

Dog control review

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ABSTRACT

The Dog Control Review 1992 provided a clear reflection of the status and priority afforded to dog control by responsible authorities. The paper highlights the key factors considered elementary to dog control management and it is suggestive of proactive requirements for the future.

INTRODUCTION

In 1992 I was commissioned by the Minister for Environment and Planning, who is responsible for dog control and animal welfare, to effect a state wide administrative review into dog control.

The aim of the review was to initiate a proactive climate for the future management of the Dog Control Act and to provide a sound information source on which to base future decisions for dog control. The majority of the recommendations in the review have been accepted by the Minister and the Dog Advisory Committee for implementation.

Being mindful that this conference relates to Urban Animal Management, it is quite appropriate to provide some of the findings which emanated from the review for consideration. The basic information obtained was from the responsible authority for dog control in South Australia, that is, Local Government.

The conclusions drawn are my own, but have been well supported by Local Government and various other organisations. Whether the information and conclusions are consistent with that obtained by colleagues elsewhere must be judged by others present today.

DOG CONTROL REVIEW TERMS OF REFERENCE

1. To examine the role of the Dog Advisory Committee and its future operations.
2. To assess the role of Local Government and practices of councils to administer the Dog Control Act, including the training of authorised persons.
3. To examine the costs incurred by Local Government in the administration and enforcement of the Act. Assess expenditure against revenue and identify any variations.
4. To examine the current structure of fees and charges payable for the purposes of the Dog Control Act in accordance with regulations.
5. To examine the costs incurred in the administration of the Dog Control Act by pounds and shelters.
6. To assess pounds and shelters to determine if they meet the objectives and requirements of the Dog Control Act.
7. To collate information held by Local Government on dogs causing a public nuisance, including dog attacks and the breeds involved in same, including additional relative information.
8. To assess the viability of Local Government setting fees and charges under the provisions of the Dog Control Act.
9. To identify opportunities for encouraging responsible pet ownership through public education interpretive programs and dog obedience clubs.
10. To collate information on microchipping of dogs and explore incentives to encourage microchipping.

It can be seen that the terms of reference were wide and varied. A good deal of statistical information was collated and discussions held with large numbers of people and organisations. It will not be possible to deal with all of the terms of reference here today, so I have chosen to highlight the essential key factors which I have concluded as being elementary to dog control and dog management.

ATTITUDE OF LOCAL GOVERNMENT TO DOG CONTROL IN 1992

It was significant that although the current legislation to control and contain dogs is widely recognised as comprehensive, all of the originally identified dog problems in 1979 were still well evident in all communities.

In practice the legislation is known to be effective, but unfortunately some specific problems showed an increased offence rate. It was therefore apparent that the overall level of dog control was inadequate and special attention was required.

Section 6 of the Dog Control Act reads 'each Council has a duty to administer and enforce the provisions of this Act within its area.' Whilst being mindful of and having regard for those councils that have generated an acceptable level of dog control within their areas, it had to be stated that the overall performance of Local Government has proven to be at least unsatisfactory .

It was concluded that Local Government generally:

- Perceives dog control as low priority and of minor significance when compared with many other issues in Local Government;
- Does not perceive dog control as a service to the community; and
- Is not generally involved in dog management plans for overall or individual council areas.

Financial considerations are obviously vital from a Local Government viewpoint. In the 1989/90 and 1990/91 financial years, Local Government dog control showed a deficit in excess of \$1.6 million dollars.

The income of the councils is derived from registration fees and penalties applied for related offences. A singular example is 'owning or keeping an unregistered dog' - the maximum penalty is \$200.00 and the modified penalty in the form of an expiation fee is \$50.00.

In 1992 there was a minimum of 60,000 unregistered dogs. If all unregistered dogs were registered and their owners financially penalised, the gross return to councils could have been \$3.6 million dollars conservatively based on a \$10.00 registration fee. (The non concessional registration fee is \$20.00.)

The conclusion is that inroads must be made into creating a user pays system of dog control. The rationale is that offenders should be made to fund dog control rather than responsible dog owners funding same. Part of the general recommendations made stated that 'strategic plans be developed to ensure that Dog Control becomes a self funding operation - the central objective being that irresponsible dog owners fund the correction of all problems which they create.'

