

LOCAL GOVERNMENT INFORMATION SERIES



DOG SAFETY AND CONTROL REPORT FOR 2009/10

2011/02

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June 2011

EXECUTIVE SUMMARY

Setting

Dog control in New Zealand is regulated by the Dog Control Act of 1996 (the Act), the purpose of which is to maintain and improve public safety. The Act was introduced after a review of dog control in the mid 1990s and was amended in 2003, 2004 and 2006. The Act, and its amendments, is implemented by city and district councils with the support of their communities.

This report is the second in response to a 2007 Cabinet request to pursue work on enhancing the data available on dog safety and control. The first report is available on www.dia.govt.nz. This report provides some analysis of data from the National Dogs Database (NDD), supplemented by information from Accident Compensation Corporation (ACC) dog bite claims and Ministry of Justice prosecutions. Specific details of the data in this report are detailed in Table 1.

This report is based on currently available information on dog populations, dog attacks, enforcement and prosecutions. As such it provides a snapshot as of May 2010. It is difficult to build an overall picture of the effectiveness of the dog control regime from administrative data alone, in large part due to apparent quality issues with data in the National Dogs Database. Appendix B contains a discussion of some of these quality issues.

Dog population

As of May 2010, the NDD recorded 488,766 dogs registered for that registration year (July 2009 to June 2010)¹. This equates to 11.2 registered dogs per 100 people.

The council with the largest number of dogs was Christchurch City with 32,383 currently registered dogs. Other councils with registered dog populations greater than 15,000 were Auckland City with 20,584, and Manukau City with 19,115 registered.

Although they tend to have the largest actual numbers of registered dogs due to the population size, large metropolitan areas generally have lower proportions of registered dogs per 100 people. For example Wellington City has 3.0 registered dogs per 100 people, Auckland City 4.6, Hamilton City 4.8, Manukau City 5.1, and Christchurch City 8.6. Conversely, rural councils have a much higher rate of registered dogs per 100 people (most likely due to the importance of working dogs in farming), with the Chatham Islands having 72.3 registered dogs per 100 people, the Mackenzie District 47.2, and the Hurunui District 46.0.

Dog attacks

In 2009/10 there were 9,855 new claims to ACC for dog bites and 10,699 dog bite claims still active from previous years. This equates to an average of 1.8 new and 1.9 active claims per 100 dogs in the NDD.

The 2009/10 year has seen an annual decrease in the cost of claims for the first time since 2002/03 (when records began), even though the number of claims for this year has continued a rising trend for the same period. The total cost of new claims

¹ As of May 2010, there were a total of 542,595 dogs in the NDD combining the 488,766 dogs registered in the current registration year, and 53,829 dogs NOT registered in the current registration year. This difference between total dogs and registered dogs in the database is caused by the presence of dog registrations from previous years, but not the current registration year, and some dogs that have never been registered but have had some contact with authorities – enough for a record to be created in one of the council databases that connects to the NDD.

(\$2,256,660) decreased 3.5% from 2008/09 and the total cost of active claims (\$3,224,848) decreased 15.4% from 2008/09.

Enforcement

Just over 1% (7,299) of all dogs in the NDD, whether currently registered or not, were classified as menacing, and a further 645 dogs were classified dangerous. Of those dogs classified as menacing, 65% were classified due to being a restricted breed, 22% were classified due to the observed behaviour of the dog, and 13% were classified due to characteristics associated with the dog's breed.

Dog owners can also be classified under the Act. There were 378,196 owners recorded in the NDD in May 2010. Of these 192 were classified owners; 111 were probationary and 81 were disqualified. For the probationary owners, 100 had committed three or more offences under the Act within the past 24 months. For the disqualified owners, 50 were disqualified for committing three or more offences under the Act within the past 24 months.

As of May 2010 there were 24,503 infringements recorded in the NDD for the previous 30 months. Four sections of the Act account for 91% of all infringements, they are:

- failure to register dog (55% of all infringements);
- failure to keep dog under control (18%);
- failure to comply with a local council bylaw (9%); and
- failure to keep dog controlled or confined (9%).

The remaining 9% of infringements were incurred under the other 17 sections of the Act.

Prosecutions

In 2009, there were 317 prosecutions under the Dog Control Act, an increase of 4% from 2008. Of the prosecutions made, 51% were under sections of the Act that relate to dogs attacking a person or animal.

Of the 317 prosecutions, 65% (207) led to a conviction, a 5% increase from the 2008 figure. The 317 charges were brought against 179 people – a decrease in prosecuted persons of 15% compared with 2008. This means that fewer people are being charged in court under the Act.

A fine was the most common sentencing option used, accounting for 63% of all prosecutions. A discharge with a conviction accounted for 26% of sentences. Some 6% of the convictions resulted in community work sentences while 4% (8 actual convictions) resulted in home detention. One sentence of community detention and one deferment were also issued.

Manukau City had the largest number of prosecutions in 2009, with 72 prosecutions (23%), whereas it is ranked third in terms of actual numbers of dogs. However, this is part of a downward trend since 2007.

Thirty-six dog destruction orders were issued in 2009. The majority (26) were made under Section 57 of the Act referring to a dog attack on an animal or person.

BACKGROUND

The Dog Control Act of 1996 (the Act) makes councils responsible for the control of dogs and makes the registration of dogs mandatory each year. The objectives of the Act are:

- a. To make better provisions for the care and control of dogs:
 - i) by requiring the registration of dogs;
 - ii) by making special provision in relation to dangerous dogs and menacing dogs; and
 - iii) by imposing on the owners of dogs obligations designed to ensure dogs do not cause a nuisance to any person and do not injure, endanger, or cause distress to any person; and
 - iv) by imposing on owners of dogs obligations designed to ensure that dogs do not injure any stock, poultry, domestic animal, or protected wildlife; and
- b. To make provision in relation to damage caused by dogs.

The main features of dog control under the Act² are that:

- councils must adopt dog control policies, maintain the dog registration system and enforce the Act;
- all dogs must be registered;
- councils must submit registration information to the National Dogs Database, which assists coordination of dog registration and control between councils;
- city and district councils have the power to seize, impound or destroy dogs in specified circumstances;
- dog owners have specific obligations with penalties for non-compliance;
- probationary dog ownership and disqualification of people from owning dogs are available as penalties;
- all newly-registered dogs (except working dogs) and impounded, dangerous and menacing dogs are required to be microchipped;
- classification of dogs as 'dangerous' or 'menacing' imposes additional owner obligations; and
- since 2003, the import of the specified breeds and types of dog listed in Schedule 4 of the Act has been banned and councils must also classify dogs belonging to these breeds and types of dogs as menacing.

As noted to Cabinet in 2007, there has been little systematic information collected or monitored on the incidence and characteristics of dog attacks. It is therefore difficult to build an overall picture of the effectiveness of the dog control regime and any changes made to it. This situation can also make the targeting and monitoring of measures to mitigate problems difficult.

As part of a package of dog control measures approved by Cabinet in October 2007, the Department of Internal Affairs (the Department) was directed to pursue work on enhancing the data available on dog safety and control. The 2008/09 edition of this report is available on the Department's website (www.dia.govt.nz).

² The Dog Control Act (1996) can be viewed in full at www.legislation.govt.nz

MONITORING

This report presents analyses of a range of information about dog control. The Department has identified three main datasets that can be used to monitor dog control. These are:

- The National Dogs Database (NDD);
- Accident Compensation (ACC) claims involving dog bites; and
- Ministry of Justice prosecutions under the Dog Control Act 1996.

Source:	Data	Period	Actual term in this report
NDD	Current dog owners including classified owners (by council)	Financial year	July 2009 to May 2010
NDD	Registered and unregistered dogs by breed including menacing/ dangerous dogs (by council)	Financial year	July 2009 to May 2010
NDD	Number of infringements in past 30 months (by council)	Previous 30 months	July 2009 to May 2010
ACC	New and active (pre-existing) dog bite claims	Financial year	July 2009 to June 2010
Ministry of Justice	Prosecuted charge data for the Dog Control Act	Calendar year	January 2009 to December 2010

Table 1: Data sources for the Dog Safety and Control Report.

National Dogs Database (NDD)

The NDD is a national repository of registered dog and owner information. Territorial authorities (councils) supply the information contained within the NDD. The NDD is an aggregation of the council data. It is maintained by a contractor on behalf of the Department. This data is largely used as an enforcement tool, as it allows for the tracking of owners and dogs across councils. The quality of information is dependent upon the quality and regularity of updates from the councils to the NDD.

