National strategy to reduce the risk and harm of dog attacks

Proposal

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

Executive summary

2. Dogs play a valuable role in New Zealand society as pets, companions, assistance for independent living, and as contributors to our economy. Though I recognise the benefits of dog ownership, I am deeply concerned about data which indicates an increasing number of dog attacks across the country.

3. Our most vulnerable are more likely to be the victims of dog attacks. Accident Compensation Corporation (ACC) data shows that children are disproportionately represented in dog-related injury claims. Dog attacks are also more likely to happen in the home, which should be the safest place of all. Dog attacks create costs for society, for the health system and for councils. Most importantly, there are immeasurable costs associated with the trauma suffered by dog attack victims, their families and their wider community.

4. While I acknowledge that the majority of dog owners in New Zealand are responsible, I consider it is time to take decisive action against the small number of irresponsible dog owners who are causing so much harm. With this in mind, I am seeking Cabinet’s approval of a national strategy to reduce the risk and harm of serious dog attacks.

5. I have heard from a range of stakeholders and the public, and have considered many options for change. The strategy I am proposing represents the ideas that will make the most difference in terms of reducing the risk and harm of attacks, but impose the smallest burden on responsible dog owners.

6. Although I am outlining the overall strategy now, details of the policy decisions will be split into two separate papers. I have separated the details of the proposals to allow further consultation with the local government sector to ensure a proposed licensing system can operate effectively, and ensure that territorial authorities have the right enforcement tools to carry out their responsibilities under the Dog Control Act 1996.

7. I am seeking Cabinet agreement to the first tranche of proposals in this paper, which includes details for:

Legislative proposals

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

7.6 An immediate nationwide programme to increase the uptake of neutering by owners of high-risk menacing dogs. This will reduce the risk of dog attacks in advance of the high-risk summer period when attacks are most likely to occur. Although the costs for the neutering programme would be borne by central government, I will be signalling to local government that this commitment should be part of a wider partnership between central and local government to further encourage measures, such as registration and microchipping, to control high-risk menacing dogs. I am seeking Cabinet’s agreement to provide expenditure in 2016/17 of $0.850 million to fund the neutering of high-risk menacing dogs;

7.7 An education campaign to drive a much-needed cultural shift towards responsible dog ownership and general understanding of dog behaviour and safety around dogs to be completed over the 2017 to 2018 calendar years. I will provide further detail of this proposal as part of a report back in November 2016; and

7.8 A review and improvement of best practice guidance to enhance council delivery of dog control services. This would be done in collaboration with the local government sector to ensure councils have the knowledge and skills they need to carry out their functions.

8. I intend to return to Cabinet in November 2016 with details on a second tranche of proposals, which are:

   8.1 Introducing a licensing system for owners of classified dogs (legislative change to be included in the proposed bill);

   8.2 Adjusting the current infringement regime to allow councils to take greater punitive action against irresponsible owners (legislative change to be included in the proposed bill); and

   8.3 Improving the quality of data about dog attacks (likely non-legislative change).

9. I am seeking Cabinet agreement to the first tranche of proposals in order to allow Parliamentary Counsel Office (PCO) to begin drafting immediately. A paper in November will provide final details of the proposals in paragraph 8 to allow PCO to finalise drafting of the bill. I anticipate the draft bill will be ready for introduction into the House from February 2017. Because I have already undertaken widespread engagement and gauged overall support for the proposals, Select Committee consideration can likely be shortened.

10. My nationwide engagement so far has revealed one common trend: there is strong public support for the Government to take action to reduce dog attacks in New Zealand.

Background

Dog ownership is regulated through legislation administered by territorial authorities

11. The Dog Control Act 1996 (the Act), together with the Animal Welfare Act 1999, recognises and respects the inherent value of dogs. At the same time, the Act aims to protect the fundamental rights of people and animals to be safe from harm and free from the nuisances that dogs may cause.
12. The Act was introduced following review of dog control in the mid-1990s, which found that a serious dog control problem existed in New Zealand. Territorial authorities implement the Act with the support of their communities.

