PALMERSTON NORTH CITY COUNCIL

AGENDA

HEARING BY HEARING PANEL
UNDER THE DOG CONTROL ACT 1996

9.30AM TUESDAY 30 SEPTEMBER 2025

MISSOULA ROOM, FIRST FLOOR, CIVIC ADMINISTRATION BUILDING, 32 THE SQUARE, PALMERSTON NORTH

MEMBERS

HEARING PANEL

Councillor Patrick Handcock

Councillor Lorna Johnson

AGENDA ITEMS, IF NOT ATTACHED, CAN BE VIEWED AT

pncc.govt.nz | Civic Administration Building, 32 The Square
City Library | Ashhurst Community Library | Linton Library

Waid Crockett

Chief Executive | PALMERSTON NORTH CITY COUNCIL

Te Marae o Hine | 32 The Square
Private Bag 11034 | Palmerston North 4442 | New Zealand
pncc.govt.nz

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PALMERSTON NORTH CITY COUNCIL
HEARING BY HEARING PANEL

Tuesday 30 September 2025, 9.30am

ORDER OF BUSINESS

1. Hearing of Objection Pursuant to Section 33B Classification of Dog as Menacing under the Dog Control Act 1996

Hearing Procedure Sheet Page [4]

To consider the following:

(i) Objector – Ms Leea Watson
Objection to the menacing classification of the dog Luna, Received 22 May 2025 Page [6]

(ii) Palmerston North City Council
Officer's Report by Mr Ross McDertmott, Team Leader Animal Management and Education, Received 16 September 2025 Page [7]

(iv) Right of Reply of Objector

2. Exclusion of Public

The Hearing Panel will reserve the right to make the decision with the public excluded.

INFORMATION CONCERNING PROCEDURE FOR HEARING OF OBJECTIONS RECEIVED PURSUANT TO THE DOG CONTROL ACT 1996

This information is a guide for people participating in the hearing of objections under the Dog Control Act 1996.

1. **Panel of Elected Members conducting the Hearing**
   Objections received pursuant to the Dog Control Act 1996 are considered by a Hearings Panel composed of Elected Members, who have Council's delegated authority to hear and determine the objection.

2. **Statutory Provision**
   Relevant statutory provisions are contained in the Dog Control Act 1996.

3. **Engagement of Counsel**
   The objector may present his or her case in person or may be represented by legal counsel or any other person. You could also bring a support person with you.

4. **Public Hearing**
   The hearing is a public meeting and the media and members of the public are entitled to be present. This also means that any evidence provided during the process, the Minutes of the hearing and the Decision of the Hearings Panel will be published on the Council website and remain publicly available.

   However, the Hearings panel may make an order to protect sensitive information.

5. **Venue**
   The hearing will be held in the Missoula Room which is situated on the first floor in the Civic Administration Building, Te Marae o Hine, 32 The Square, Palmerston North. Access is via the doors on the Square side of the roadway. Disability access is via the Customer Service Centre then via the lifts to the first floor.
   If a change of venue is required, you will be informed in advance.

6. **Agenda**
   An agenda for the Hearing will be sent to you at least three days before the Hearing. The agenda will also include any pre-circulated evidence. (See paragraph 7 below).

7. **Evidence**
   Any evidence given may be oral or in writing. Photographs and similar evidence may also be produced. Please provide **six copies** of any documents to be tabled at the hearing. If you would like to have your evidence pre-circulated, you will need to provide this to the Governance Administrator **by 2pm on 22 September 2025.**

8. Cross-Examination

There is no right of cross-examination. This means that the parties do not have the right to address questions to other parties. The Hearings panel may, however, question any party concerning their submission or evidence.

9. Order of the Hearing

At the start of the hearing, the Chairperson will briefly outline the hearing procedure. The following order of appearance will usually apply:

(a) The objector presents his or her case in support of their objection.

(b) The representative of the Council and any other person reporting on behalf of the Council presents their case.

(c) The objector has a right of reply.

10. Tikanga Māori

You may speak to your objection in te Reo Māori if you wish. If you intend to do so, please contact the Committee Administrator **within three days** of the date you receive the letter notifying you of the hearing. This is to enable arrangements to be made for a certified interpreter to attend the meeting.

