

SUBMISSION TO REVIEW OF 1972 DOG ACT

Urban life has changed tremendously in the nearly fifty years since the 1972 Act was legislated. It is essential that the present Review of the Act now comes to terms with the present realities of urban living and the urgent need to provide better protections and safeguards for both dogs and people.

The following problems require attention:

- 1) One of the most profound changes to have occurred since the 1972 Dog Act is that of ever increasing urban density on smaller & smaller lots and more high density multi dwelling units. The potential for serious incidents increases accordingly. In increasingly crowded urban situations owning a dog can no longer be seen as a 'Right'. It needs to be regarded as a privilege accorded one if you can demonstrate you are able to properly care for and provide a dog with a suitably enriched environment.
- 2) All dogs in the urban setting should be required to be sterilised by law (male & female). No dog breeding at all should be allowed in residential suburbs. Visit any dog park and see a remarkable fact: the number of mainly young men who refuse to have their male dogs sterilised, apparently viewing it as some sort of affront to their own masculinity. These dogs are the ones that approach in 'threat' mode (ears back, hackles up, tail low, mouth open) and will often attack if they take a dislike to the other dog. One reason we no longer feel safe in dog parks.
- 3) People must be able to show they are able to train and care for a dog- **by licence**. Constantly barking dogs are a major urban source of aggravation now. Most of these are unsocialised, untrained dogs being permanently kept in small yards as cheap security devices. They are not exercised or treated with any care and most of them have developed mental illnesses through boredom which make them a threat to all when they escape.
- 4) In the '70s a barking dog on a quarter acre block was not really much of a problem. But if you have one next to you now there are only a couple of metres between it and you trying to relax on your patio or in your yard. Daily aggressive barking completely destroys any peace and enjoyment of your home. It can make entertaining impossible and destroy any concentration if you are trying to work.
- 5) People try & cope with this problem in various ways, from blocking it out with loud music; leaving the home when it gets too much to bear; taking tranquillisers to try & cope with the continual problem; or being driven to anger and reaction when it just continues too long. None of this is either good or desirable for people suffering this form of 'drip torture'.
- 6) Cannot speak for other councils but **City of Swan** places an unfair onus on complainants by requiring them to keep a month long bark diary, listing each time and duration of barking. To discourage nuisance complaints and unfair council 'interpretations', legislate a standard form of complaint mechanism. A week -long diary sworn under oath before a JP perhaps?

- 7) The 1972 Dog Act is not working as intended or stated as local councils are making up their own rules about handling attacks. **CITY OF SWAN** does not enforce the current Dog Act as it has decided to have secret “internal guidelines” which they refuse point blank to make public.
- 8) An unspecified and **unqualified** person presumably makes a decision based on “severity of attack; if a first offence; past history “etc (pers.comm. from three ‘Community Safety Advocates’ who have handled our two separate attack complaints so far).
- 9) This is quite unfair to ratepayers as we have no idea what the ‘guidelines’ are, to whom it applies and how. This leaves the CITY open to the perception of bias, unfair treatment of those attacked and favouritism. Preferential treatment based on one’s connection to a City of Swan employee or representative already occurs here.
- 10) The ‘Community Safety Advocates’ are constantly being changed (**City of Swan** is now using personnel hire firms to fill vacancies) and there are no qualified or even experienced people to assess or enforce dog behaviour and /or attack issues. These matters were well handled years ago by Rangers (now replaced by these ‘Community Safety Advocates’). Given that dog attacks can cost lives (of other pets or people) this is a completely unacceptable situation.
- 11) Knowledge of dog behaviour is essential in order to make any even half –baked judgement about likelihood of further attack or if the dog is unreasonably stressed by poor living standards. Most responsible dog owners would like to see a return to a permanently employed Ranger system where officers at least gather experience and knowledge by handling various animals.
- 12) Few dogs are naturally vicious- in majority of cases it is mistreatment/abuse which makes a dog react with aggression. This can be fear aggression or confusion (not knowing the required behaviour in any situation due to not having a ‘pack leader’, which should be the dog’s owner).
- 13) Dog attacks do cost both human and animal lives and the lifelong trauma that results when you have been injured or subjected to such sudden assaults increases our health costs and affects our quality of life.
- 14) Dog licences should now include a section where the potential owner must show that they have undertaken an **Understanding Dog Behaviour** course and are **fit and proper people** to own one. Within two months of acquiring a dog owners should be required to produce a Dog Training certificate to show their dog has undergone basic training and socialisation, as well as all the required vaccinations.
- 15) If a person cannot train their own dog & demonstrate that it is under their control they should be required to pay for such training and provide proof of such. If they cannot afford this then they probably cannot afford to look after the animal properly. We now all have a