'USER MUST PAY' SYSTEM IN DOG CONTROL

There is little point in responsible authorities making excuses or providing superfluous reasons for not effecting positive dog control. The end result of such thinking is an increase in problems caused by dogs and dog owners. There will certainly be a corresponding escalation of dog welfare problems and an inevitable build up of complaints from the general community.

Although dog control is quite clearly a low priority matter, the real given reason is one of a financial nature. The financial formula is already there, even if it only related to ensuring that offenders pay. There are unregistered dogs and penalties for each and every offence committed.

It is unacceptable that an entire community should be made to fund dog control and yet this is happening in so many instances. It seems quite reasonable that all dog owners should fund dog control and as mentioned previously, with emphasis on those dog owners who cause problems to others.

Accurately speaking, dog control should be regarded as a service to the community .To make this happen, authorities need to recognise that there is a variable percentage of dog owners who are not responsible and they obviously require specific attention as a means of ensuring that ongoing dog problems are not inflicted upon the community .

It is not good enough to rely on registration fees alone.

Another area of funding which I believe needs careful consideration is that of registration fee structures. An examination of registration fee charges in all states shows surprising variance in cost perceptions and intricate registration fee structures. Although some of the fee concessions allowed are politically motivated and decided upon, there does appear to be some unnecessary concessions granted.

Conversely, it could be suggested that some fees charged may be higher than they should be, particularly with regard to responsible dog owners.

I have found good reason to believe that desexing concessions, double concessions, working dog concessions and the like do not directly result in increased registrations or responsible dog ownership. The ultimate result will be the same whether the amount charged is \$5.00 or \$25.00.

In some circumstances concessions may be well deserved, for example, pensioner concessions for the aged, but in general terms it is extremely doubtful that most concessions are a worthwhile factor in effective dog control.

It should be noted that in some instances concessional registration is available to dog owners who can then claim a total tax deduction for the same registration fee. This 'double dip' can be especially so with greyhounds and working dogs.

Dog control can be self funding, and should be self funding on a 'user must pay' system. It is almost certain that ongoing funding from other sources will not be forthcoming. It can be done!

UNREGISTERED DOGS

It is abundantly clear that unregistered dogs represent a major source of problems, and that correction of this is elementary to an acceptable level of dog control.

It is perplexing that this central element of dog control is so often overlooked by Local Government, given that existing legislation is based on the following:

- The rights of people to keep dogs for a wide variety of reasons;
- The requirement of all dog owners to register their dogs; and
- The duty of councils to administer and enforce the provisions of the Dog Control Act.

After extensive research and experience, it has been clearly ascertained that unless each individual council is prepared to effect maximum registration within its area, then effective dog control can never exist in South Australia. In support of such a statement, the following facts are provided:

- Councils generally have become reliant on funds provided by responsible dog owners who voluntarily pay registration fees;
- Irresponsible dog owners do not voluntarily pay registration fees;
- Owners of unregistered dogs must be classified as non law abiding, anti-social, sometimes unthinking, but mostly irresponsible dog owners;

- By allowing or condoning such large numbers of unregistered dogs, Local Government could well be accused of discriminatory practice amongst dog owners;
- No other enforcement area of Local Government can be identified which shows leniency on such a large scale;
- Unregistered dogs are not identifiable, as no registration discs or tags have been issued for the purpose of identification;
- Approximately 12,000 dogs are destroyed each year in South Australia and there is a high probability that the majority of these dogs are also unregistered;
- 60% of dogs impounded or destroyed are unidentifiable, and again there is a high probability that the majority of these dogs are also unregistered;
- It is not reasonable to expect responsible dog owners to fully fund resultant problems caused by the anti-social behaviour of unregistered dog owners and their dogs;
- It is illogical to anticipate that owners of unregistered dogs will ensure that their dogs comply with the same behavioural standards set by responsible owners of registered dogs; and
- It is illogical to anticipate that the owners of unregistered dogs will, of their own volition, participate in any form of education programme or promotion. There is an obvious deterrent factor - they own unregistered dogs, which is unlawful.

All of the facts given are considered to be justifiable and compelling reasons why maximum registration of dogs must be effected.

In any council area, attaining maximum registrations will not address all dog problems alone, but it is certainly a key factor as part of a dog management program. It is a very positive and essential starting point in the quest for an acceptable level of dog control.