11. Visual and Digital Aids

If you wish to use any visual or digital aids, please contact the Governance Administrator no later than three days before the meeting so that arrangements can be made.

12. Adjournment

The Hearings Panel has the authority to adjourn the hearing. If at the time of adjournment, no date or time is set for a resumed hearing then the applicant will be given at least seven working days' notice of the date and time of the resumed hearing.

13. Decision

After the Hearings Panel has heard the evidence, it will usually declare the hearing closed and will leave the Council Chamber to consider its decision. All parties will be advised in writing of the decision as soon as possible and the reasons for it.

If you are dissatisfied with the decision, we recommend you seek legal advice.

14. Variation of Procedure

The Hearings Panel may, in its sole discretion, vary the procedure set out above if the circumstances indicate that some other procedure would be more appropriate.

* * * * *

From: Leea ben Watson bast <7(2)(a) Privacy
Sent: Thursday, 22 May 2025 9:40 am
To: Dog info <Dog.info@pncc.govt.nz>
Subject: Re: Object

I am writing this email because I am objecting to my dog Luna being classified as meanicing as this is the first ever incident that has happened ever with her. Also she is now desexed and and also now starting with a behaviour specialist for dogs where she will relearn everything we taught her at puppy school (socialising, off leash walking, pack walking and also how to.remove herself if she feels overwhelmed of other dogs or anything. Since the incident she's been fine around other dogs when we have been out and about. I believe it was a once off as we had her adopted puppy with us and her own puppy with us that same day she went after the dog .. I believe she deserves not to have a label as now we have taken the right steps to not let this happen again. And also being the first incident ever from her. And nothing else on her records

Thanks Leea Watson

BEFORE THE HEARINGS COMMITTEE – PALMERSTON NORTH CITY COUNCIL (PNCC)

IN THE MATTER	Of a notice of objection under section 33B of the Dog Control Act 1996 (DCA)
AND	
IN THE MATTER	Objection to the classification of a dog as menacing under section 33A of the DCA.
BY	Leea WATSON

STATEMENT OF EVIDENCE OF
ROSS MCDERMOTT (TEAM LEADER ANIMAL MANAGEMENT AND EDUCATION), PNCC

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1. INTRODUCTION

1.1 Animal Control Officers have the delegation to classify a dog as menacing in line with the Dog Control Act 1996.

1.2 Dog owners have the right to object and be heard in relation to the decision to classify their dog as menacing.

1.3 The committee hears the reasoning for the dog's classification and the dog owner's objection. The committee holds delegation to uphold or rescind the menacing classification.

1.4 I am the Team Leader Animal Management and Education position within the Palmerston North City Council. Animal Control Officer Wendy O'Connor whom reports to me, is responsible for classifying a dog owned by Leea Watson as menacing under section 33A of the Dog Control Act 1996.

1.5 Leea Watson owns a German Shepherd X American Staffordshire Terrier, coloured Black and Orange named Luna.

1.6 At 10:01 am on 31 March 2025 PNCC received a complaint of a dog attack on a dog. This happened within Linklater Reserve in Kelvin Grove, Palmerston North on Saturday 29 March 2025 at approximately 3:00 pm.

1.7 The investigation identified Leea Watson's dog Luna, attacked and injured another dog in a high use public place.

1.8 Luna was classified as menacing under section 33A of the DCA. Leea Watson was advised of the classification on 7 May 2025.

1.9 Leea Watson objected to the classification on 22nd May 2025.

2 DESCRIPTION OF THE ATTACK AND INVESTIGATION

2.1 At 10.01 am on 31 March 2025 Council received complaint 5540 a dog attack on dog, from an identifiable source who resides in Palmerston North.

2.2 The complaint (Attachment 1), in summary says; on the Saturday 29th of March, as the victim party was leaving the Linklater Reserve to the main carpark two dogs came running over, Leea Watson was able to restrain one of her dogs while the other 'Luna' attacked the victim dog by biting and holding around the Ruff / Neck area.

2.3 It took 3 bystanders to separate the dogs. One of which was also bitten by Luna. They received 4 puncture wounds and were placed on ACC for an unknown duration. Comments were received over the phone from the victim's partner.