13. The current dog control regime sets out obligations for dog owners to meet the welfare needs of their dog; keep their dog under control at all times; register and microchip their dog; and ensure that their dog does not injure or threaten people or animals.

14. The Act also provides a wide range of powers and obligations for territorial authorities in relation to registration, presence of dogs in public places, seizure, impounding and disposal of dogs, infringement, prosecution and regulation of dog owners. The Act enables dog owners to appeal decisions by a territorial authority and its dog control officers and dog rangers in respect of their dog and/or ability to own a dog.

_Territorial authorities can classify individual dogs to impose greater controls on them_

15. The Act provides for the management of increased levels of risk associated with dogs and dog owners by means of classification. Classification of dogs (as menacing or dangerous) and of owners (as probationary or disqualified) allows for appropriate controls to be put in place for the protection of the community.

16. A territorial authority:
   - must classify a dog as dangerous where an owner is convicted of an offence under 57A of the Act, or where, on the basis of sworn evidence, the council believes a dog is a threat to public safety or where the owner records in writing that it is a threat to public safety;
   - must classify a dog as menacing if there are reasonable grounds to believe it belongs wholly or predominantly to one or more of the breeds or types of dog that it is illegal to import into New Zealand (under Schedule 4 of the Act). There are four listed _breeds_ (Dogo Argentino, Brazilian Fila, Japanese Tosa, Perro de Presa Canario) and one _type_ (American Pit Bull Terrier); and
   - may classify a dog as menacing if it believes the dog poses a threat to public safety because of its behaviour.

17. Dogs classified as dangerous must be kept in a fenced part of the owner’s property, must be muzzled and on a leash in public, and neutered. Dogs classified as menacing must be muzzled in public, and councils may require them to be neutered.

18. For the purposes of this paper, a ‘high-risk dog’ is defined as either:
   - a high-risk menacing dog: any dog that has been classified as menacing under the Act, including any dogs of breeds and types listed in Schedule 4 the Act, and any dog that would be classified as menacing but has not yet been classified as it is not registered; or
   - a high-risk dangerous dog: any dog that has been classified as dangerous under the Act, and any dog that would be classified as dangerous but has not yet been classified as it is not registered.

_The Act has not been substantially changed since 2003_

19. The Act was amended substantially in 2003 to improve dog control and increase public safety around dogs. The amendments introduced:
   - the ‘menacing dog’ classification;
additional enforcement powers for councils, including a power to restrict or prohibit a person from dog ownership;

- additional responsibilities for dog owners (particularly for owners of classified dogs);
- requirements to microchip dogs; and
- include a requirement for councils to report annually to the Secretary for Local Government.¹

20. Aside from a 2012 amendment which introduced a regime for the certification of Disability Assist Dogs and other minor amendments, the dog control regime has not been significantly changed since 2003.

The problem: data indicates serious dog attacks have not reduced

21. Despite the 2003 improvements to the regime, serious dog attacks continue to occur. Ministry of Health data shows the number of dog bite patients discharged from hospital per year has increased by 58 per cent, from 457 in 2005 to 724 in 2015. The number of active ACC claims for dog-related injuries also continues to steadily increase, from 10,196 in 2006 to 12,695 in 2015. The average cost of these claims in 2015 was $407 per claim. However, this figure is skewed by the large number of minor dog-related injuries. What I am interested in addressing is the most serious dog attacks that require rehabilitative treatment over multiple years. ACC has noted that from 2011 to 2015, the average total cost for the top five most expensive dog-related claims was $252,923.

22. Our children are more likely to be victims of dog attacks. Data from the University of Otago Injury Prevention Unit about dog-related incidents shows that almost 30 per cent of patients from 2000 to 2014 were children under the age of ten. Plastic surgeons confirm that children are more vulnerable to serious injuries due to their size when compared to an average-sized dog.