Information required to be described on the register includes:

- the name, address, date of birth of the owner and the dog;
- address at which the dog is kept;
- description of the dog (i.e. breed, colour, distinguishing marks, microchip number, etc);
- age and sex of the dog and whether the dog has been spayed or neutered;
- the registration number of the tag or disc issued to that dog; and
- other information considered necessary by a council for the purposes of the Act.

The NDD is dependent upon the dog control systems operated by the respective territorial authority. On a regular basis, these provide one or more sequentially numbered batch files that contain inserted, updated, or deleted information related to dogs, owners, registrations, and infringements that have occurred since the previous period's batch file(s). Ideally the batch files are provided on a daily basis. In reality this is not always the case.

The Act specifies the Department has limited access to information in the NDD for governance and policy development purposes. Since August 2007, the Department has been provided with monthly snapshot reports of NDD data. These provide statistics about the:

- total number of dogs;

- dogs classified menacing and dangerous;
- dogs microchipped;
- number of owners classified as probationary;
- number of owners classified as disqualified; and
- number of infringement offences.

An important note to make is that data on infringements and classified owners once contained a significant amount of over-counting. This was due to a calculation error in the NDD system that reported data on classified owners and infringements stored in the database to the Department. This defect was corrected in September 2009. The section on infringements and classified owners in the Department's Dog Safety And Control Report for 2008/09 is therefore based on incorrect data.

Furthermore, due to the amount of time it takes to produce the files, the output files from the NDD that provide the analysis underpinning this report were produced on different dates. The numbers of dogs or owners in each file may therefore not always perfectly correspond, as they reflect the situation in the NDD on the day they were produced. The suitability of the NDD for time-series analysis is therefore limited. Appendix B discusses some issues related to data in the NDD.

Accident Compensation Corporation (ACC) data

The ACC provides annual information on dog bite claims. This information is provided by financial year (1 July to 30 June). Data is provided for both new claims and active (pre-existing) claims.

The ACC database only covers cases that meet the criteria for compensation and for which compensation is claimed. Unreported dog attacks are not included in this report.

Ministry of Justice data

The Ministry of Justice now sends the Department annual information on prosecutions taken under the Act and the number of court-ordered dog destruction orders. This information identifies changes in the level of prosecutions over time, and if any particular offences are increasing or decreasing. This information is available in May each year for the previous calendar year. This means the data covers the calendar year, whereas the other two sources of data cover financial years. Any comparisons between the data should therefore be considered carefully.

DOG POPULATION ANALYSIS

	May 2008	May 2009	% change '08-'09	May 2010	% change '09-'10
Total number of dogs on the NDD	Not available	530,304	N/A	542,595	2.3%
Total number of registered dogs on the NDD	494,139	491,620	-0.5%	488,766 (1)	-0.6%
Total number of dogs on the NDD classified as menacing	5,766	6,585	12.4%	7,297	10.8%
Total number of dogs on the NDD classified as dangerous	556	607	8.4%	645	6.3%
Total number of dogs on the NDD microchipped	86,515	129,298	33.1%	174,714	35.1%
Total number of owners classified as probationary	Error (2)	Error (2)	N/A	111	N/A
Total number of owners classified as disqualified	Error (2)	Error (2)	N/A	81	N/A
Total number of infringement offences recorded on the NDD (3)	Error (2)	Error (2)	N/A	24,503	N/A

Notes:

- Does not include registered dogs in Ruapehu, Stratford and Whangarei districts as data for these councils was not provided in NDD reports.
- As noted above, there was a calculation error in the reporting system for classified owners and infringements meaning that the data generated prior to September 2009 contained errors (Appendix B).
- Offences are removed from the NDD after 30 months.

Table 2: Key Statistics from the NDD from 2008 to 2010.

Number of registered dogs

Under the Act, all dogs must be registered with the council in the area the dog is kept. This must happen before the age of three months and subsequently by 1 July each year. The registration year is the same for all councils and runs from 1 July to 30 June each year.

Registration is a legal requirement under Section 36 of the Act. This is irrespective of whether the dog is kept for companionship, security or for business reasons (such as farm dogs). Councils are required to keep a register of dogs.

In May 2010 there were 542,595 dogs listed in the NDD, of these:

- 488,766 (90.1%) had been registered in the current registration year of 2009/10 (0.6% less than the 491,620 registered in May 2009),
- 27,049 (5.0%) had been registered in the previous registration year (2008/09) but not the current year, and
- 19,491 (3.6%) had been registered at least once between two and fifteen registration years prior to the current year.³
- The remaining 7,289 (1.3% of total dogs) are dogs that are listed in the NDD with no registration attached to their file. This could occur with a dog that had contact with a council in some way (perhaps through an infringement) but had not actually been registered.

³ If a dog's registration is not renewed for the current year it is not removed from the database. Rather the last year of registration is marked in the dog's record. It is possible for a dog to be in the database even if it has never been formally registered, if the dog has had some contact with authorities. A dog is removed from the database if it is marked as deceased or if its year of last registration is greater than 15 years.

As of May 2010, the councils with the largest numbers of registered dogs were:

- Christchurch City with 32,383 registered dogs. This is an 8.0% increase on the 29,991 registered dogs in the last registration year, when it was also the council with the highest number of dogs.
- Auckland City had the second highest number of registered dogs (20,584 up 5.7%). Manukau City was third (18,147 up 5.3%).
- In terms of actual dog numbers (including dogs not currently registered), the pattern is the same. The top three councils were Christchurch City (40,376), Auckland City (20,679) and Manukau City (19,504). This order approximates the human population estimates for 2010.

Councils with the lowest number of registered dogs were the Chatham Islands Council with 489, Kaikoura District (1,013) and Kawerau District (1,123). These councils also have the smallest human populations. In terms of actual dog numbers (including non-registered dogs) these bottom three councils remain the same.

Registration fees are determined by each council. There are currently a range of approaches. This analysis did not seek to examine any relationship between the rate of registration and the fees set.

Concentration of registered dogs

The total number of registered dogs in May 2010 equates to just over 11 dogs per 100 people in New Zealand⁴. Looking at the distribution by council, the Chatham Islands has the highest concentration of dogs at slightly more than 72 registered dogs per 100 people, followed by Mackenzie District (47), Hurunui District (46), and Southland District (44) (Table 3).

TA	dogs / 100 people	TA	dogs / 100 people	TA	dogs / 100 people
Chatham Islands	72.34	Marlborough	21.32	Invercargill	14.09
Mackenzie	47.16	Hauraki	21.16	Waipa	14.03
Hurunui	45.99	Waimakariri	19.66	Kapiti Coast	13.04
Southland	44.21	Timaru	19.27	New Plymouth	12.97
Wairoa	42.13	Tasman	19.15	Upper Hutt	12.31
Central Hawke's Bay	41.56	Horowhenua	18.88	Queenstown-Lakes	12.00
Waimate	39.72	Grey	18.27	Dunedin	11.83
Waitomo	39.15	Taupo	17.41	Napier	10.58
Clutha	38.20	Westland	17.11	Nelson	9.60
Tararua	37.64	Western Bay of Plenty	17.10	Christchurch	8.60
Carterton	34.42	Kawerau	17.05	Palmerston North	8.37
Rangitikei	32.15	South Waikato	16.96	Papakura	7.81
Central Otago	29.29	South Taranaki	16.69	Lower Hutt	7.61
South Wairarapa	27.82	Far North	16.59	Tauranga	7.46
Kaikoura	27.32	Whakatane	16.46	Waitakere	6.45
Kaipara	27.20	Waikato	16.10	North Shore	6.42
Selwyn	26.17	Wanganui	15.84	Porirua	6.14
Gore	26.11	Matamata-Piako	15.09	Manukau	5.09
Otorohanga	25.04	Rotorua	14.68	Hamilton	4.75
Waitaki	24.91	Thames-Coromandel	14.55	Auckland	4.57
Manawatu	23.67	Rodney	14.51	Wellington	3.00
Ashburton	22.91	Hastings	14.38	Whangarei	*
Buller	22.71	Opotiki	14.36	Stratford	*
Gisborne	22.58	Franklin	14.29	Ruapehu	*
Masterton	21.84				

* No registered dog data held in NDD for this council

Table 3: Registered dogs per 100 people in the council (descending order).

