporting. They noted that large breeds are typically identified as problem dogs whereas smaller breeds may bite as much or more but the injury is less substantial and may therefore not be reported.

The taskforce also concluded that breed specific legislation was inappropriate because it lulls people into a false sense of security that banning or restricting certain breeds of dog manages the problem. This could result in dog owners acquiring a dog and failing to recognise the scope of their responsibilities to the community in the context of the potential danger the dog may pose.

Other Legislation Implementation Issues

Probably the most difficult problem with breed specific legislation is definitively matching the dog with the breed. For purebred dogs there is usually documentation with a pedigree available. Such documentation could serve to identify the animal as being from that breed.

There is no DNA test available to differentiate between breeds and it seems unlikely that one will be developed in the near future. From a visual appraisal of the physical characteristics of the dog it is not possible to be certain that the dog is of a specific breed. This is particularly so for the bull terrier types. Experience in the UK has shown that cross breed dogs with no history of being a pit bull type from their breeding have been euthanased just because they showed some of the physical characteristics of a pit bull.

The difficulty in definitively matching the dog to a specified breed creates some very real practical difficulties with enforcement of breed specific legislation.

NON BREED SPECIFIC ARRANGEMENTS FOR CONTROL AND MANAGEMENT OF AGGRESSIVE AND DANGEROUS DOGS

Establishing arrangements for physical control of aggressive and dangerous dogs involves common sense procedures to physically prevent the dog from being able to

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cause injury to humans and other dogs. Management of aggressive and dangerous dogs on the other hand requires a basic understanding of what the cause of aggression may be. In some cases the aggression cannot be managed and the dog, although being controlled, continues to attempt to physically injure people. Such dogs should undergo a full veterinary examination to establish there is no underlying medical issue responsible for the behaviour and if there isn't then the dog should be euthanased.

Basic Control Requirements

Basic objectives for developing control procedures for inclusion in legislation are as follows:

1. The area that the dog inhabits must be able to keep the dog confined within it and be structured such that children cannot access the area. Sufficient information must be available to adults so that they are aware of the danger and avoid entering the area should they choose not to.
2. When outside the confined habitat the dog must be under the control of the owner or other person responsible for handling the dog. This should take the form of a suitable lead. The dog should also be muzzled in such a manner that prevents the dog biting any person or other dog.

Understanding Why Dogs Become Aggressive and Dangerous

There are three key factors that determine whether a dog will be aggressive towards humans at a particular point in time. These are:

1. Genetic Predisposition
2. Previous Learning Experiences, and
3. Current Environment

Genetic Predisposition:

Within any dog breed a proportion of individual dogs will be genetically predisposed to aggression. By actively selecting for a non-aggressive disposition when breeding the proportion of dogs predisposed to aggression can be reduced. Similarly preventing breeding of aggressive dogs entirely will achieve the same aim.

From a management perspective the legislation should require that any dog that is determined to be dangerous be rendered sterile for breeding purposes. Breeders should also be encouraged to only breed from dogs that show a non-aggressive disposition.

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Previous Learning Experiences:

Unfortunately many dogs are exposed to a wide range of learning experiences that encourage aggressive behaviour. Some owners, either intentionally or due to lack of education, encourage the dog to be aggressive towards people.

From a management perspective public education and awareness of the need for responsible pet ownership including socialisation and training of the dog are important. Where dogs have become aggressive as a consequence of unfortunate learning experiences there is a need to override the negative learning experiences through treatment and training. It is appropriate for legislation to provide the power to order that the dangerous dog be managed this way as an alternative to euthanasia. Legislation can also prohibit acts by owners and carers of dogs that encourage aggressive behaviour or even prohibit owners that commit such acts from owning a dog.

Current Environment:

The circumstances surrounding the dog at the time of an attack on a person are a major contributing factor in why the attack occurred. Common issues are:

- The dog is unwell or injured and needs medical attention,
- The dog is provoked or injured in some way by the person and the response is to attack or snap at the person,
- The dog is afraid of the person
- The dog is anxious in the environment

The existence of a reason for the attack does not excuse the dog but it does assist in determining the severity of the follow-up action against the dog and its owners. The mechanism for achieving this can be addressed in legislation.

THE NSW COMPANION ANIMALS ACT 1998

This Act and associated Regulations provides the regulatory basis for the control and management of companion animals in the State of NSW. It includes the regulatory powers relating to the control and management of dangerous dogs.

The NSW Legislation in this area is very comprehensive and provides the basis for very effective management of companion animal issues. The Act itself is in fact more comprehensive than any other Act in other jurisdictions in Australia and Overseas as far as I am aware. Enforcement of the Act by State and Local Government, however, is essential if the Act is to achieve its aims.

The Act comprehensively deals with the control and management issues identified above as appropriate for inclusion in legislation. The Act has three areas where consideration of change would be appropriate. These are:

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- The identification of certain breeds as dangerous,
- The definition of a dangerous dog, and
- Actions required within a control order.

The Identification Of Certain Breeds As Dangerous

The Act identifies 5 breeds as restricted breeds with associated control requirements. For the reasons outlined above reference to restricted breeds is not necessary. Owners are required to comply with all other provisions of the Act and any dog that indicates the dog is aggressive enables Local Government Authorities to give consideration to identifying the dog as dangerous.

