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Responsible Ownership the Best Answer for Dog Attacks

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Mr MORRIS (Mornington) — Dogs are a central part of the life of many Australian families, and indeed many Australian couples and individuals as well, whether we are talking about family pets, companion animals or working dogs — working dogs in the sense of cattle dogs, sheep dogs, perhaps dogs employed in public agencies, personal assistance dogs, police dogs, Customs dogs and all those sorts of things, guide dogs, as the member for Forest Hill mentioned, and perhaps guard dogs of a particular breed are perhaps closer to what we are talking about this evening. As I say, dogs are a central fixture in the lives of many Australians.

I should note that I have no interest to declare in this matter, because unfortunately I do not own a dog, although over the years I have owned many. One of the challenges of the lives we all lead is that many of us do not have the hours available to act as responsible dog owners and commit time to our pets that we would need to.

Not only do dogs fill an almost infinite variety of roles in modern Australian life, but they come in equally numerous shapes, sizes and temperaments. Whether you are talking about anything from a lap dog all the way up to a large dog, you have a huge disparity.

Unfortunately there are also dogs that are bred, as I said earlier, as attack dogs or guard dogs, and while all dogs require and receive some regulation, the more aggressive breeds, because of their natures and their temperaments, obviously require special consideration. That is essentially what is involved in the amendments proposed by the government to the Domestic Animals Act 1994.

The changes proposed amend the registration arrangements for restricted breed dogs. They allow VCAT (Victorian Civil and Administrative Tribunal) review of the declaration of restricted breed dogs.

I make the observation in passing that it is interesting that VCAT is given this role. When you think back to its forebear, the Administrative Appeals Tribunal, or even VCAT in its early incarnations, it was very much an appeal body. VCAT now seems to be effectively an administrative body as well. I am not

sure that that is a particularly good development, but I simply make that observation in passing.

The bill will also abolish review panels, make some changes to penalties, make some changes to destruction powers and make variations to some of the definitions, including inserting additional definitions and indeed some substantial variations to the definitions.

One of the ironies of this bill is that despite its title, the Domestic Animals Amendment (Dangerous Dogs) Bill of 2010, if the Parliament agrees to it, this legislation will be upping the registration fee for cats — at least upping by a dollar the proportion of each registration fee that goes to the Treasurer. The funds that go to the Treasurer are payments intended to subsidise the activities of the department, the DPI (Department of Primary Industries).

Whether we are dealing with dangerous cats I am not so sure. They are probably not so much dangerous to human beings as they are to native Australian fauna.

Many people have the view that anyone who loves and cares for dogs cannot be all bad. Unfortunately that does not always hold true. I recall from a former life as a councillor of the Mornington Peninsula Shire, probably in the late 1980s, that we had what appeared at the time to be an epidemic of dog attacks. It was not an epidemic but it was certainly a string of incidents in which quite some harm was done. It occurred simply because people had forgotten that as dog owners they had a responsibility to keep their pets restrained on their properties to prevent them from roaming at large, and if the dogs were out on the streets to keep them under effective control. In those days effective control included voice control and there was no reference to 'chain, cord or leash' in the Act as there is now.

Nevertheless, many dog owners, probably because the laws had not been enforced as well as they could have been, had forgotten they had those responsibilities. A modest increase in the enforcement effort soon dealt with the problem. Like many similar issues it was more about the culture, about modifying behaviour, than necessarily coming down hard.

While we solved that problem reasonably quickly without too much expense, activity in this area is very much dependent upon the attitude and commitment of the local government concerned to the administration of the act.

While all councils are required to submit a domestic animal management plan to the secretary of DPI, to review the plan annually and publish the evaluation of its implementation in their annual report, there is no obligation, as far as I am aware — if there is I would certainly be interested to learn the details — to actually report the number of dog attacks that occur in each municipality.

There is also no opportunity to consolidate the figures and compare the performance of councils in this area, whether relative to the animal population or relative to the human population. Given the requirement to evaluate the domestic animal management plans, it is probably not an overextension to report that data and make it available. I note that is a view shared by Kidsafe Victoria.

I want to acknowledge the work done by the staff of the parliamentary library, which prepared a very comprehensive research brief on the bill. One of the quotes in it came from the *Brimbank Leader*. It detailed the experience in animal management of the City of Brimbank, in particular that it had 111 reported dog attacks. I assume that was over a 12-month period, perhaps in the last 12 months. If so, that is virtually one dog attack every three days.

Coincidentally, the Mornington Peninsula Shire — for what reason I do not know — included in its domestic animal management plan some comparisons with the City of Brimbank. The estimated total number of dogs for both municipalities is virtually the same — 37 500 or thereabouts. On the peninsula 23 000 of those were registered. In Brimbank the number was considerably lower — 17 898. The number of registered declared dogs on the peninsula was 15 compared with 102 in Brimbank. The number of impoundments was quite similar — 1269 on the peninsula and 1449 in Brimbank, but then when it came to the number of dogs rehoused and the number of dogs euthanased the figures differed quite substantially. In terms of rehoused dogs there were 188 on the peninsula compared with 304 in Brimbank. The number of dogs euthanased was 212 on the peninsula and 696 in Brimbank.

Those figures indicate that although there is a common starting point there is in fact a substantial variation to the dimension of the problem that is unique to each municipality.

Nevertheless, the first step is to ensure that all, or virtually all, dogs are registered — we can see from those figures that nowhere near enough are — because the simple act of registration establishes ownership and also establishes all the obligations that go with ownership.

Until people can be encouraged by carrot and stick to take responsibility for their pets we will continue to experience problems, we will continue to have the 2000 or so dog attacks that we have in this state every year. This bill is all about sticks. I would suggest that the next step is for the state to work with local government to develop and implement appropriate carrots to encourage further responsible dog ownership.