23. ACC data shows almost 60 per cent of dog-related injury claims were for incidents that occurred at home, and over 10 per cent occurred on a street or highway. The risk of attack can interfere with an individual’s sense of safety at home and sense of freedom in public.

There are also problems with the current dog control regime

24. There are a number of areas in the current regulatory framework for dog control that present challenges to understanding and controlling the current population of dogs:

- New Zealand has a large number of unregistered dogs, and those unregistered dogs are over-represented in impounds and attacks. This alone makes it difficult to place controls on dogs that require them;

¹ Cabinet recently agreed to amend this reporting requirement by way of a local government omnibus bill. The change will require councils to publish their annual dog control reports on their websites, instead of reporting to the Secretary for Local Government [CAB-16-MIN-0338 refers].
purebred American Pit-Bull Terrier dogs represent around 0.04 percent of the total registered dog population, but pit-bull type dogs make up a disproportionately high number of impounded dogs. In South Auckland alone, pit-bull type dogs (including pit-bull cross breeds) made up 37 per cent of impounded dogs in 2014/15;

- there are issues with classifying dogs as menacing based on breed or type, with significant variation in how councils determine a dog to be menacing; and

- all dogs have the potential to attack. Conflicting messages about correct socialisation of dogs and managing dog behaviour, from councils, breeders, trainers, veterinarians, pet shops, animal welfare and rescue organisations and other interested parties, creates confusion among dog owners and members of the public and increases the potential for non-compliance.

25. These issues increase the latent risk for dog attacks and serious harm to occur. It is difficult for a council to control a dog population that it cannot easily locate or accurately quantify. The potential overrepresentation of high-risk dogs in the unregistered dog population creates a barrier to preventing the most serious dog attacks. Additionally, with incomplete knowledge about the dog population, it is challenging to develop interventions that will be effective in reducing the risk and harm of dog attacks.

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

26. I have engaged with Mayors, local authorities and interested organisations such as Local Government New Zealand, the New Zealand Veterinary Association, Federated Farmers of New Zealand, the Royal New Zealand Society for the Prevention of Cruelty to Animals and numerous other groups. I have also personally spoken with victims of dog attacks, animal control officers, dog behaviour experts and others with first-hand experience of dog control issues.

27. Public concern about dog attacks was highlighted in the overwhelming response to the online survey I launched in August this year about reducing dog attacks. The survey attracted over 3000 responses in the two-week period. Respondents consistently identified irresponsible dog owners and poor education about dog behaviour as the two biggest contributing factors to dog attacks. This feedback has shaped policy development and informed my final proposed approach.

28. Although I acknowledge that dog ownership has many benefits, the present risk of a person or animal being subject to a dog attack, and the level of harm caused by serious dog attacks, is unacceptable to New Zealanders.

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

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

Note the American Pit Bull Terrier type is listed under Schedule 4 of the Act, which bans them from importation and requires territorial authorities to classify them as menacing.
30. However, I acknowledge that legislative change alone will not be sufficient to achieve these goals. I therefore also propose three additional supporting measures:

- an immediate nationwide programme of neutering for all high-risk menacing dogs, with the costs borne by central government;
- an education campaign to promote a cultural shift towards responsible dog ownership and safety around dogs to take place in 2017 and 2018; and
- best practice guidance to assist councils in their delivery of dog control services nationwide, to be produced in collaboration with Local Government New Zealand.

31. Together, I anticipate that my proposals will see an initial increase in the number of classified dogs as more dogs will be identified and classified, but there will be an eventual decrease in the numbers of those dogs in the population.

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

32. Although I am seeking Cabinet approval of the overall strategy now, details of the policy decisions will be split into two separate papers. I have separated the details of the proposals to allow further consultation with the local government sector to ensure a proposed licensing system can operate effectively, and ensure that territorial authorities have the right enforcement tools to carry out their responsibilities under the Act.