duty of care to our neighbours and that includes not making their lives miserable through constant barking or endangering them with uncontrollable dogs.

- 16) **NEW LAWS:** it is essential that any changes to the Dog Act be widely publicised to all dog owners. Every avenue possible must be used for people to be made aware of the new laws. All Councils maintain a database of registered owners and should be REQUIRED to send a notification of law changes as well as a flyer with rates notices to all ratepayers every year. Ignorance of the law must not be regarded as an excuse.
- 17) Dog attack as defined in the current Act (which includes 'rushing') must be enforced without exceptions or *ad hoc* qualifications. It should attract a higher penalty than \$400 now which is not always enforced anyway. People may then hopefully learn that it is cheaper to train a dog and keep it in humane circumstances.
- 18) Any new laws should involve **much more substantial fines** in cases of dog attack where **any** injuries to people or other animals occur. As this can be a matter of life or death it should be treated as such- which means as seriously as an assault with a weapon under criminal law.
- 19) All such attacks should result in a dog being declared dangerous and require that the dog & its premises be so signed. The dog must then **always** be required to wear a muzzle. Any repeats should require the person to surrender the animal for retraining or euthanasia.
- 20) Walking **ANY** dog off lead except in a designated Off Lead area must be prohibited and fined substantially. Fellow greyhound owners & I have lost count of the number of times we have been rushed, barked at aggressively and occasionally 'attacked' by mostly small off lead dogs whose owners think it's fine just because they are small dogs. It freaks our dogs out and scares us as most of us have already been subjected to serious attacks.
- 21) Signs should be placed at all park entrances stating the most important parts of the new laws and advising people that it is **their responsibility** to make sure they and **anyone in charge of their dogs at any time** be aware of the law and penalties for non compliance, especially for an attack, with a phone number or web address to contact if they needed more information.
- 22) Councils should also be held responsible if they didn't make every effort to ensure that people know of their responsibilities and obligations under the Act, as well as if they refuse to enforce the Act, as they are currently doing.
- 23) A major change in Council attitudes may result from making them ultimately responsible if they have not taken proper and adequate steps to identify and ensure dogs with a propensity to attack are so identified and their owners disciplined.
- 24) Councils must also be required to keep accurate and continual statistics on all types of dog attacks- from the nuisance variety of rushing & barking to more serious physical attacks and

what breeds of dogs are involved. Only then can we begin to get a real understanding of what breeds actually are real threats in the urban setting.

- 25)** The laws should be actively policed with the results published in local newspapers. ie, "2 dog owners fined this week for allowing their dogs to attack another dog or person, fines of \$... were levied." "11 dog owners fined for failing to maintain control of their dog/s in a public place while off lead." etc. Failure to do so should be perceived as negligence by council's part. This would help keep the issue front of mind for people.
- 26)** Please, please repeal the ancient & cruel requirement for greyhounds to wear muzzles. It is a real problem for these gentle dogs who all seem to hate it and suffer cuts & bruising from the wire cages around their delicate long muzzles. It also rubs off their sensitive whiskers.
- 27)** At the very least, please remove the Green Collar licensing from the Greyhound Racing Industry. They do not properly temperament test any dogs that we pay a lot to get the green collar for (walking them up & down roads with a few small dogs does not qualify as temperament testing!).
- 28)** GAP give green collars out without any testing for all dogs they rehome. This is manifestly unfair to all other greyhound adopters and rehoming organisations like GAWA etc.

Thank you for your time and attention. We hope you make some wise changes as they are very much needed.