2.4 Officer Wendy O'Connor contacted the victim dog owners, the person victim and Leea Watson on the 31st of March and obtained further details surrounding the attack and asked each party to provide a written statement of events. The victim owner (Attachment 2) and Leea Watson (Attachment 3) both provided statement via email.

2.5 It was established that the attack which caused injury to another dog (Attachment 4) and a person occurred due to the dog owner failing to control their dog on this occasion.

2.6 Officers have an assessment matrix used to support thinking around outcomes for dog attack investigations (Attachment 5). Every category of outcome this matrix suggest Officers have the option to classify a dog as menacing. This highlights that the threshold for this classification is low. In this instance the score range is 44 landing the investigation in the Moderate category.

2.7 DCA case law routinely referred to during dog attack prosecutions and other dog bite attack incidents is the case of Halliday vs New Plymouth District Council, that "past behaviour is regarded as the best predictor of future behaviour". [Part 44]

3 EVIDENCE

3.1 The evidence considered in the issuing of the menacing classification was:

a. Statement from the victim dog owner:
   i. The dog/s came running up to the victim dog
   ii. The dogs jaw locked on to the victim dog
   iii. A bystander was injured when helping to septate the dogs.

b. Leea Watson has said that attack occurred and commented that what was learnt in dog training was not working at the time as the dog was not listening.

4 DOG CONTROL ACT 1996 – SECTION 33A AND 33B

33A - Territorial authority may classify dog as menacing

(1) This section applies to a dog that—

(a) has not been classified as a dangerous dog under section 31; but

(b) **a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of—**

(i) ***any observed or reported behaviour of the dog*****; or**

(ii) any characteristics typically associated with the dog's breed or type.

(2) A territorial authority may, for the purposes of section 33E(1)(a), classify a dog to which this section applies as a menacing dog.

(3) If a dog is classified as a menacing dog under subsection (2), the territorial authority must immediately give written notice in the prescribed form to the owner of—

(a) the classification; and

(b) the provisions of section 33E (which relates to the effect of classification as a menacing dog); and

(c) the right to object to the classification under section 33B; and

(d) if the territorial authority's policy is not to require the neutering of menacing dogs (or would not require the neutering of the dog concerned), the effect of sections 33EA and 33EB if the owner does not object to the classification and the dog is moved to the district of another territorial authority.

33B Objection to classification of dog under section 33A

(1) If a dog is classified under section 33A as a menacing dog, the owner—

(a) may, within 14 days of receiving notice of the classification, object in writing to the territorial authority in regard to the classification; and

(b) has the right to be heard in support of the objection.

(2) The territorial authority considering an objection under subsection (1) may uphold or rescind the classification, and in making its determination must have regard to—

(a) the evidence which formed the basis for the classification; and

(b) any steps taken by the owner to prevent any threat to the safety of persons or animals; and

(c) the matters relied on in support of the objection; and

(d) any other relevant matters.

(3) The territorial authority must, as soon as practicable, give written notice to the owner of—

(a) its determination of the objection; and

(b) the reasons for its determination.

5 OBJECTIVES AND POLICIES

5.1 Section 4 of the Dog Control Act 1996 identifies the objects of the Act to include making better provisions for the care and control of dogs by making special provision in relation to menacing dogs and impose on owners of dogs obligations to ensure that dogs do not injure, endanger or cause distress to any domestic animal.

5.2 Clause 10 of the PNCC Dog Control Policy 2024 requires dogs classified by Palmerston North City Council as menacing under sections 33A or 33C of the Dog Control Act 1996, or any dog classified as menacing which is transferring to Palmerston North City Council to be neutered.

5.3 PNCC Goal 3: A connected and safe community includes that council will provide safe access to community facilities and public places.

6 CONCLUSION

6.1 Palmerston North City Council Animal Management staff have a duty to enforce the provisions of the Dog Control Act 1996 and its secondary legislation.

6.2 Pursuant to the provisions of Section 33A of the Dog Control Act 1996, Palmerston North City Council classified the dog known as “Luna” because of the behaviour observed and reported whilst being exercised in Linklater Reserve, Kelvin Grove.