33. My proposed legislative changes are:

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

34. Details of the proposals are provided below.

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

35. Approximately two-thirds of councils currently require dogs that have been classified as menacing to be neutered. Where such a policy is adopted, a non-compliant owner can be fined (upon conviction) and the territorial authority can seize the dog and retain it until the owner is willing to comply, or dispose of the dog.

36. I propose that all dogs classified as menacing be neutered, and the discretion for councils to adopt varying policies on the matter be removed from the Act. Dogs will be required to be neutered at the point of classification.

37. According to veterinarians and dog behaviour specialists, neutering is linked to lower aggression in individual dogs. In the short term, neutering may aid improvement in the behaviour of the individual animal. Over the longer term, there would be a smaller pool of unneutered dogs belonging to the breeds and types listed on Schedule 4 of the Act. There would also be fewer dogs inheriting menacing behavioural traits.

38. This proposal will be supported by the temporary nationwide subsidy of neutering fees for high-risk menacing dogs (discussed below under non-legislative measures).
IN CONFIDENCE

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

39. Under section 32(1)(a), owners of dogs that have been classified as dangerous are required to keep their dog within a securely fenced portion of their property that it is not necessary to enter to obtain access to at least one door of any dwelling on the property.

40. I propose to amend the Act to extend the requirement to owners of dogs classified as menacing. At the point of classification, councils would have to inspect the property to determine compliance, and the dog would not be returned to the owner until they were compliant. Owners of dogs classified as menacing that do not meet these obligations would have their menacing dog seized.

41. This will reduce encounters between visitors and classified dogs on private property, where ACC data shows 60 per cent of all dog-related injuries occur. Additionally, it will reduce the likelihood that those dogs will roam/run off from the property when provoked, and prevent them from becoming agitated from other containment methods, such as chaining.

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

42. Similar to the above proposal to securely fence menacing dogs, this proposal promotes safety on private properties. The owner would be required to pay the council for the sign, which would carry a warning and display the dog’s classification.

43. My conversations with victims of dog attacks revealed that people often do not know when they may be entering a high-risk situation. This type of visual warning will allow visitors to be informed of the potential risk and act accordingly.

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

44. Under section 32(1)(b)(i) and section 33E(1)(a), owners of dogs classified as dangerous or menacing must not allow their dog to be at large in any public place or private way without being muzzled.

45. I propose a requirement for dogs to wear collars that would identify them as menacing or dangerous dogs. Councils would issue these collars at a cost to the owner. While muzzles are an indicator that a dog may be classified as menacing or dangerous, a collar would make the classification clearer to people who may encounter the dog on private property and/or in public places. Allowing the public to visually identify high-risk dogs would enable them to tailor their interaction appropriately, reducing the likelihood of an attack. I will also consider whether stronger penalties for breaches of muzzling requirements are appropriate in the November paper.

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

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

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

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

48. To underpin the strategy, I propose a nationwide programme to neuter high-risk menacing dogs, to take effect from October 2016, running until October 2017. This will:

- ensure more high-risk menacing dogs are neutered; and
- reduce the overall supply of those dogs in the long-term.

49. A long-term overall reduction in the number of classified dogs will also support enforcement practises, as currently it can be easier to obtain a new dog rather than comply with council restrictions.

50. Allowing the programme to take effect immediately will ensure that the Government has taken direct action in advance of the high-risk summer period when dog attacks are most likely to occur\(^3\). Neutering lowers the chance of attack as it has been linked to reduced aggression and decreased roaming. It will also raise public awareness of the proposals over summer and give this work momentum.

51. Some members of the public may react negatively to the proposed requirement that all menacing dogs be neutered given the potential financial costs. The proposed temporary subsidy will mitigate that negative reaction, and provide owners of high-risk menacing dogs with a strong incentive to have their dogs neutered prior to the practice becoming mandatory.

