The Secretary,
Economy and Infrastructure Committee,
Legislative Council Parliament House,
Spring Street,
Melbourne VIC 3002,

Dear Mr Baker,

Re: Inquiry into the Legislative and Regulatory Framework Relating to Restricted Breed Dogs

I write to detail the views of council staff on the current enquiries from the Economy and Infrastructure Committee of the Legislative Council of Victoria regarding the inquiry into the legislative and regulatory framework governing restricted breed dogs.

Firstly, we commend Economy and Infrastructure Committee for providing this opportunity and hope that any issues brought forward are seriously considered and adopted. Recent court cases have highlighted the likely costs involved in this issue and thus it is important the possible inherent costs should not be placed on local government.

Some specifics, we support:–

- the view that any dog involved in a serious attack should be able to be declared a dangerous dog;
- that the existing four “restricted breed dogs” excluding the American pit bull be kept as a restricted breed and that Australian customs staff be directed to put great efforts into preventing their arrival into Australia,
- that the law supports those councils that take a firm stance on dog control;
- that delays and appeal processes be condensed as the welfare of the animal suffers over protracted periods and is detrimental to it’s mental health;
- that costs be borne by the state government in periods of delay, as is currently the case;
- that “deed” rather than “breed” be the main determining factor, and
- that people safety is paramount.

To directly respond to questions listed:

1. Does your Council maintain statistics on dog attacks, and if so, what information is gathered?
Response - All attacks registered with council are documented, counted and reported annually to council.
2. What information does the Council maintain on the presence of restricted breed dogs in the Council’s Jurisdiction?
Response - Any known restricted breed dogs are listed on our records. (only one dog and it is also on the VDDRR)

3. Are statistics published in any form?
Response - Annual report to council

4. What records are kept of compliance or non-compliance with regulations related to the management of dogs, either restricted breed or otherwise?
Response - Annual inspection undertaken by rangers and notes kept on file

5. Can you provide the committee statistics related to dog attacks and compliance with regulations relating to dog management for the past five years?
Response - We are able to obtain them if required.

6. What staff training is provided in relation to restricted breed dogs and the management of dogs generally?
Response - Both rangers have a certificate 4 in animal management and both have undertaken dog behavioural and identification courses provided by DPI.

7. What is your Council's attitude to regulation by breed as opposed to regulation by deed? In other words, do you consider it appropriate that action is taken against dogs and their owners because of the breed of the dog as opposed to the behaviour of the dog?
Response - There should be restrictions on bringing (and keeping) certain dogs, breed and known for their fighting capabilities at a national level. However with the difficulties being experienced regarding determining the breed type eg Staffy cross rather than American pit bull, does mean that “deed” specific legislation is also warranted.

8. Does the council consider there is any risk of the current regulations related to restricted breed dogs discouraging the identification of such dogs, leading to an increase in the number of unregistered animals?
Response - That is possible, we believe there are small numbers of unregistered dogs being restricted breeds. Thus some pet owners of dogs likely to be restricted breeds, register their pets as a cross and avoid the implications.

9. What are the key concerns the Council has about the current regulatory framework?
Response - Our key concerns are the appeal process and legal argument. The “standards” descriptors are useful and we believe, workable. However, they are very often challenged and the courts/VCAT have too often taken a precautionary stance and thus court time and costs have escalated unreasonably.

10. Does your Council provide responsible dog ownership program is of any kind, and if so, what are they?
Response - Council newsletters regularly espouse good responsible pet ownership handy hints, advice, referral to RSPCA websites, together with infrastructure to support good habits, eg a fenced dog exercise park and dog litter bags along all walking tracks (some 42 kms).

We further note that due to the proximity of the state border, some anomalies will remain, unless further works/collaboration is undertaken with NSW agencies. Accordingly, a national approach would be beneficial in this instance.