DOG OWNERS AND CONTROLS

'Dog Control' is really 'Dog Owner Control', I believe that dog owners fit well into 3 categories:

- Responsible;
- Unthinking; and
- Irresponsible.

I found that there were extreme reasons for both State and Local Government to ensure that irresponsible and unthinking dog owners are required to 'get it right', in all aspects of dog control.

Responsible dog owners automatically perform this function. Unthinking dog owners perform this function on occasions, but irresponsible dog owners are deficient in their compliance with lawful expectations. They do not register dogs and are clearly disciples of anti-social behaviour which is usually transferred in activity to their dogs. A harsh statement perhaps, but true, nevertheless.

The South Australian media had a 'field day' with that revelation and although the resultant publicity was centred around this singular factor, it was certainly proactive and provided an awareness factor to government, Local Government and the community .

TRAINING IN DOG CONTROL

At the time of the Dog Control Review there had been no specific training course available for dog control personnel. The Local Government Training Authority does not, and never has, provided any specialist training course in dog control. This very fact emphasised the low priority given to dog control. It also reflected the general perception that dog control is a menial type task which can be performed by almost any person.

One of the recommendations I made was to 'investigate the feasibility of introducing a specific educational and practical course for Dog Control Officers.' A genuine demand had been discovered for training from Local Government Officers in the field. Preliminary enquiries made through Technical and Further Education (TAFE) indicated that evolving a suitable training course would not be difficult. There appeared to be an ideal opportunity to develop training for appropriate personnel, particularly in view of the training levy attached to Local Government.

With major assistance from TAFE and the input of 12 officers from individual councils, a training course was formulated. The Dog Advisory Committee, with ministerial approval, supported the course financially with \$5,000 to TAFE. Many people worked very hard and the communication process was commenced which, to all intents and purposes, was excellent.

The TAFE requirement was a minimum of 30 enrolments. After two sterling efforts, the highest enrolment figure was 23 which included 8 from outside of Local Government.

The training course is now on standby. It is accepted that there is considerably more work to be done with a view to commencing the course in 1994.

The training of personnel should be recognised as a primary requirement in dog control. Whether they are titled Dog Control Officers, Dog Control Rangers or similar, they are in fact important people and should be recognised for the functions that they perform. The era of the traditional 'Dog Catcher' has long since, or should have, drawn to a close. A more comprehensive approach is essential. Picking up stray or wandering dogs does not and never has provided any really valuable answers to the dog control problem. Dog control personnel need to specialise in all aspects of control. I believe that they must have the capability of formulating dog management programs in individual council areas, which I am certain will prove to be the only solution to the current wide ranging problems that exist. To provide such expertise in educating dog owners and the general public, it is of course necessary that dog control personnel be educated to a required standard. With proper administration and enforcement of appropriate legislation, an acceptable level of dog control can be attained.

DOG CONTROL PRIORITY LEVEL

During the course of the Dog Control Review, I had person-to-person and group discussions with representatives from 91 of 120 councils in South Australia. The reasons provided by council personnel for the existing unsatisfactory performance in dog control was a clear reflection of the status and priority generally given to dog control by Local Government. The given reasons are quoted below:

- The absence of financial incentives, councils are losing money;
- Registration fees should be increased;
- Lack of resources;
- It becomes a matter of priorities;
- Elected members consider dog control to be electorally unpopular;
- Councils should be given power to decide whether dogs should be registered or not registered within their own area;
- Councils should be able to set their own fees;
- Court proceedings are too expensive;
- Court fines are too low;
- Not much control needed;
- There are more important issues to worry about;
- Officers are restricted by council policy; and
- The government expects too much from Local Government;

There the problem is - lots of reasons why the job is not being done properly and no indications that the job will be done properly in the future.

THE DOG ADVISORY COMMITTEE

This Committee was formed in 1982. As the title implies, the Committee is advisory to the Minister responsible for dog control. It has four members.

The Committee is well recognised as a dedicated body equipped with wide ranging expertise in dog control. The Committee has "an excellent performance record on which it can comfortably stand, however I believe that the same Committee should have a more expanded role. This may well be the case in the future as the Minister responsible for dog control has agreed to transfer the responsibility of dog control to Local Government.

Current negotiations between State and Local Government are in progress relative to a number of matters and dog control is one of them. No doubt because of political factors and legislative processes, a considerable time period will pass before any final decision is made.

