



ACT
Government

GOVERNMENT RESPONSE

INDEPENDENT REVIEW INTO DOG MANAGEMENT IN THE ACT

Transport Canberra and City Services
Directorate

September 2018



GOVERNMENT RESPONSE

Independent Review into Dog Management in the ACT

The ACT Government commissioned an Independent Expert Review into Dog Management in the ACT. This Review has been published, alongside this Government Response to the 34 recommendations from the Review.

The Domestic Animals (Dangerous Dogs) Legislation Amendment Bill 2017 was introduced to strengthen the *Domestic Animals Act 2000* (the Act), providing stronger protections to better manage dog attacks and dangerous and potentially dangerous dogs in the ACT. It came into effect on 14 December 2017.

In progressing these legislative amendments, the ACT Government committed to an independent review into the administration of the Act and the associated regulatory environment.

In February 2018, an Independent Expert Review into the Management of Dogs in the ACT commenced. The review was undertaken by a panel of local and international experts with expertise in the fields of animal regulation, including investigations, veterinary practice and animal law.

The review looked into the operations of DAS, processes and practices around animal registration, control of dogs, dangerous dogs, impounding and seizing dogs, handing dogs back and current education and awareness strategies, with a focus on putting the ACT on a path to be an Australian and world leader in dog management.

The report acknowledges that DAS has made a concerted effort over the past 12 months to improve animal management and welfare practices, improve public amenity and keep the community safe. These efforts are to be congratulated.

The report also acknowledges that the ACT Government has the will to be the best, and should work towards developing the 'Canberra model' of dog management by working with and understanding the drivers of the Canberra community when it comes to pet ownership.

The findings and recommendations outlined in this review aim to guide DAS to further improve its practices and to assist DAS in becoming an Australian and international leader.

This document outlines the Government response to the 34 recommendations in the Expert Review.



Government Response to Independent Expert Review into Dog Management in the ACT

	Panel recommendation	Government response
1	<p>Consider suggestions provided by the panel for improving DAS standard operating procedures.</p> <p>The Panel noted that a review of DAS standard operating procedures found them to be generally robust, clear and informative.</p>	<p>Agree</p> <p>DAS Standard Operating procedures are being updated. All suggestions will be considered. A revised operating manual is currently being prepared for all DAS staff, and the panel recommendations will be considered in finalising this. This manual will be made publicly available.</p>
2	<p>Consider development of a single manual to consolidate forms and standard operating procedures relating to DAS operations and responsibilities. It is recommended that this manual be made publicly accessible to improve transparency.</p>	<p>Agree</p> <p>As per recommendation 1 a single operating manual is currently being prepared. This will be a publicly available document.</p>
3	<p>DAS should foster productive partnerships with animal welfare and management groups, law enforcement agencies and other animal professionals.</p>	<p>Agree</p> <p>This will continue to occur. DAS is currently working closely with RSPCA on reform to the Animal Welfare Act and continues to foster relationships with a range of other stakeholders.</p> <p>DAS will ‘open its doors’ later this year in a DAS Open Day designed to encourage partnerships with stakeholders and the community.</p> <p>The community will also see more information about DAS and its staff and volunteers over coming months to encourage two-way engagement and the development of partnerships. DAS already has over 100 volunteers and has established relationships with a number of agencies. DAS has held a number of recent information stalls at key events, and at locations such as pet retailers, and will continue to do this.</p>
4	<p>Grants from Non-Government Organisations and other philanthropic sources should be actively sought for specific programs to expand customer focused services and respond to issues outside of DAS budget constraints.</p>	<p>Noted</p> <p>DAS is continuing to work with key partners to explore alternate funding opportunities.</p>
5	<p>DAS should review processes to ensure they are customer service focused.</p> <p>For example, particular focus should be placed on ensuring victims of dog attacks are kept informed about the progress of investigations and the outcomes of decisions.</p>	<p>Agree</p> <p>This is currently underway. The new operating manual continues a strong focus on customer service. Customer service capabilities and training is now part of DAS recruitment and ongoing job requirements.</p> <p>The TCCS Licensing and Compliance Accountability Commitment has been published in conjunction with the review and has a strong focus on customer service.</p> <p>Investigation guidelines are also being developed and will be made publicly available so that people understand the process for investigations, consistent with the dangerous dog legislative amendments in December 2017.</p>