Rural councils appear to have a much higher ratio of dogs to human population than urban councils. This is most likely due to the extensive use of working dogs animals

⁴ According to Statistics NZ population clock at the time of writing this report

in rural industries. Urban councils have much higher actual numbers of dogs due to their greater overall population.

Breeds of dogs

The NDD identifies 391 different breeds of dog present in New Zealand (May 2010). These comprise 187 cross-breeds (five more than last year) and 204 pure breeds (the same as 2008/09). Pure breeds were the most popular type of dog, accounting for 70% of the total registered dogs on the NDD.

As in 2008/09, the most common breed of dog was the Labrador Retriever, with 74,652 (13.8%) of the total dog population. Some 60.9% (45,492) of these dogs are classified as pure breed and 39.1% (29,160) as cross-breed Labrador Retrievers. The second most popular breed of dog was the Huntaway, making up 45,676 (8.4%) of all dogs, with 79.1% of these being pure breeds. In addition to the cross-breed Labrador Retriever, the Staffordshire Bull Terrier cross was the only other cross-breed dog to appear in the top ten dogs by breed (Table 4). Nearly half of the top ten are breeds that could associated with working farm dogs (Huntaway, Border Collie, Heading and Smooth Collie).

Breed Name	Breed Type	Total Dogs	Registered Dogs
Retriever, Labrador	Pure	45,492	41,575
Huntaway	Pure	36,117	31,712
Retriever, Labrador	Cross	29,160	26,282
Collie, Border	Pure	26,427	23,662
Terrier, Jack Russell	Pure	21,482	19,731
Terrier, Fox (Smooth)	Pure	21,038	19,064
Heading	Pure	16,996	15,475
Shepherd, German	Pure	14,106	12,708
Terrier, Staffordshire Bull	Cross	13,429	11,456
Collie, Smooth	Pure	13,023	12,657

Table 4: Top 10 dog breeds (as of May 2010).

As included in schedule 4 of the Act, the number of registered pure and cross-breed restricted dogs in the NDD were:

- American Pit Bull Terrier (5269 – an increase of 8.2% on the 2009 total)
- Dogo Argentino (88 – down from 95 in 2009)
- Brazilian Fila (4 – same as in 2009)
- Japanese Tosa (0 – same as in 2009).

DOG CONTROL ANALYSIS

Microchipping

All non-working dogs first registered on or after 1 July 2006, and all dogs classified as dangerous or menacing since 1 December 2003 are required to be microchipped. Dogs released from pounds after 1 July 2006 also have to be microchipped if they are impounded for a second time by the territorial authority.

As of May 2010, only 35.7% (174,282) of all registered dogs were microchipped. Over the last year there has been a 25.8% increase in the number of microchipped dogs from May 2009, when 26.3% of the registered dog population was microchipped.

As with the 2008/09 year, the rate of microchipping in 2009/10 varies significantly by council. Metropolitan councils tends to have a higher rate of microchipping than provincial or rural councils. Table 5 shows that, as in 2009, Hamilton City has the highest rate of microchipping (88%), followed by Wellington City (76%), Porirua City (67%) and Christchurch City (51%). Kawerau District is the only non-metropolitan council in the top 10 with a microchip rate of 49%, however this small rural centre comprises an almost entirely urban population.

The bottom 10 are all rural councils and, with the exception of the Chatham Islands (which has a very small population), Central Hawke's Bay District had the lowest rate of microchipping (7%), followed by the Clutha (9%), Rangitikei (10%) and Mackenzie (11%) Districts. This may reflect the fact that working dogs in these largely rural areas are not required to be microchipped. The national average microchipping rate for all councils with registrations listed in the NDD is 35.3%.

TA	Registered dogs	Microchipped dogs	% microchipped	
Top 10	Hamilton	6,801	5,965	87.7%
	Wellington	5,934	4,498	75.8%
	Porirua	3,199	2,146	67.1%
	Christchurch	32,383	16,421	50.7%
	Nelson	4,368	2,210	50.6%
	Waitakere	13,420	6,609	49.2%
	Kawerau	1,192	582	48.8%
	Tauranga	8,525	4,111	48.2%
	Auckland	20,584	9,840	47.8%
	Napier	6,096	2,886	47.3%
Bottom 10	Hurunui	5,105	778	15.2%
	Kaipara	5,154	704	13.7%
	Wairoa	3,556	453	12.7%
	Kaikoura	1,038	127	12.2%
	Waitomo	3,774	416	11.0%
	Mackenzie	1,891	205	10.8%
	Rangitikei	4,775	482	10.1%
	Clutha	6,666	576	8.6%
	Central Hawke's Bay	5,610	409	7.3%
	Chatham Islands	463	4	0.9%

Table 5: Top 10 and bottom 10 councils for microchipping rate (as at May 2010).

16 breeds of dog have 100% microchip rates, although it should be noted there are very few dogs for each of these breeds. There are 276 breeds have a microchip rate less than 50% (down from 300 breeds in 2009).

Three breeds of dog restricted by the Act⁵ are present in New Zealand. Microchipping rates for these dogs indicate that:

- all four Brazilian Filas have been registered and microchipped;
- of the 138 Dogo Argentinos in the NDD, 88 are registered and 77 are also microchipped; and
- of the 6,727 American Pitbull Terriers, 5,269 are registered and 4,562 are microchipped (68% of the total number of dogs).

⁵ Under the Act, a restricted (Schedule 4) breed dog cannot be imported into New Zealand and it must be classified as menacing. A dog can belong "wholly or predominantly" to a breed. This determination is made by a council officer.

Neutering

Neutering male dogs is intended to reduce their aggressive impulses, thereby reducing the likelihood of injury due to fighting. Neutered males are also less likely to mark their territory or try to 'mate' with objects or people. This is seen as an effective tool for reducing dog attacks. Some councils encourage the neutering of male dogs and spaying of female dogs by offering discounts on registration fees.

In the NDD, there are 273,676 male dogs (50% of all dogs), of which 107,660 have been neutered (39% of all male dogs). There are 268,919 female dogs of which 119,154 have been spayed (44% of all female dogs). In total 46% of all registered dogs have been spayed or neutered.

Female dogs are therefore slightly more likely to be spayed, than male dogs are to be neutered. However this difference can be switched within breeds (Table 6). Taking out the extreme examples caused by breeds with small numbers, the breed with the highest rate of de-sexing is the pure-bred Soft Coated Wheaten Terrier (69%) followed by the cross-bred Welsh Cardigan Corgi (67%) and the cross-bred Doberman (65%).

The lowest rates of de-sexing are seen in the pure-bred Harrier (just 4 of 574 dogs – less than 1%), the pure-bred Smooth Collie (3%) and the pure-bred Heading (5%). The last two breeds of dogs are in the top ten list of the most popular breeds in New Zealand, and their de-sexing rates have decreased from the previous registration year.

	Breed	Type	Male Dogs			Female Dogs			Total Dogs		
			Total	Neutered	% Neutered	Total	Spayed	% Spayed	Total Dogs	Total Desexed	% Desexed
Top 10	Soft Coated Wheaten Terrier	Pure	638	460	72.10%	625	407	65.12%	1,263	867	68.65%
	Welsh Cardigan Corgi	Cross	379	240	63.32%	407	284	69.78%	786	524	66.67%
	Dobermann	Cross	234	145	61.97%	330	220	66.67%	564	365	64.72%
	German Shepherd	Cross	2,357	1,376	58.38%	2,374	1,670	70.35%	4,731	3,046	64.38%
	Schnauzer	Pure	1,094	712	65.08%	1,100	693	63.00%	2,194	1,405	64.04%
	Golden Retriever	Cross	501	301	60.08%	482	312	64.73%	983	613	62.36%
	Fox (Wire) Terrier	Cross	321	207	64.49%	337	201	59.64%	658	408	62.01%
	Beagle	Cross	282	169	59.93%	255	161	63.14%	537	330	61.45%
	Standard Poodle	Cross	896	590	65.85%	874	492	56.29%	1,770	1,082	61.13%
	Australian Terrier	Cross	321	202	62.93%	297	171	57.58%	618	373	60.36%
<i>Average of ALL Dogs</i>			<i>273,694</i>	<i>107,638</i>	<i>39.33%</i>	<i>268,966</i>	<i>119,058</i>	<i>44.27%</i>	<i>542,660</i>	<i>226,696</i>	<i>41.77%</i>
Bottom 10	Neapolitan Mastiff	Pure	397	75	18.89%	423	83	19.62%	820	158	19.27%
	Heading	Cross	791	107	13.53%	862	198	22.97%	1,653	305	18.45%
	American Bulldog	Pure	340	50	14.71%	299	66	22.07%	639	116	18.15%
	Old English Sheepdog	Pure	301	44	14.62%	241	54	22.41%	542	98	18.08%
	Rough Collie	Pure	2,419	236	9.76%	2,040	256	12.55%	4,459	492	11.03%
	Greyhound	Cross	1,438	134	9.32%	1,367	170	12.44%	2,805	304	10.84%
	Huntaway	Pure	20,241	1,187	5.86%	15,876	1,779	11.21%	36,117	2,966	8.21%
	Heading	Pure	8,359	270	3.23%	8,637	558	6.46%	16,996	828	4.87%
	Smooth Collie	Pure	7,083	139	1.96%	5,940	246	4.14%	13,023	385	2.96%
	Harrier	Pure	283	4	1.41%	291	0	0.00%	574	4	0.70%

Table 6: Top 10 and bottom 10 rates of de-sexed breeds (for breeds with 500 or more dogs in the NDD).