6.3 The classification conditions aim to reduce the risk that the dog Luna posed to the community.

Outlook

Attachment 1

New Task: Dog Attack on Dog - 5540/2025

From Palmerston North City Council <noreplyaa@pncc.govt.nz>
Date Mon 31/03/2025 10:00 AM
To Bernie Compton <bernie.compton@pncc.govt.nz>; Charles Kereama-Graham <Charles.Kereama-Graham@pncc.govt.nz>; Ross McDermott <Ross.McDermott@pncc.govt.nz>; Wendy O'Connor <Wendy.O'Connor@pncc.govt.nz>

The following Task has been assigned to you to action.

Request Details:

Request Number: 5540/2025
Category: Dog Attack on Dog
Description of Request: M[redacted] would like to report a dog attack that happened to her dog. She was at Linklater Reserve on Saturday at 15:00 and as she was leaving with her dog, Doug, she had two dogs come up to her and start being aggressive. Doug was on his lead and he and the two other dogs started growling at each other. The other dogs were German Shepherd Crosses. The owner pulled the younger German Shepherd back, but the older one leaped onto Doug's neck and would not let go. It ended up taking 3 bystanders to pull the dog off Doug. One of those bystanders was bitten during this and has since gone to the ER and got stitches. His name is K[redacted], and the contact details of his partner, N[redacted], is [redacted]. The owner was apologetic at the time of the incident and gave her contact details but mentioned her dog was on heat, so she knew he was a bit reactive. Doug was taken to the vets and treated for punctures and bruising. M[redacted] spoke to the owner, who said she would pay $20 a fortnight for Doug's treatment, but M[redacted] declined. She was not going to make a report but had decided to as the owner seemed careless and she did not want it to happen to someone else. Owner is Leea Watson, [redacted], [redacted]. Only the older dog (Luna) which attacked is registered, but she also had an 8-month-old dog with her. Owner ID-[redacted], dog ID-42294.
Logged By: M Bos

Customer Contact Information:

Name: M[redacted]
Address: [redacted]
Home Phone: [redacted]
Work Phone:
Mobile: [redacted]
Email:

Location Details:

Property Address:
Street Name:
Additional Location Details:

Task Details:

Task to Complete: Gather Information/Investigate
Task Due Date: 28/04/2025
Task Comments:

Click here to view and update the Task directly in Authority

This is a system generated email. Please do not reply to this email as it was sent from an unmonitored mailbox.

Attachment 2

Wendy O'Connor

From: D[redacted] <7(2)(a) Privacy>
Sent: Monday, 31 March 2025 3:24 pm
To: Dog info
Subject: ATTN: Wendy re: dog attack @ Linklater park on 29/03/25
Attachments: IMG_9868.jpeg; IMG_9900.png; IMG_9899.png; IMG_9898.png; IMG_9901.jpeg

Categories: Wendy O'Connor

To whom this may concern.

Regarding a dog attack that occurred 29/03/25:

When exiting Linklater park, I had my dog Doug on a leash. I also had my 7(2)(a) Privacy son who had biked around the park while we had completed a 3k walk. We were walking down the path toward the main entry gates and we were near the big boulders/rocks (which were on the front left of us) and two loose black and tan dogs approached my Dog, flanking him on both sides. Some normal sniffing etc occurred between them and then escalated to growling and snapping at one another, which further escalated to oldest/ biggest of two black & tan dogs latching on too the back of Doug's neck. The other black & tan dog was initially involved in the growling and snapping but once the situation escalated it was immediately removed by someone. I am unsure of who. My dog was unable to fend the attacking bigger black & tan dog off due to its bite position, which was on the back of Doug's neck (see photo of injury) & being attached to his lead.

Despite myself screaming, pulling at my dog via his lead and kicking at the attacking dog in its face, I couldn't dislodge the dog. Concurrently, there were two men assisting me by pulling at the attacking black & tan dog's collar and the other punching the same dog in its face/snout; it wouldn't let go/ unlatch from/of my dog. I have no idea who these men were. My dog had started to scream in pain as the other dog had started to turn its head from side to side. At no point, the dog's owner Ms. Watson; gave no assistance in any diffusing of this situation by calling off her dog.

A group of people playing frisbee golf were nearby and one of them, K7(2)(a) Privacy, jumped to Doug's rescue and managed to get the dog off Doug. I am unsure of how he did this as I didn't see and also can't remember, but he was bitten in the process on his hand.