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6	<p>DAS's Accountability Commitment should be finalised and made publicly available.</p> <p>The commitment should be updated with DAS contacts and include a clear escalated dispute resolution process for the community and people affected by dog attacks.</p>	<p>Agree</p> <p>As noted above, this Accountability Commitment has been published in conjunction with this response.</p>
7	<p>DAS staff should have a range of skills for responding to the community in a respectful and professional way.</p> <p>Ranger duty statements should be updated to include the importance of victim accountability and communication.</p> <p>Training should be provided to ensure rangers have the skills to fulfil these responsibilities.</p>	<p>Agree</p> <p>This is currently underway. See response to number 5 above.</p>
8	<p>DAS programs must be underpinned by evidence and include measurable targets that are reported on at least annually.</p>	<p>Agree</p> <p>DAS is currently undertaking a significant amount of work on improving its data collection and evidence base and will soon start regularly reporting on statistics. DAS reports against measurable targets (key performance indicators) annually in the Transport Canberra and City Services Annual Report.</p>
9	<p>Data collection needs to be systemised and regularly maintained to ensure a good baseline of information to measure progress of any DAS programs.</p> <p>This internal searchable database should be developed and maintained to report on the details and outcomes of dog attacks. This should include creation of a baseline dataset from previous records from at least the past 12 months.</p>	<p>Agree</p> <p>See response to number 8 above. DAS has been actively electronically capturing data from the past 12 months to provide an evidence-base moving forward.</p>

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<p>10 DAS should actively promote responsible pet ownership, including through incentivising responsible behaviours (e.g. regular registration of dogs, promoting the adoption or purchase of rescue dogs that have been paired with their new owners, de-sexing).</p>	<p>Agree</p> <p>Regular registration of dogs, rather than lifetime registration, is currently being considered by Government.</p> <p>DAS is undertaking a range of activities to promote and incentivise responsible pet ownership, and a comprehensive education and awareness strategy, based on the outcomes and recommendations of this review, has been developed for 2018-19.</p> <p>The community will be hearing and seeing more about DAS and the work it does, and DAS will open its doors to the community in the first DAS Open Day later this year.</p> <p>The community will see education and awareness campaigns on a range of responsible pet ownership issues in the ACT over the next year which will be followed by targeted compliance programs, starting with having effective control of your dog.</p> <p>Now that the extra DAS rangers are on board, and with funding committed in the recent budget as well as new and stronger fines in place following the most recent legislative changes in April 2018, people can expect to be targeted and fined if they aren't following the rules. We encourage pet owners to become aware of their legal responsibilities and for people to report issues. Fact sheets have been developed and the website will be made more user friendly. Rangers will be out helping people to understand and comply with the rules, but a no-tolerance approach will be taken to those who continue to do the wrong thing.</p>
<p>The ACT Government should consider the introduction of an annual registration for dogs.</p> <p>Any move towards an annual registration must clearly outline the value of registration and how revenue will be invested to improve management and welfare outcomes for dogs and their owners.</p> <p>11 Registration fees need to be market sensitive and based on what the community can comfortably pay and must reflect the quality of service that can be expected.</p> <p>Annual fees may be reduced for owners who have demonstrated responsible ownership (e.g. participation in puppy-preschool, de-sexing animals).</p>	<p>Noted</p> <p>Annual registration will be considered in future. This will include a thorough process of community consultation if Government decides to pursue this.</p>

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12	<p>DAS should provide information on responsible procurement of pet dogs.</p> <p>When dogs are rehomed by DAS a formal pairing process should be undertaken. Follow-up checks after 30 days to ensure the new relationship is going well and to advise on any concerns should occur.</p>	<p>Agree</p> <p>DAS provides a range of services to assist in appropriate rehoming of dogs, and will adopt the panel recommendations.</p> <p>Education and awareness is important for highlighting the importance of responsible pet procurement. An education and awareness strategy has been developed for 2018-19 which includes responsible procurement of pets.</p>
13	<p>DAS should introduce stronger regulations for people who breed dogs and strictly enforce any non-compliance.</p>	<p>Agree</p> <p>Recent legislative changes in December 2017 and April 2018 have resulted in much stronger regulations around illegal breeding. The number of rangers have been increased and targeted compliance programs will be undertaken for illegal breeding activities, and will form part of DAS's educate, engage and enforce model.</p>
14	<p>DAS should consider the introduction of a reporting system that allows risky behaviours or welfare concerns to be reported and/or captured by professionals (e.g. dog trainers, vets).</p> <p>This could be an informal process and information could then be used to target education campaigns or recommend a form of intervention for individual dogs before behaviours progress and become more dangerous and eventually result in an attack.</p>	<p>Agree in principle</p> <p>The Government is supportive of introducing such a system and will work in partnership with key stakeholders, such as the veterinary industry, to consider how this could work effectively in the ACT context.</p>
15	<p>DAS should consider the introduction of a system to identify dogs based on their training and sociability. This system can then be used to reward responsible pet owners and may be appropriate to grant access to public areas (e.g. out-door dining areas, or unregistered dogs in dog parks).</p>	<p>Agree in principle</p> <p>Being able to identify dogs based on their training and sociability can be an important tool in promoting and incentivising responsible pet ownership. Ways to implement and regulate such a system are currently being considered, and will be developed in partnership with the community.</p>
16	<p>DAS should regulate the use of leads over 2 metres in length, including retractable leads.</p> <p>Long (greater than 2 metres) and/or retractable leads should not be permitted as a method of controlling a dog in on-lead public spaces. An outright ban is not considered necessary, however owners using these leashes should be considered as having their dog 'off-lead' when on public property.</p>	<p>Noted</p> <p>This is currently being considered and a dog control survey is proposed to find out what the community think about dogs on and off lead in the ACT.</p>