52. Owners that come forward to have their dog neutered are also likely to, in turn, register their dog with their council. This secondary benefit of increased registration will also address one of the biggest challenges for dog control in New Zealand – preventing dog attacks by the vast numbers of unregistered dogs that are unknown to territorial authorities. Without knowledge of where potentially dangerous dogs are, territorial authorities are powerless to take preventive action and can only intervene when an attack has occurred and the damage has been done. Additionally, any regulatory measures that the Government might take can only be effective if owners have registered their dogs.

53. An increase in the number of registered and classified dogs would support the proposed measures specially targeting those groups, such as owner licensing and signage/fencing requirements, by extending the ‘reach’ of those restrictions to a greater number of owners.

54. Given the wide-ranging benefits of the neutering programme, I propose that central government provide the funding. I am therefore seeking Cabinet’s agreement to provide expenditure in 2016/17 of $0.850 million to establish the required fund. The Government will look to contract a third party to deliver the programme, procured by the Department of Internal Affairs.

\(^3\) Data from the University of Otago Injury Prevention Unit for the period 1 July 1999 to 30 June 2014
55. Although central government would provide the funding by way of a subsidy towards neutering costs, I expect that the local government sector will take the opportunity to support the initiative and get more dogs into the registration system. This could include providing similar financial incentives for other dog control services, such as registration fees and microchipping. This will essentially create a joint central and local government approach for increasing neutering and registration nationwide.

56. Auckland Council ran a similar 10-week amnesty this year with considerable success, resulting in around 1500 unregistered dogs being brought forward for registration, microchipping and neutering.

57. Overall, this programme will send a strong signal that the Government is setting clear expectations around dog ownership and will prepare the public.

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

58. Responses to my recent online engagement survey on reducing dog attacks indicated strong public support for nationwide education. The vast majority of respondents identified education about dog behaviour for dog owners and the general public as a key tool to reduce dog attacks.

59. I propose an education campaign which will be led by central government and either in partnership with, or supported by, local government, with input from non-government organisations. The campaign would begin following the passage of the legislative changes, and continue for up to 12 months, to:

- inform owners about their new responsibilities (immediately following the legislative changes); and
- promote responsible dog ownership by normalising appropriate behaviour, and improving the ability of adults and children to interact safely with dogs (long-term cultural shift).

60. Further details on this proposal will be outlined in the November paper.

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

61. While I acknowledge that irresponsible dog owners are generally the biggest contributing factor to dog attacks, territorial authorities have a key role to play in the administration of the dog control regime.

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

63. This may include guidance centred around the proposed legislative changes, and implementation of the Act more generally, such as ways to:

- increase uptake of registration, neutering, and micro-chipping;
- promote responsible dog ownership; and
- improve information-sharing and enforcement (including identifying breeds for classification as menacing).
64. I anticipate that this guidance would be launched in 2017 following the legislative changes.

**Proposals for which I will seek agreement in November 2016**

*Introducing a licensing system for owners of classified dogs will ensure they understand their obligations and meet minimum standards*

65. I propose owners of dogs classified as menacing or dangerous be required to obtain a licence. This is with a view to ensuring owners of classified dogs understand the obligations they must meet to own a classified dog.

66. Such a licensing regime could include minimum education requirements and owner testing, mandatory property inspections, and dog temperament checks. The regime could be introduced at a later date once norms around responsible dog ownership are established.

*Adjusting the current infringement regime to allow councils to take greater punitive action against irresponsible owners*

67. Councils have raised concerns with me that current enforcement tools under the Act are not suitable to deter irresponsible behaviour by dog owners. For example, the infringement offence for failing to keep a dog under control attracts a $200 fee. However this infringement is often used by councils in practise to punish owners whose dog has rushed at or attacked a person. Councils have requested a separate infringement offence for rushing and for attacks.

68. Proposed adjustments may include a regulation-making power to enable future amendments to fees to be made without amending the Act.