ENFORCEMENT ANALYSIS

Menacing dogs

A council can classify a dog as 'menacing' if the council considers the dog poses a threat to any person, stock, poultry, domestic animal, or protected wildlife because of:

- any observed or reported behaviour of the dog – Section 33A(1)(b)(i); or
- any characteristics typically associated with the dog's breed or type – Section 33A (1) (b) (ii).

- A council must also classify a dog as 'menacing' if it is wholly or predominantly of one or more of the four Schedule 4 breeds.

If a dog is menacing, it must be muzzled when in public and may be required by the council to be spayed or neutered. As of May 2010, the NDD had 7,299 dogs classified as menacing. This equates to just over 1% of all dogs in the NDD. This is an increase of 11% from the 2008/09 year.

Although the Act requires it, not all of the restricted breed dogs actually in New Zealand have been classified as menacing in the NDD. It is not clear why this is the case. At this stage it is assumed to be because of variations in enforcement of the Act's requirements by individual councils. To illustrate further:

- 77% (of 6,727) American Pitbull Terriers are classified as menacing. Of these, the pure-bred dogs have a higher rate of menacing classification (81%) compared to cross-bred dogs (73%).
- 73% (of 138) total Dogo Argentino are classified menacing. Similarly, pure-bred dogs have higher rate menacing classification (92%) compared to cross-bred dogs.
- Only one of the four Brazilian Filas has been classified menacing.

The non-Schedule 4 breed with the highest rate of menacing classifications is the cross-bred American Staffordshire Terrier with 4.6% of the 823 dogs classified as menacing. Next is the pure-bred American Bulldog (4% menacing), and the pure-bred American Staffordshire Terrier (3% menacing).

The highest incidence of menacing dogs is in the Kawerau District, where 7% of the 1,245 dogs are listed as menacing. The second highest rate is the 4% of 4,037 dogs in the South Waikato District, and 4% of 19,504 dogs in Manukau City.

The majority (65%) of menacing dogs, have been classified under Section 33C (1) of the Act. This section relates to Schedule 4 of the Act where the dog is one of the restricted breeds. Around 22% were classified under Section 33A (1) (b) (i) due to the observed or reported behaviour of the dog, and 13% were classified under Section 33(1) (b) (ii) on the basis of characteristics typically associated with the dog's breed or type.

Dangerous dogs

"Dangerous dogs" are dogs considered to be "worse than menacing." A Council can classify a dog as dangerous if:

- there is sworn evidence the dog has been aggressive – Section 31(1)(b);
- the dog owner has been convicted under Section 57A(2) of the Act (for a dog attacking a person or animal) – Section 31(1)(a); or
- the owner admits the dog is dangerous – Section 31(1) (c).

If a dog is classified as dangerous, the owner must ensure that the dog is kept within a securely fenced portion of the owner's property. It must be muzzled and controlled on a leash when in public. Councils also require these dogs to be de-sexed. Dog control fees are set at 150% of the level that would apply if the dog were not classified as dangerous. The owner must also not, without the written consent of the territorial authority in the district the dog is kept, dispose of the dog to any other person.

In May 2010, 644 dogs in the NDD were classified as dangerous. This represents 0.12% of all dogs in the NDD. Of these:

- Most (411 – 64% of all dangerous dogs) were classified because the council had sworn evidence that the dog was aggressive in its behaviour.

- Just under 21% (133) were classified as dangerous because the owner admitted in writing the dog was a threat to safety of people or other animals (Section 33 [1] [C]).
- The remaining 100 dangerous dogs (15%) were classified as dangerous because the owner was convicted for the dog's attack on a person or animal (Section 31[1] [a]).

The councils with the highest number of dangerous dogs were Christchurch City with 86, Lower Hutt City with 53, and Western Bay of Plenty District with 35. Together these comprise 27% of all dangerous dogs. 36 councils have three or fewer dangerous dogs. There was no clear pattern relating the type of council (metropolitan/provincial/rural) to the number of classified dogs.

As a proportion of registered dogs, no council has more than 1% of its total dogs classified as dangerous. As for 2009, the Buller District has the highest rate of dangerous dogs, with 19 (0.8%) of its 2,324 dogs classified dangerous. This was followed by Kawerau District, with nine (0.7%) of its 1,241 dogs classified dangerous, Lower Hutt City with 53 (0.6%) of 8,038, Grey District 17 (0.6%) of 2,599 and Upper Hutt City 28 (0.5%) of 5,082 classified dangerous. The remaining 68 councils had less than 0.5% of all their dogs classified as dangerous.

Looking at dogs by breed and considering only those with more than 500 in the NDD, the highest rate of dangerous dog classifications are for the pure-bred American Pitbull Terrier with 1.9% of 3,469 classified as dangerous. Next are the cross-bred American Pitbull Terrier (1.4% of 3,258) and the Dogue de Bordeaux (1.2% of 599 dogs). All the remaining 126 breeds with 500 or more dogs in the NDD have a dangerous rate less than 1%.

In terms of actual numbers, the American Pit Bull Terrier pure-bred has the largest number (67) of dangerous dogs in the NDD, followed by the Staffordshire Bull Terrier (48), the American Pit Bull Terrier cross (46), the Labrador Retriever (43) and the German Shepherd (42). Some 352 breeds did not have any dogs classified as dangerous.

Classified owners

In May 2010 there were a total of 378,196 current owners listed in the NDD. These owners fall into the following sub-groups:

- 349,909 have dogs that have been registered in the current registration year;
- 31,081 have dogs that are not currently registered, but were registered either in the previous year (19,055) or at some time in the past fifteen years (12,026); and
- 5,115 have dogs that have never been registered, but have had some contact with authorities – enough to get into the NDD.⁶

Councils can place controls on particular dog owners because of their, or their dog's behaviour. Classified owners can either be declared probationary owners, whose dog owning behaviour is monitored by the council, or they can be disqualified as owners, meaning they may not own a dog.

A council can classify an owner if they meet any of these criteria:

- they incur more than three infringements (under the Act) within two years;
- they are convicted of an offence under the Dog Control Act 1996; or

⁶ Figures in the bullets add up to more than the total figure, because it is possible for an owner to appear across the different subsets. For example, an owner might own a currently registered dog, another dog that is not currently registered, and yet another dog that has never been registered.

- they are convicted of an offence under other animal welfare legislation, specifically parts 1 and 2 of the Animal Welfare Act 1999, Section 26ZZP of the Conservation Act 1987, or Section 56I of the National Parks Act 1980.

There were 192 classified owners in May 2010⁷. These consist of:

- 111 Probationary owners:
 - 100 for incurring three or more infringement offences within two years
 - 11 for committing an offence under the Dog Control Act.
- 81 Disqualified owners:
 - 50 disqualified for committing three or more infringement offences within two years
 - 30 disqualified for offences under the Dog Control Act
 - one disqualified for an offence under other animal welfare legislation.

Only 22 councils had classified owners in May 2010. Auckland City had the highest number of classified owners at 61, of which 43 were probationary and 18 disqualified. This was followed by Napier City with 34 classified owners⁸ (31 probationary and three disqualified). The third highest was the Hauraki District with 21 classified owners (20 probationary and one disqualified). Interestingly, all the Kapiti Coast District's 14 classified owners are disqualified, and in Hamilton City, 17 of the 19 classified owners are disqualified.