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<p>17 DAS should develop and implement a targeted education campaign about the importance of responsible pet ownership, the benefits of regular registration to dogs and their owners and the consequences of non-compliance.</p> <p>Any campaign should target: dog owners; non-dog owning members of the community; school aged children; and the judiciary and associated professions.</p> <p>Campaigns should be based on demographics, baseline data and trends and must be underpinned by specific and targeted measurables.</p> <p>Prior to an education campaign, public consultation is required to understand public perception of issues and inform how these issues will be addressed. This improves community buy-in and participation.</p> <p>Any public relations campaign needs to be specific about how it will create a public value around DAS.</p>	<p>Agree</p> <p>A comprehensive education and awareness campaign has been developed for 2018/19 and incorporates the outcomes and recommendations of the expert review.</p> <p>Public consultation is also proposed through the dog control survey and will continue to occur (for example, through the Pet Census committed to by the Government for 2018/19).</p> <p>DAS wants to hear from the community, and will be opening its doors later this year. You will also be hearing more about the DAS team, including its volunteer team.</p>
<p>18 Bite prevention programs for children and adults should be established and standardised.</p> <p>Programs should include information on what constitutes normal dog behaviour, how to interact with dogs safely and when involving children programs should be run regularly.</p>	<p>Agree in principle</p> <p>The Government is currently investigating the rollout of bite prevention programs in pre schools, schools and for expectant parents, consistent with other jurisdictions in Australia. It is proposed to roll out programs in the near future. Bite prevention education will also be expanded in the ACT.</p>
<p>19 The ACT Government should be active in promoting and facilitating the development of a national dangerous dog database that all states and territories participate in. The dangerous dog database should be interfaced with all relevant policing agencies.</p>	<p>Agree</p> <p>DAS has established a cross-jurisdictional working group across Australia. The idea of a national dog database has been discussed at this group. The ACT continues to lead cross-jurisdictional discussions, and work with partner States and Territories, and will continue to raise this issue in the future.</p> <p>A dangerous dog database, and the interfacing of this with relevant policing agencies, is being considered.</p>
<p>20 DAS should document and ensure a sophisticated approach for assessing whether an attacking or harassing dog is a danger to the community.</p> <p>This approach should ensure discretion in decision making and consider a number of factors on a case by case basis. Considerations should include whether the dog was reasonably provoked (e.g. invasion of yards by other animals).</p> <p>Attacks to humans should be assessed based on the severity of injury and individual circumstance.</p>	<p>Agree</p> <p>This is already occurring and will be formally adopted in the DAS operating manual.</p>

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21	The ACT Government (or relevant court) should have the ability to revoke a dangerous dog declaration if satisfied that the animal no longer poses a threat to the community.	<p>Agree in principle</p> <p>Amendments to the regulatory framework are currently being considered. Any changes will need to carefully consider the need to ensure public safety and reflect community standards.</p>
22	DAS should provide information to support the responsible keeping of dangerous dogs.	<p>Agree</p> <p>This will be actioned and information updated.</p>
23	Dangerous dog procedures should be made publicly available to increase transparency and community confidence in the process.	<p>Agree</p> <p>This will form part of the operating manual currently being finalised, and will be publicly released.</p>
24	DAS should introduce a separate category of registration for hunting dogs. These dogs should be publicly identifiable (e.g. a coloured collar).	<p>Noted</p> <p>This is being considered, and could be adopted as part of the current registration scheme. Legislative change may be required to fully adopt this.</p>
25	The ACT Government should not introduce breed specific legislation.	<p>Agree</p> <p>There is a strong evidence base to demonstrate that breed specific legislation is not effective in reducing dog attacks. The only jurisdictions to successfully reduce the incidence of dog attacks have not used breed specific legislation, but have instead used licensing/registration schemes and strong education and public awareness campaigns supported by compliance. The compliance framework has recently been updated with new and strong fines and enforcement capability.</p>
26	<p>Immediate seizure of dogs involved in less serious attacks (i.e. Level 3 or below on the Dunbar Bite Assessment Scale) should only occur as a last resort.</p> <p>Where possible, seizure of dogs should be a last resort. Actively working to reduce the length of impoundment will help to reduce costs to DAS and improve animal welfare outcomes. For example, dogs involved in animal incidents should be controlled but with the option for owner retention under conditions.</p>	<p>Agree in principle</p> <p>The panel noted that home impoundment, which was introduced through the dangerous dog legislative amendments in December 2017 and strengthened with the legislative changes in April 2018, has been a positive and commendable step. DAS will reflect the recommendations of the panel in relation to seizure and home impoundment in DAS operating procedures, where appropriate, to avoid impoundment wherever possible and in the interests of public safety. Strong fines and compliance action can be taken for the breach of a home impoundment order.</p>