*Improving the quality of data about dog attacks*

69. Improving the information territorial authorities collect on dog attacks would be key for monitoring the effects of measures undertaken as part of the national strategy. Data about registered dogs, dog-related injury claims, hospital discharges for dog bites and prosecutions is readily available. However, these datasets have limitations. Additionally, we only have anecdotal information about the number of unregistered dogs and the circumstances of dog attacks such as the breed of the dog and the cause of the attack.

**Consultation**

70. This paper was prepared by the Department of Internal Affairs. The following agencies were provided draft versions of this paper for consultation: The Treasury, the Accident Compensation Corporation, the Ministries of Justice, Health, Education, Primary Industries, Pacific Peoples, Social Development, Civil Defence and Emergency Management, Business, Innovation and Employment, Te Puni Kōkiri, the Department of Conservation, the Office for Disability Issues, New Zealand Police, New Zealand Customs Service and Housing New Zealand Corporation. The Department of the Prime Minister and Cabinet has been informed.
71. In the preparation of the proposed strategy, a wide range of external stakeholders were also consulted, including the Society of Local Government Managers and Local Government New Zealand, Auckland Council, the New Zealand Institute of Animal Management (previously known as the New Zealand Institute of Animal Control Officers), the New Zealand Association of Plastic Surgeons, the New Zealand Kennel Club, Federated Farmers of New Zealand, Rural Women New Zealand, the Veterinary Council of New Zealand, dog behaviour experts, TradeMe, and the Royal New Zealand Society for the Prevention of Cruelty to Animals.

72. I have personally met with victims of dog attacks, farmers and other members of the rural community and animal control officers. Additionally, an online engagement survey was used to capture the sentiment of the general public about areas for improvement to the dog control regime. The two-week survey period resulted in over 3000 responses.

73. The Minister of Local Government has agreed to the submission of this paper in accordance with the delegation to the Associate Minister of Local Government on matters relating to dog control.

Financial implications

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

Human rights, gender and disability perspective

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

Legislative implications

78. I seek agreement to implement the policy proposals in this paper in a bill to amend the Dog Control Act 1996. I am seeking approval to include such a bill on the 2016 Legislative Programme.

79. I also seek authority to issue drafting instructions for that bill, and to make any adjustments to policy decisions consistent with the overall policy intent that are revealed to be necessary during the drafting process.

80. I also intend to develop further policy proposals for inclusion in the bill by November 2016.
IN CONFIDENCE

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

Regulatory impact analysis

82. The regulatory impact analysis requirements apply to the proposals outlined in this paper. The Chair of the Department’s Regulatory Impact Analysis Panel has reviewed the regulatory impact statement (RIS) prepared by the Department and considers that the information and analysis summarised in the RIS partially meets the quality assurance criteria. The Chair considers that although the RIS is comprehensive and contains a robust analysis, options cannot be fully assessed due to a lack of reliable evidence.

83. I note the Chair’s comments around the lack of reliable evidence. I intend to look into ways to better collect information on dog attacks, including information about the nature of individual instances in the November paper (as described at paragraph 69).

Publicity

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

Recommendations

85. The Associate Minister of Local Government recommends that the Cabinet Economic Growth and Infrastructure Committee:

1. note that the central objective of dog control policy in New Zealand is to strike an appropriate balance between the advantages to individuals and communities of dog ownership and the protection of individuals and communities from dog attacks;

2. note that the Associate Minister considers that the current settings of the Dog Control Act 1996 do not maximise the ability to achieve both these objectives to the extent possible;

3. note the Associate Minister’s proposal to progress a national strategy comprising of both legislative and non-legislative measures to reduce the risk and harm of dog attacks in New Zealand;

Legislative measures

4. agree to include a Dog Control Amendment Bill on the 2016 Legislation Programme with a category 6 (drafting instructions to be issued to Parliamentary Counsel in 2016);