Probationary owner status will take effect for two years and any dog not registered at the time of the classification must be re-homed or disposed of within 14 days. Any dog already registered may be kept by the owner, but the registration fees may incur a 50% surcharge. A council may require probationary owners to undertake dog education and/or a dog obedience courses approved by the council.

Being a disqualified owner means the individual may not own a dog for up to five years from the time of disqualification. Any owner who breaches these conditions may be fined up to \$3,000 and have an additional five years disqualification period extension to their status.

Infringements

Pursuant to Sections 65 and 66 of the Act, a council may issue infringement notices for contravention of the dog control bylaws, or for offences committed pursuant to the Act. Under the Dog Control Act an infringement offence means one that is specified in Schedule 1 (Appendix A). Examples of offences include:

- wilful obstruction of dog control officer or ranger;
- failure to comply with any bylaw (authorised by Section 20(5) of the Act);
- failure to comply with effects of classification of dog as dangerous or menacing;
- failure to register dog;
- failure to implant a microchip transponder;
- failure to keep dog controlled or confined; and
- failure to carry a leash in public.

Where a person is alleged to have committed an infringement offence, that person may either be proceeded against summarily for the offence, or be served with an infringement notice as provided in Section 66 of the Act.

⁷ It is not possible to compare the 2010 infringements data with earlier years due to a calculation error in the data for previous years. This error meant that owners with more than one address were multiple-counted in the infringement figures and this appears to have led to significant over-counting of infringements. The error was corrected in September 2009.

⁸ Napier City Council had no classified dog owners in May 2008. It is not clear from the data examined why the number of classified owners in Napier increased so sharply.

The following analysis is based upon the NDD's Infringement Snapshot Report for May 2010. This file shows the numbers of infringement by type and council where the infringement occurred. It shows all infringements going back thirty months from the date of the report. Note that this is a longer time period than the data on registrations presented earlier.

TA	infringe-ments / 100 dogs	TA	infringe-ments / 100 dogs	TA	infringe-ments / 100 dogs
Auckland	29.76	South Waikato	3.28	Wairoa	1.33
Papakura	24.29	Taupo	3.21	Otorohanga	1.07
Manukau	17.75	Marlborough	3.16	Franklin	1.01
Timaru	11.28	Kapiti Coast	3.13	Ashburton	0.98
Napier	11.13	Rotorua	2.94	Tasman	0.80
Hauraki	10.98	Wellington	2.93	Waipa	0.78
Waitakere	9.02	Masterton	2.73	Central Hawke's Bay	0.73
Invercargill	7.18	Stratford	2.65	Ruapehu	0.69
Rodney	6.50	Queenstown-Lakes	2.36	Tararua	0.67
Nelson	5.15	Carterton	2.34	Rangitikei	0.57
Thames-Coromandel	5.06	Grey	2.19	Waitomo	0.57
Kawerau	4.67	Whakatane	2.18	Manawatu	0.53
Christchurch	4.65	Westland	2.01	Selwyn	0.42
Horowhenua	4.59	Buller	1.85	Mackenzie	0.42
Kaipara	4.38	Gore	1.80	Wanganui	0.37
Lower Hutt	4.13	Far North	1.69	Hastings	0.30
Matamata-Piako	3.95	Southland	1.67	Kaikoura	0.27
South Taranaki	3.89	Whangarei	1.63	Gisborne	0.24
Palmerston North	3.56	Tauranga	1.55	New Plymouth	0.24
Dunedin	3.47	Upper Hutt	1.50	Waikato	0.23
Hamilton	3.32	Waimate	1.39	Waimakariri	0.18
North Shore	3.29	Western Bay of Plenty	1.34	Porirua	0.02

No infringements data is stored in the NDD for the Central Otago, Chatham Islands, Clutha, Hurunui, Opotiki, South Wairarapa and Waitaki District Councils.

Table 7: Number of infringements per territorial authority.

As of May 2010, there were 24,503 infringements in the NDD (over 30 months). Predictably, the greatest number of infringements happened in councils with the greatest number of dogs (although not in the same rank order). Auckland City had 6,133 total infringements (25% of all infringements in the NDD), Manukau City had 1,827 (14% of all infringements) and Christchurch City had 1,328 (7% of all infringements).

Seven councils had no entries in the infringement reports from the NDD. These were the Central Otago, Chatham Islands, Clutha, Hurunui, Opotiki, South Wairarapa and Waitaki Districts. Of councils with infringements listed in the NDD, Porirua City had only one infringement (ranks 53rd out of the 73 councils for actual dog numbers). Kaikoura District had three infringements and Mackenzie District had eight. Forty-six councils account for only 15% of all infringements.

Not surprisingly, considering the numbers, Porirua City has the lowest number of infringements per 100 total dogs in the NDD (0.02), followed by Waimakariri District (0.18 infringements per 100 dogs) and Waikato District (0.23 infringements per 100 dogs). Auckland City has the highest number of infringements, at nearly 30 per 100 dogs, followed by Papakura District with 24 infringements per 100 dogs, and Manukau City with 18 per 100 dogs.

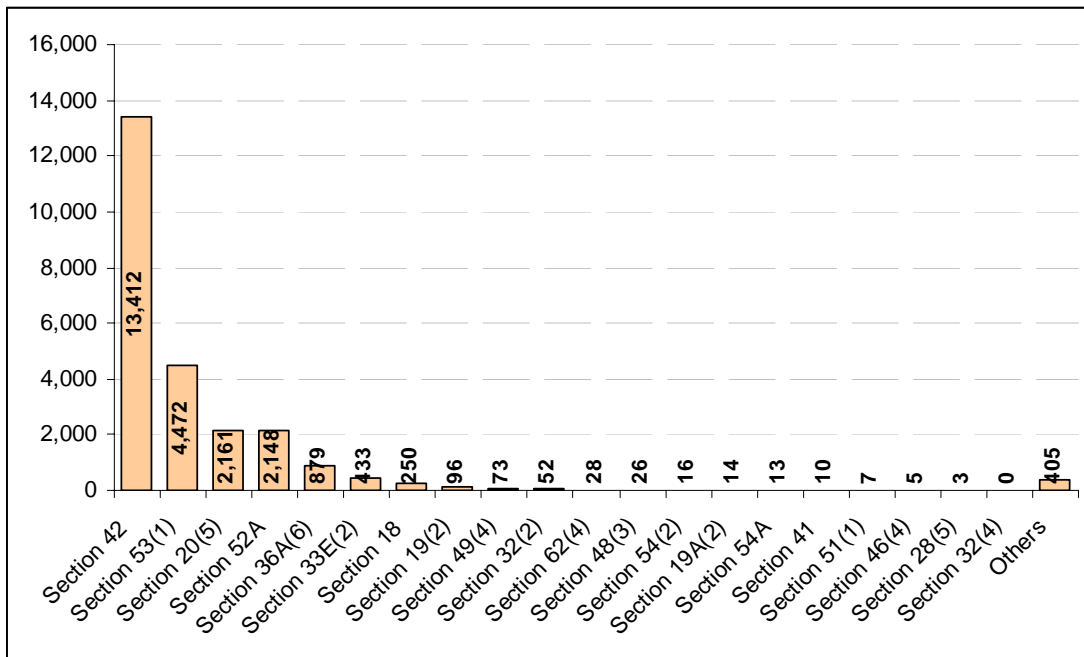


Figure 1: Infringements by section applied of the Dog Control Act.

Failing to register a dog (Section 42) accounted for 55% of all infringements. Failing to keep a dog under control (Section 53[1]) was next with 18%. Section 20(5) (compliance with a council bylaw) had 9%, the same as Section 52A (control/confinement of a dog on the owner’s property). Together, these four sections made up 91% of all infringements. A similar trend was seen in the data from 2008/09.

DOG ATTACK RELATED ACC CLAIMS

In 2009/10, ACC recorded 9,855 new claims for dog bites, an increase of 2.1% on the previous financial year (2008/09). This is a similar rate of increase to the year before (2007/08). These new claims cost ACC \$1,686,830 in medical coverage and \$569,830 in entitlements paid out, for a total of \$2,256,660. This was a decrease of approximately 3.5% from the previous year.