The Dog Advisory Committee realises the need for an acceptable and high standard of dog control and recognises that there is indeed wide scope for improvement in the quality of administration and enforcement of dog control in South Australia. This appears to be the case generally in all states and perhaps it is time for all equivalent state authorities to work together in dog control.

I would be pleased to discuss positively with any interested persons the instigation of discussions at a national level on dog control.

A SUCCESSFUL EXPERIENCE IN DOG CONTROL

In 1982 I was in some trouble with the administration and enforcement of dog control within my own council area, the City of Marion. an urban council. As the person responsible for dog control. some elected members considered that dog control was electorally unpopular and the administration's attitude was 'too tough'.

The elected members were actually responding to complaints from residents who had been financially penalised for a range of offences under the Dog Control Act introduced some 3 years earlier.

It was decided to engage professional consultants to effect a survey of residents in order to establish the support or otherwise of the council's dog control policy. There were 2 questions asked and they were unprompted. They were:

- Do you agree with current legislation the Dog Control Act?
- Do you agree with the City of Marion's dog control policy?

Eighty-two percent of residents agreed with the Dog Control Act and 84 percent of residents agreed with the City of Marion's dog control policy.

This result was totally unexpected by elected members, and needless to say I was absolutely delighted. The residents who disagreed were those who had been the recipients of penalties, had their dogs impounded etc. The important feature however was that there was a silent majority of residents, who traditionally do not communicate with responsible authorities, offering their satisfaction and support. One other factor which arose from the survey was a number of residents who were not aware of the council's dog control policy. There was a communication problem.

There was a second survey completed eighteen months later when communication and education had been improved, resulting in a 92 percent approval rate from residents. This is a clear indication of what can be achieved and it is important to list the strategies used in achieving such a high level of support from residents. The strategies simply revolved around positive administration, enforcement and education. The major components were the key factors indicated in this paper:

- Unregistered dogs;
- High priority;
- Dog owner and dog education;
- Training of Dog Control Officers;
- Good quality legislation; and
- After hours service and control (not covered in this paper)

There were many other important but lesser factors and it was indeed well proven that dog control can:

- Be electorally popular;
- Be complementary to dog welfare;
- Be considered a service to the community; and
- Reduce complaints to a low and acceptable minimum.

SUMMARY

It is considered that an ideal opportunity exists for the overall level of dog control in South Australia to be markedly increased. It is clear that an acceptable efficiency level has not yet been realised.

The present Dog Control Act is representative of good quality legislation, has proved to be thoroughly workable in practice and potentially there is no genuine reason why the objectives of the Act cannot be achieved.

There is an identified requirement for the education of Local Government dog control personnel.

There is an identified need for the co-ordination of organisations and authorities to work together with common aims in order to achieve well planned objectives.

It is considered that there is ample scope for increased promotion in public education and dog management programs, which of necessity need to be integrated and targeted at dog owners in individual council areas. In taking such action, liaison with councils will be necessary and the key element to any dog management program is clearly effecting maximum dog registration. It is quite evident that unregistered dogs and their irresponsible owners are at the 'core' of a majority of dog problems that occur in our community .

The Dog Advisory Committee is seen in a demanding and proactive role in the future, and as the focal co-ordinator of dog control management and educational programmes for the public and dog control personnel.

In general terms, there is a perceived need for increased liaison and communication in all areas, in particular with Local Government.

Finally, it should be recognised that there is considerable expertise and experience available in all dog orientated areas, and if coordinated effectively, all sought after objectives can be attained. Some caution may be necessary in ensuring that over regulation of dogs does not eventuate, and that the rights of responsible persons to keep dogs for a wide variety of reasons is protected. Having made this point, the animal welfare aspects must not be given low priority

When it is analysed, dogs are not really the problem. There should be no genuine reasons why dogs and humans cannot live in harmony together. This should be the ultimate sought after objective.

ABOUT THE AUTHOR

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I have been involved in the Local Government enforcement area, which includes dog control and court prosecutions, for 22 years. In 1988, I was appointed Adviser to the South Australian Dog Advisory Committee and in 1992 was commissioned by the Minister responsible for animal welfare to effect a Dog Control Review for the State. In addition to my Local Government experience, I have extensive knowledge in all aspects of the greyhound industry , including management, rearing, breeding and stud work. I have genuine concern for the welfare of all animals, particularly dogs.

[UAM 93 index](#)