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<p>27 Home quarantine eligibility and conditions should be proportionate to the incident. For dogs involved in an attack that results in a Level 4 bite, conditions should be as detailed and limiting as those that would be applied should a dog be declared dangerous (i.e. a conservative approach).</p> <p>To reduce the short-term financial burden on owners DAS should consider renting dangerous dog enclosures to owners who are subject to home quarantine conditions.</p>	<p>Agree in principle</p> <p>This will be considered and formalised in DAS processes where appropriate. See also response to number 26 above.</p>
<p>28 DAS should remove barriers to relinquishment of animals (e.g. costs, appointments, or any other limitation).</p> <p>Consideration should be given to options to partner with rescue groups for relinquished dogs as an alternative to impounding them at DAS facilities.</p>	<p>Agree</p> <p>Recent legislative changes on 30 April 2018 gave effect to this by allowing for DAS to impound an animal with an animal rescue facility.</p>
<p>29 Investigation processes, including the dog attack workflow, should be reviewed with the aim of standardising and streamlining the process. Of note:</p> <p>DAS should continue to use the Dunbar Bite Assessment Scale as a consistent approach to clarify incident and assist in decision making.</p> <p>Standard operating procedures should be updated to ensure all dog attack victims are offered the opportunity to complete a victim impact statement.</p> <p>Where possible, investigation processes should take no longer than four weeks.</p>	<p>Agree</p> <p>This is currently underway. A single operating manual is in preparation and will be made publicly available and reflect the recommendations of the Panel.</p> <p>Investigation guidelines are also currently in preparation. DAS aims to complete investigations within 4 weeks wherever possible, but recognises that some investigations may take longer depending on the complexity of issues. This will be reflected in the investigation guidelines.</p> <p>All dog attack victims are offered the opportunity to complete a victim impact statement, and participate in the investigation process where appropriate.</p>
<p>30 Dog owners should have the option of commissioning an independent behavioural/temperament assessment of a dog that has been involved in an attack and is being investigated by DAS.</p>	<p>Agree</p> <p>This is already provided for, but will be formalised in DAS processes and procedures so that it is clear to dog owners that they have this option.</p>

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31	<p>DAS should consider the use of DNA evidence in dog attacks to link the dog to the attack.</p> <p>Dog owners should also be given the option to avail themselves of DNA technology to defend dog attack allegations.</p>	<p>Noted</p> <p>DNA evidence is used where appropriate and in serious cases. However, this is expensive, difficult to use and not appropriate in every case. Dog owners will be given the option to use DNA evidence and this will be reflected in DAS processes and procedures.</p>
32	<p>The process for internal review should be clearly outlined in Standard Operating Procedures to ensure it is accessible to people affected by dog attacks.</p> <p>A recommended option is to provide information on how to request a review of the Senior Deputy Registrar’s initial decision prior to a final decision by the Registrar.</p>	<p>Noted</p> <p>DAS processes and procedures will be updated to reflect this, and information will be made publicly available. Internal review is already available and successfully used as part of the Regulatory Advisory Committee (RAC) process. However, this will be formalised so dog owners are aware of the process.</p>
33	<p>Escalating and/or alternative enforcement measures should be considered and adopted by DAS where appropriate.</p>	<p>Agree</p> <p>The fine framework has recently been updated to allow for escalating enforcement, as well as the recent legislative changes in December 2017 and April 2018 which allow for a range of other enforcement mechanisms (e.g. cancellation of a person’s dog registration and seizure of a dog). However, consideration will continue to be given to flexibility in enforcement measures to achieve good outcomes.</p>
34	<p>The ACT Government should commit to following the process outlined above, adapted as appropriate for the Canberra community, in order to undertake meaningful engagement and develop the ‘Canberra Model’ to improve outcomes for dogs, their owners and the broader community.</p>	<p>Agree</p> <p>DAS will adopt this process as part of all future initiatives, including the education and awareness campaign currently in development. It is considered that this recommendation is a good blueprint to use to put the ACT on track to be a world leader in dog management.</p> <p>A dog control survey has been released in conjunction with this response, and a Pet Census will take place later this year. DAS encourages feedback and ideas, and the community will be seeing and hearing a lot more about DAS in coming months.</p>



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