Year	New claims				Active claims			
	Number of New Claims	Annual Increase	Cost of New Claims	Annual Increase	Number of Active Claims	Annual Increase	Cost of Active Claims	Annual Increase
2002/03	7,638		\$971,187		8,142		\$1,461,186	
2003/04	8,684	13.69%	\$1,196,551	23.21%	9,319	14.46%	\$1,887,279	29.16%
2004/05	9,055	4.27%	\$1,434,631	19.90%	9,685	3.93%	\$2,194,314	16.27%
2005/06	9,666	6.75%	\$1,698,951	18.42%	10,293	6.28%	\$2,430,474	10.76%
2006/07	9,738	0.74%	\$1,923,412	13.21%	10,429	1.32%	\$2,891,383	18.96%
2007/08	9,457	-2.89%	\$2,105,343	9.46%	10,350	-0.76%	\$3,233,132	11.82%
2008/09	9,647	2.01%	\$2,338,756	11.09%	10,648	2.88%	\$3,811,233	17.88%
2009/10	9,855	2.16%	\$2,256,660	-3.51%	10,699	0.48%	\$3,224,848	-15.39%

Dollar figures above have not been adjusted for inflation

Table 8: ACC dog bite claims by year.

A further 10,699 claims related to dog bites were incurred in previous years (called active claims by ACC) for the 2009/10 year. This is a slight increase of 0.5% over the number of active claims for the previous year. Active claims incurred \$1,941,403 in medical costs and \$1,283,445 in entitlements, for a total of \$3,224,848, this was a 15.4% decrease from \$3,811,233 the previous year.

Taking a longer term perspective, the number of new claims has increased 29% from 7,638 in 2002/03 to 9,855 in the 2009/10 financial year. Over the same period the costs of these claims (medical and entitlements combined) also increased 132.4% from \$971,187 in 2002/03 to \$2,256,660 in 2009/10.

A similar level of increase was seen in the number of active claims over the same period. Active claims have risen 31.4% from 8,142 in 2002/03. The attendant costs (medical and entitlements combined) rose 120.7% since \$1,461,186 in 2002/03 (not adjusted for inflation).

The annual (year on year) rate of increase in the number of claims (both new and active) has steadily declined since 2002/03. The annual increase in costs had also been decreasing as a trend since 2002/03, but this year's actual decrease in costs, especially in active claims, is particularly marked.

Since 2002/03, the average cost per new claim has risen from \$127 to \$229 in 2009/10, an increase of 80.1%. However, the annual change from 2008/09 to 2009/10 saw a percentage decrease of 5.6% in the average cost of new dog claims. This is a significant change from the trend of the previous seven years (Figure 2), which showed an average annual increase of 11.4% in the cost of new claims.

This change is repeated in the cost of active claims. Since 2002/03 the average cost of active claims had risen 68% from \$179 to \$301 in 2009/10. However, the annual change from 2008/09 to 2009/10 saw a decrease of 16%. For active claims, the percentage change in costs 2008/09 to 2009/10 also become a decrease (15.8%). The decrease in average costs of new and active claims is shown in Figure 2.

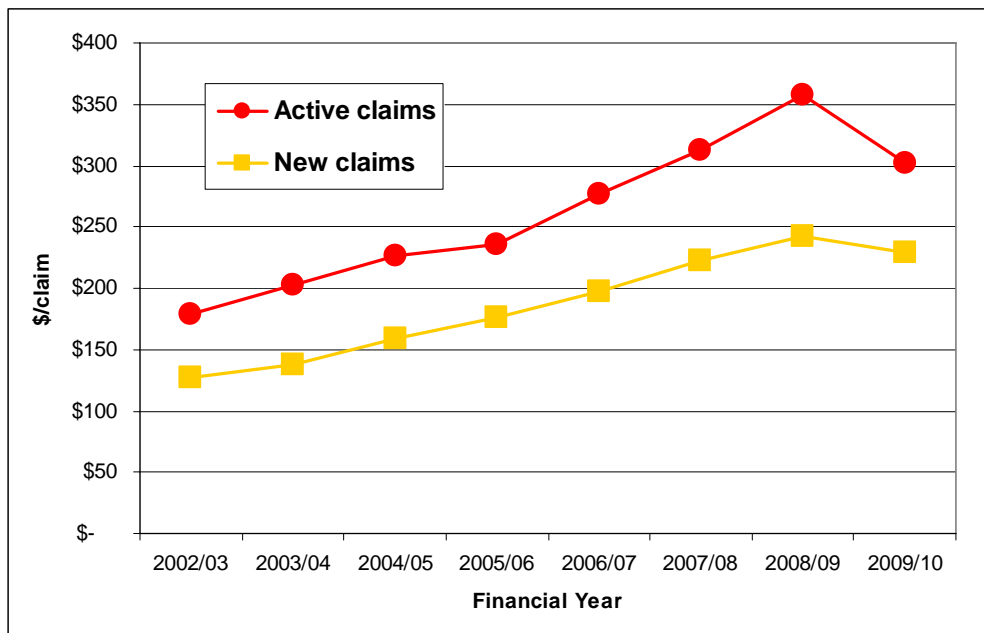


Figure 2: Average cost per claim for dog bites 2002/03 to 2009/10.

Although the cause of this drop in the cost of ACC claims is not clear, plausible explanations include a significant improvement in the cost of administering the claims, or a change in ACC policy through improved monitoring of dog bite claims to reduce ongoing cost.

By ACC Region

ACC divides its work into regions that match regional council boundaries. The Auckland Region had the highest number of new claims (3,034) and active claims

(3,307), followed by the Canterbury Region (1,414 new and 1,536 active claims). The Waikato Region has the third highest number of claims (1,013 new and 1,098 active claims). As for 2008/09, this distribution generally reflects the size of these regions in terms of population and numbers of registered dogs.

The same regions lead in terms of the total costs of new claims. However, the region with the largest cost per claim is the Southland Region with an average of nearly \$359 in medical costs and entitlements for each claim in 2009/10. Tasman District⁹ had the lowest cost per claim, with an average total cost per claim of nearly \$142. Interestingly, while the Taranaki Region had the highest average cost of new claims (\$332) in 2008/09, in 2009/10 it has the third lowest average cost of new claims (\$177).

In terms of active claims, the Auckland Region had highest total cost (\$1,048,865) of active claims. Again, the Southland Region had the highest per claim cost (\$455 for medical costs and entitlements combined). Marlborough District had the lowest total cost of claims (\$12,136), and Tasman District had the lowest per claim cost (\$145).

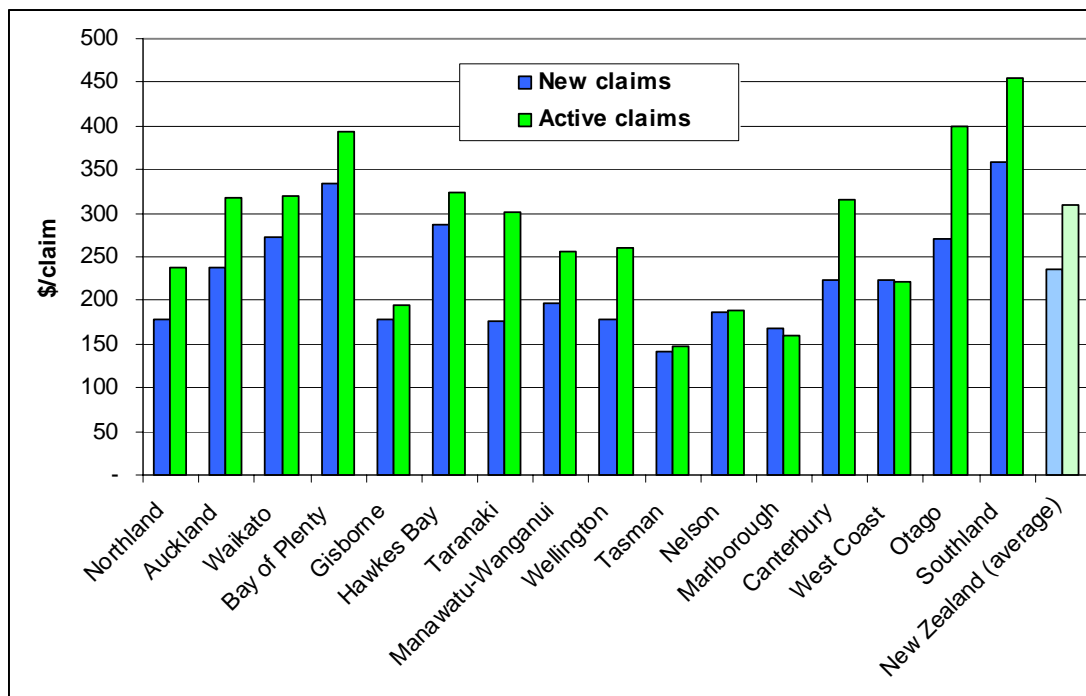


Figure 3: Average \$/claim for dog bites by region.