All the controls on restricted dogs that are covered in Part 5, Division 5 on Restricted Dogs are included in the controls in Part 4, Division 4 Responsibilities of Owners of Dangerous Dogs. Part 5, Division 5 could therefore be deleted entirely.

The Definition Of A Dangerous Dog

The definition of a dangerous dog [Part 5, Division 1, Section 33] refers to a dog being dangerous if it has, without provocation:

- a) Attacked or killed a person or animal (other than vermin), or
- b) Repeatedly threatened to attack or repeatedly chased a person or animal (other than vermin).

Including the words (other than vermin) means that a dog would not be declared dangerous on the basis that it attacked or killed vermin. The problem is that vermin are not defined in this Act. Rabbits and rats for example, are common pets now. It could be argued that any rabbit or rat is vermin in terms of the motivation for the attack thereby negating the ability of a Council to declare such a dog dangerous.

An amendment to redefine a dangerous dog or to define vermin may be appropriate.

Actions Required Within A Control Order

The NSW Companion Animals Act 1998 provides for a control order to include desexing of the dog and behavioural or socialization training for the dog [Part 5, Division 3, 47, (3)]. As some cases of aggression have an underlying medical reason it is appropriate to include action to deal with this situation in a control order.

In this context it would be appropriate to amend the legislation to include another two paragraphs in Part 5, Division 3, 47, (3) that provide for the control order to include “attendance by a veterinary surgeon to determine whether there are underlying medical causes for the behaviour” and “treatment by a veterinary surgeon for an underlying condition that contributes to the aggressive behaviour”

OPTIONS FOR IMPROVING COMPLIANCE WITH THE NSW COMPANION ANIMALS ACT 1998 AND ENCOURAGING RESPONSIBLE PET OWNERSHIP

Enforcement of the Regulatory Requirements

The NSW Companion Animals Act 1998 provides for effective control of dangerous dogs and action against their owners where non-compliance occurs. From an enforcement perspective it is important that Local Government Authorities follow up swiftly and consistently on incidents of non-compliance. Action against owners in incidence of non-compliance needs to be well publicised so other dog owners are reminded of the potential consequences of non-compliance This will ensure that dog owners are kept fully aware of their obligations to control their dogs appropriately. Regular seminars and workshops for Animal Control Officers to educate them in normal canine behaviour and to focus on development of a consistent approach to application of the legislation could be a useful way to achieve this.

Increasing penalties for non-compliance and increasing the intensity of enforcement of the Act may also assist in improving compliance with the Act.

Education and Awareness

Responsible pet ownership requires the owner to be aware of the requirements of the animal in terms of its health and welfare as well as meeting the requirements of the Act.

In terms of compliance with the requirements of the Act changing the attitude of the public to dog ownership responsibilities will have by far the greatest potential impact in reducing the incidence of dangerous dog attacks. Education is the key to improving awareness of owners of dogs in relation to their responsibilities to comply with the Act . There are opportunities to achieve this from a number of angles. Suggestions are:

- Encouraging the implementation of programs such as those run by the Australian Veterinary Association (the PetPEP program which is an excellent education resource for primary school children) and the DELTA Kidsafe program (designed to assist in harm reduction for children in contact with dogs).
- Provision of resource kits for owners through Veterinary Surgeries, Pet Shops and Local Councils. Such kits could also be provided for distribution at prenatal classes for parents, Child Health Centres and Child care facilities.
- Encouraging all owners of young puppies to attend appropriately run “Puppy Preschools®” to improve the socialisation skills of the puppy in relation to other dogs and humans as well as to educate owners about responsible pet ownership.
- Use of the Television Media to send positive messages about control and management of dogs in public places rather than the current focus of the media on the latest dog attack.

CONCLUSIONS

Collection of Information on Dog Attacks

Quality information is required to be collected in relation to all reported dog attacks. The information outlined earlier in this report should be the minimum information collected. The incident reports should be subject to regular analysis and reporting and the legislation and enforcement strategies fine-tuned for effectiveness and efficiency on the basis of the findings

Specifying Dog Breeds As Dangerous

It is concluded that breed alone is a poor indicator of aggression towards humans and that as a consequence there is no clear evidence to justify discriminating against particular breeds within legislation. This is irrespective of whether the legislation aims to ban the breed or to automatically apply the types of controls as applied to other dogs deemed to be dangerous to all dogs within the specific breed.

Other Aspects of NSW Legislation and Enforcement

It was concluded that within the definition of a dangerous dog Part 5, Division 1, 33, the words (other than vermin) appear and it is not clear what this actually means. It was concluded that the word vermin needs to be defined so that any dog that attacks a domesticated pet from a species commonly regarded as vermin (eg rabbits and rats) can be declared dangerous.

It was also concluded that the provisions for actions to be included in a control order [Part 5, Division 3, 47, (3)] should include appropriate actions where the aggression may have an underlying medical reason.

Enforcement of the Companion Animals Act 1998

It was concluded that the NSW Companion Animals Act 1998 provides a sound foundation for regulating the control and management of dangerous dogs. Options for better enforcement to improve compliance could be explored with those involved in the enforcement activities. This should also involve the education and awareness of Animal Control Officers in normal and abnormal canine behaviour including aggression. Increased penalties may also improve compliance.

Education and Awareness

It is concluded that education and awareness of owners will improve the overall level of responsibility of owners towards the issue of dangerous dogs. A number of strategic options were covered in the body of the report.

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