5. note that:
   5.1 it is expected that the Bill will be introduced in February 2017;
   5.2 the Associate Minister of Local Government will seek a category 3 priority on the 2017 Legislation Programme (to be passed in 2017 if possible) at the appropriate time;
6. agree that the bill would:
   6.1 require all dogs classified as menacing to be neutered;
   6.2 require dogs classified as menacing to be securely fenced within private property;
   6.3 require mandatory signage on properties with menacing and dangerous dogs;
   6.4 require dogs classified as menacing and dangerous to wear identification collars;
   6.5 prohibit the re-homing of menacing and dangerous dogs;
7. invite the Associate Minister to issue drafting instructions to the Parliamentary Counsel Office in accordance with recommendations 6.1-6.5 above;
8. authorise the Associate Minister to make decisions on any subsequent minor issues arising from legislative drafting that align with the overall policy intent;

Non-legislative measures

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

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<th>Category</th>
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<td>Expenses</td>
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<td>Negotiate contracts</td>
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<td>Profit</td>
<td>Improve</td>
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<td>Cash Flow</td>
<td>Manage</td>
<td>Implement budgeting</td>
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### Additional Notes

- Consider investments in technology for efficiency gains.
- Explore market trends for potential growth opportunities.
- Regularly review financial forecasts for accuracy.
Further details on proposals for consideration in November 2016

20. note that the Associate Minister intends to report back to the Economic Growth and Infrastructure Committee in November 2016 with further details on proposals to:
   20.1 introduce a licensing system for owners of classified dogs;
   20.2 adjust the current infringement regime to allow councils to take greater punitive action against irresponsible owners;
   20.3 improve the quality of data about dog attacks;

21. note that the Department and other government agencies will work with the local government sector to develop a proposal, to be considered by the Economic Growth and Infrastructure Committee in November 2016, for nationwide public education campaigns in 2017 and 2018 on:
   21.1 socially-responsible dog ownership, including new owner requirements based on the proposed legislative changes;
   21.2 dog behaviour and interacting safely with dogs;

Next steps

22. agree that the Associate Minister will announce the national strategy and Cabinet’s decisions at the annual conference of the New Zealand Institute of Animal Management on 22 September 2016, and issue a media release shortly thereafter; and

23. agree to the proactive release this Cabinet paper together with the related Minutes, on the Department’s website.

Authorised for lodgement
Hon Louise Upston
Associate Minister of Local Government
Appendix A: Proposed dog control strategy containing package of amendments

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<tr>
<th>National strategy for reducing the risk and harm of serious dog attacks</th>
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<tr>
<td><strong>2016</strong></td>
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<tr>
<td><strong>Proposed bill to reduce the risk and harm associated with serious dog attacks</strong></td>
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<tr>
<td>Considered in current paper</td>
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<tr>
<td>• Mandatory neutering of menacing dogs</td>
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<td>• Requirement for high-risk dogs to be securely fenced</td>
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<td>• Mandatory signage on properties containing high-risk dogs</td>
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<td>• Requirement for high-risk dogs to wear identification collars</td>
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<tr>
<td>• Prohibiting re-homing of classified dogs</td>
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<td><strong>To be considered in November paper</strong></td>
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<tr>
<td>• Licensing regime for owners of high-risk dogs</td>
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<tr>
<td>• Adjustments to the current infringement regime</td>
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<tr>
<td>• Improving the quality of data about dog attacks (likely non-legislative change)</td>
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<tr>
<td><strong>Launch of nationwide subsidy of neutering fees for high-risk menacing dogs (funded by central government)</strong></td>
</tr>
</tbody>
</table>

**Stream 1: Central-led**
- Preparation of best practice guidance, may include:
  - increasing uptake of registration, neutering, and micro-chipping
  - promotion of responsible dog ownership
  - information-sharing and enforcement (including breed identification)

**Stream 2: Local-led**
- Launch of best practice guidance

**Stream 3: Central, Local & NGO**
- Development of educational campaigns around:
  - socially responsible dog ownership
  - dog behaviour and safety around dogs
  - new owner responsibilities under proposed changes

**Launch of national education campaign**