Overall, there was an average of 2.02 new claims and 2.19 active claims per 100 registered dogs in 2009/10 (Figure 4). The highest rates for new and active claims were both in the Northland Region (3.55 new claims, and 3.79 active claims per 100 dogs). Southland Region had the smallest number of new (0.52 claims per 100 dogs) and active (0.57 claims per 100 dogs) claims, but as noted above it had the highest cost per claim.

⁹ The Tasman and Marlborough Districts are unitary authorities that combine the functions of territorial authorities and regional councils. While they are referred to as districts here (the name given to the council) they are also regions.

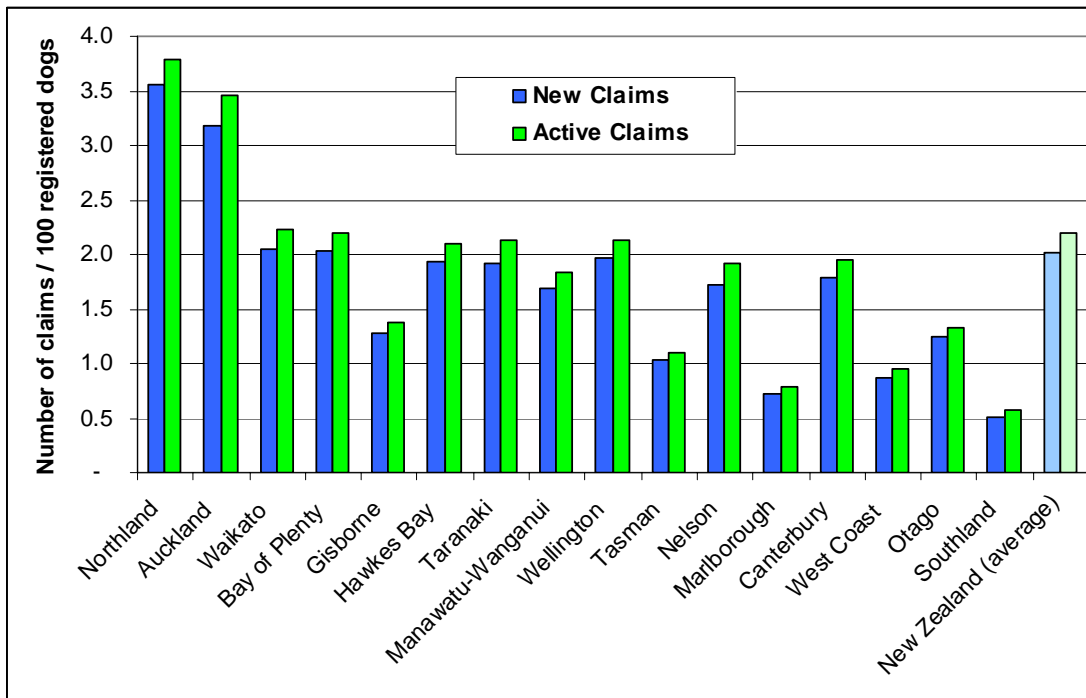
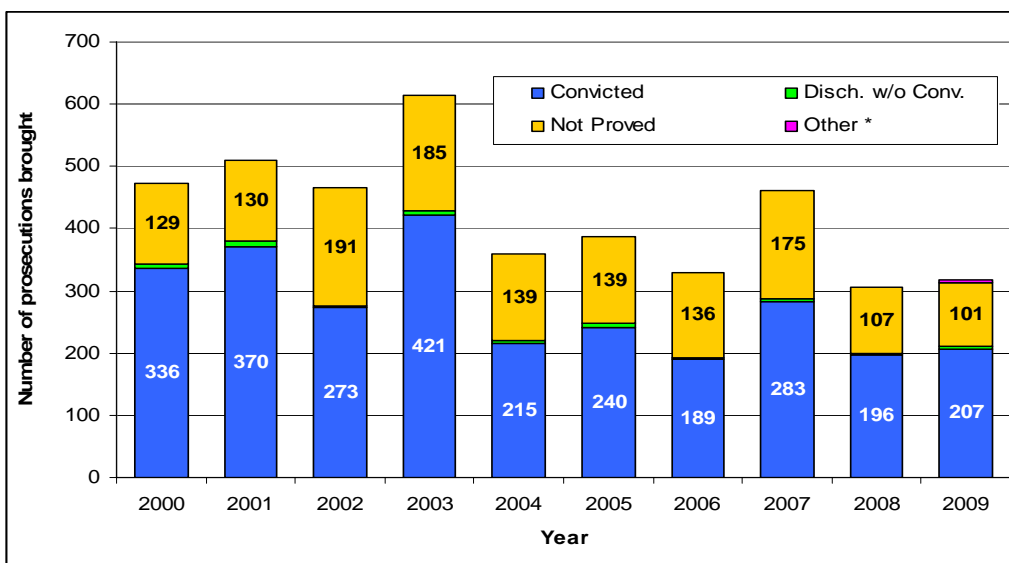


Figure 4: Number of ACC claims/100 registered dogs by region.

PROSECUTIONS UNDER THE DOG CONTROL ACT

Note the following data covers the calendar year of 1 January to 31 December 2009, *not* the financial year of 1 July 2009 to 30 June 2010.

In 2009, there were 317 prosecuted charges under the Dog Control Act. This is a 3.6% increase on 2008. Over the long term, there has been a mildly fluctuating trend towards fewer prosecutions. In 2003, there were 614 prosecutions, the highest number for the decade, and 48% more than in 2009.



Note: Actual figures only shown for 'Convicted' and 'Not Proved' categories. Other includes sentences such as Adult Diversion and Youth Court Discharge

Figure 5: Prosecutions under the Dog Control Act by outcome 2000 to 2009.

Of the 317 charges prosecuted in 2009, 207 resulted in a conviction. This was a 5.6% increase on the 196 convictions from 2008. 65% of all charges made in 2009, ended in a conviction, which is similar to the 64% from 2008.

The percentage conviction rate for prosecutions has varied between 2000 and 2009. The highest percentage was just under 73% in 2001, and the lowest was 58% in 2006. This variation makes it difficult to say there has been a steady decline over that period.

Prosecutions that were not proved accounted for 32% of the total in 2009 (35% in 2008). In actual terms, this represents a slight reduction from 107 to 101.

In 2009, the 317 prosecuted charges were brought against 179 people, which is a reduction of 15% from the 210 people who faced 306 prosecuted charges in 2008. This represents a second consecutive reduction, as between 2007 to 2008 there was a 27% decrease in the number of people prosecuted. This suggests fewer people are committing more offences.

	Outcome for person prosecuted				Total
	Conviction	Discharge without conviction	Not proved	Other	
2007	185	4	97	No data	286
2008	139	3	68	No data	210
2009	114	3	58	4	179
Total	686	11	383	--	1085

Table 9: Prosecuted person data under the Dog Control Act.

Table 10 shows the section of the Act the prosecutions were made under for the year 2009. Of all prosecutions, 51% were made under Sections 57(1) (a) and 57(2) relating to dogs attacking people or animals. This was followed by three different sections of the act with 8% each. They were Sections:

- 57A(1)(a)(i) where a dog rushes at or startles any person or animal to be harmed or endangered, or property to be damaged;
- 57A(2) for rushing at vehicles in a manner that could cause an accident;
- 52A(2)(a) and 52A(3) relating to control of a dog on an owner's property; and
- 42 – for failing to register a dog.

Area of prosecution	Convicted	Discharge without conviction	Adult Diversion/ Youth Court discharge	Not Proved	Total
<i>Dog Control Act 1996</i>	8	0	0	3	11
<i>Dog Control Act 1996 Section 32 62</i>	8	0	0	6	14
<i>Dog Control Act 1996 Section 41</i>	20	0	0	4	24
<i>Dog Control Act 1996 Section 42</i>	0	0	0	1	1
<i>Dog Control Act 1996 Section 46 51</i>	0	0	0	1	1
<i>Dog Control Act 1996 Section 54(1)(A)(B) & 54(2)</i>	1	0	0	3	4
<i>Dog Control Act 1996 Section 58</i>	21	0	0	10	31
<i>Dog Control Act 1996 Section 72</i>	<i>No charges brought</i>				
<i>Dog Control Act 1996 Section 19(1)(b), (2), 19(A)</i>	5	0	0	3	8
<i>Dog Control Act 1996 Section 52A(2)(a), (3)</i>	14	0	1	10	25
<i>Dog Control Act 1996 Section 57(1)(a), (2)</i>	103	4	4	50	161
<i>Dog Control Act 1996 Section 57A(1)(a)(i), (2)</i>	18	0	0	6	24
<i>Dog Control Act 1996 Section 32E(1)(a)</i>	<i>No charges brought</i>				
<i>Dog Control Act 1996 Section 33EC(1)</i>	5	0	0	2	7
<i>Dog Control Act 1996 Section 36A(6)</i>	1	0	0	0	1
<i>Dog Control Act 1996 Section 52(2)(a) or (b)</i>	3	0	0	2	5
Total	207	4	5	101	317

Table 10: 2009 prosecutions by section of the Dog Control Act.

Any person in New Zealand can bring a criminal prosecution to the courts. However most criminal prosecutions are brought by government agencies, or agencies acting for the government. In the case of the Dog Control Act, most prosecutions are brought by councils (or their dedicated animal/dog control units). The Police also bring prosecutions, as does the Society for the Prevention of Cruelty against Animals (SPCA).

In 2009, the 317 prosecuted charges under the Act were brought by 36 different agencies. Manukau City had the largest number of prosecutions with 72 (23% of all prosecutions). Although this is high, the trend over time for Manukau City has been for reducing numbers of prosecutions, and the 2009 figure is 36% down from the 2008 year (which was down a further 40% from 2007). Manukau City was followed by the NZ Police with 48 prosecutions (covering the whole country), Auckland City Dog Control, with 34 prosecutions, and the Kapiti Coast District with 27 prosecutions.

Not surprisingly, of the 317 prosecuted charges in 2009, 75 (24%) were brought to Manukau District Court. Of the 35 other courts where charges were brought, 38 (12%) were heard in the Auckland District Court, followed by the Levin District Court with 28 cases (9%).

Sentencing

Table 11 shows that in 2009, 63% (130) of all successful prosecutions resulted in a monetary sentence (fine). The next most common sentence was discharge with a conviction – 54 sentences (26%).

Offence and sentence type		Total
Failing To Register Dog	Discharge	9
	Monetary	11
Fails To Care/Provide For Dog	Monetary	1
Failure To Comply With Effects Of Classification Of Dog As Menacing Dog	Discharge	5
Failure To Control Dog - Wandering	Discharge	2
	Monetary	1
Failure To Implant Microchip Transponder In Dog	Discharge	1
Obstructs/Fails To Comply Dog Control Officer	Deferment	1
	Discharge	2
	Monetary	2
Other Offences Re Dog Control Act 1996	Monetary	8
Owner Fails To Control Dog	Discharge	6
	Monetary	8
Owns Dog Attacks Person/Stock	Community work	3
	Discharge	21
	Monetary	79
Owns Dog Which Causes Injury/Death	Community Detention	1
	Community work	8
	Home Detention, other	8
	Monetary	4
Owns Dog Which Rushes Person/Stock	Community work	2
	Discharge	4
	Monetary	12
Owns/Allows Dangerous Dog Unmuzzled	Discharge	4
	Monetary	4
Total	Community Detention	1
	Community work	13
	Deferment	1
	Discharge	54
	Home Detention, other	8
	Monetary	130

Table 11: Sentencing outcomes by offence by month.

Dog destruction

Thirty-six dog destruction orders were issued in 2009. This was down from 56 orders issued in 2008, and 60 in 2007. The majority (26) of dog destruction orders were issued under Section 57 where a dog has attacked an animal or person. Only two orders were issued under Section 58, where a dog has caused serious injury.

Dog Control Act Section	2007	2008	2009
Dog Control Act 1996	1	4	3
Section 42	0	0	1
Section 32 62	2	2	0
Section 58	4.2	6	2
Section 52A(2)(a), (3)	1	1	3
Section 57(1)(a), (2)	45	42	26
Section 57A(1)(a)(i), (2)	5	0	1
Section 33EC(1)	1.8	0	0
Section 36A(6)	0	1	0
Total	60	56	36

Table 12: Number of dog destruction orders issued (by offence code).

In 2009, 22 courts issued dog destruction orders. As in 2008 the Hastings District Court issued the most orders (6), with the second highest number of orders issued by the Levin District Court (4). The remaining 20 courts only issued one or two destruction orders. This includes the Manukau District Court which actually heard the largest number of Dog Control Act cases.

Concluding remarks

This report has been prepared by the Research and Evaluation Services Unit (of the Department Internal Affairs) using the available data sources. Appendix B contains a discussion on the data quality and gives some recommendations for change and relate only to data from the NDD. Some of the difficulty relates to the fact that NDD is an aggregation of the systems and processes of individual councils. Some standardisation could assist in this case. At present it is difficult to identify or analyse trends. Further work may be needed to improve data quality, depending on the intended use of the NDD in the future.

Appendix A – Schedule 1 infringement offences and fees

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

Appendix B – Observations on NDD Data Quality

The National Dogs Database (NDD) is a system that combines the data of the local dog control databases maintained by the 73 territorial authorities (local councils) of New Zealand. The quality of the data stored in the NDD is therefore dependent on the quality of the data stored by the territorial authorities, and on the skill and timeliness of those same territorial authorities in uploading the data to the NDD.

Not all territorial authorities appear to be able to consistently add their data to the NDD. In December 2010 five councils were offline from the NDD as they underwent maintenance, upgraded their systems, changed their suppliers, or attempted to correct technical problems. These offline councils do not directly affect the analysis presented in this report, because the analysis is based on data from the NDD drawn on May 2010. This does illustrate the potential for there to be issues with data quality. This type of situation is common when administrative data is spread across a number of entities.

Further issues that may also affect the data are related to the time some councils have taken to start using the NDD and to build their own records. Councils that are offline from the NDD do not have their data updated, and some councils that are online appear to only sporadically update their records due to technical reasons or workflow issues. Major changes may therefore occur when an offline council, or one with a “sporadic” pattern of updating, re-connects to the NDD.

Much of the data in the NDD is also subject to change over the course of the year – especially data relating to dog registrations. This is because the dog registration year “resets” every July. Registrations therefore steadily rise from a low base in July to what should be their maximum for the year at the end of June. However, for this year (2009/2010), technical difficulties meant that the monthly file that summarises the total number of dog registrations was not produced in June 2010. It is therefore not possible to see the total number of registrations at close to the end of the registration year. Data files for the month of May 2010 have been used as the basis for the analysis presented in this report.

This may not be as much of a problem as it first appears though, as analysis in last year’s (2008/09) Dog Safety and Control Report shows that there was an unexpected drop in the number of registered dogs from May 2009 to June 2009. However because of the technical difficulties it is not possible to ascertain if this trends was repeated for 2009/10. Currently, there is no confirmed explanation for this unexpected change in registrations. Theories postulated by the company contracted to supply and maintain the NDD include:

- dog owners may start registering their dogs “early” for the new registration, effectively “withdrawing” the dog from the current registration year; and
- territorial authorities send through “temporary” or “placeholder” information in anticipation of the new registration year that does not include explicit data on the registration year.

In September 2009 an important technical problem with the summary reports was discovered and fixed. The classified owners and infringement summary reports had an error in the report query (the command that generates the reports from the NDD). This meant owners with more than one address two addresses were counted more than once. This error was corrected in September 2009. The correction showed that the prior report had significant errors in terms of:

- Total classified owners went from 300 in August 2009 to 161 in September 2009; and
- Total infringements went from 41,285 in August 2009 to 24,398 in September 2009.

The change in these figures is significant and suggests that any data from the summary reports for classified owners and infringements prior to September 2009 was wrong. For this reason, this report made no 12 month comparisons for classified owners or infringements.

Possible solutions

Currently, the NDD does not provide data in a form that facilitates detailed statistical analysis over a time series. Suggestions for improving this situation include:

- *Regularly generating the files at the same time* – such as on the last working day of a month.
- *Generating the files from a copy of the database that is “frozen in time.”* - this will mean all the data is consistent across the summary files.
- *Have all councils listed in all datafiles* – regardless of whether the council has any data.
- *Present missing data clearly* - currently it is not clear why council data may not appear in a file. There should be different entries in a file meaning zero and no data, and it should be made clear what the entries mean.
- *Clearly identify old council data.*