After the situation was diffused, I was approached by Ms. Watson and she had asked if my dog was intact as her dog was on heat and surmised that this was the cause of the unprovoked attack. This conversation was shut down by N7(2)(a) Privacy (who is K7(2)(a) Privacy's partner) who had seen happen. (They belonged to this group who had been playing frisbee golf). N[redacted] also managed to get Ms Watson's details on my behalf. I was too shocked at the situation, to manage any other thing and I was worried regarding my dogs and my son's wellbeing to pay much attention to any other conversation that occurred.

One of Ms. Watson's companions offered some assistance regarding Doug being seen at Wet Pets by a friend of his; I declined preferring him to been seen by my Vet @ Totally Vets in Feilding. I immediately rung them and was seen straight away. Doug was heavily panting throughout the ride to Feilding. His injuries were puncture wounds and bruising. His treatment was a course of antibiotics and anti-inflammatories. See pictures and vet invoice.

K[redacted]'s injury to his hand post incident was actively bleeding and I was later informed (by his partner, N[redacted]) that he sought medical help. He required stitches and a course of antibiotics.

I had a text exchange with Leea Watson the following day. Please see attached.

I want to clarify this complaint does not stem from the lack of financial contribution from Ms Watson but rather the lack of accountability & insight into the risk her dogs pose to others concerning her dog's behaviour as evidenced in this text exchange. I do not want another person or dog to be possibly involved in an incident like this again because of this dog or her irresponsibility as a dog owner.

People involved:

Leea Watson: [redacted] (Dog Owner)

Myself (M[redacted]) [redacted] (Doug's owner)

Witnesses:
K[redacted]
N[redacted]
Regards,

M[redacted]

OFFENDING OWN STATEMENT

Attachment 3

Wendy O'Connor

From: Leea ben Watson bast <7(2)(a) Privacy >
Sent: Monday, 31 March 2025 2:31 pm
To: Dog info
Subject: Statement

Categories: Wendy O'Connor

This is the statement regarding the incident

So I had just got to the park where I am a frequent user at with my almost 2 year old dog and her 8month old puppy and our friends and there puppy that my almost 2 year old dog has adopted as her own my dog is use to being off lead and interacting in off lead areas with other dogs we have had no problems with her in the past with interacting and this is the first incident we have had with her doing this ever to a dog I believe she done this from me showing fear and also having the two puppies with us thinking n they were in danger. I did apologize to the lady and she accepted that, I did offer to pay $20 a Fortnight for her vet bill as that's all I can afford she's like no thanks I don't want to make it more costs than u can't afford . She said to put them money towards something else. My almost 2 year old dog has been to puppy school as a puppy and so did her 8month old puppy that teachs as how to do recall at the time of the incident I was trying to do that the both my dogs is keep teaching them.what they have taught as at puppy school I do this every time with them but for some reason she didn't listen this time to my.commands

Our almost 2 year old is registered and microchipped and is due to be desexed on 8th of May 2025 thanks to the SPCA for the voucher, her 8month old puppy is also going to be desexed they following week on the 15th of may.

She will now remain on the lead while walking unless there are no other dogs around nat the time and if other.dogs are around she will be on lead at all times

Attachment 4

Attachment 5

Assessment Matrix
(applies for offences under Sections 57 and 58 Dog Control Act 1996)
(attacks)

The following assessment matrix is to be used as a means of gauging the alleged offence to determine if the attack will be considered 'serious'. The scale is based on a 'score' for each matter to be assessed. The 'score' (unless expressly restricted to a range) is totally dependent on the officer's interpretation of the incident being investigated.

Complaint Number 3560/2025 **Dog Owner ID** 7(2)(a) Privacy

Investigating Officer 74 **Dog ID** 42294

Dog

- **Level of aggression displayed in the attack**

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☑ ☐ **Score:** 9

Low Intensity — Medium Intensity — Extreme Intensity

1 2 3 4 5 6 7 8 9 10

nip and run off (intimidating) — *bite and retreat (growling)* — *multiple bites* — *hanging on – shaking (snarling)*

- **Factors involved that led to the attack occurring**

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☑ ☐ ☐ **Score:** 8

1 Uncharacteristic 2 Accidental 3 Reaction 4 Puppies 5 Provoked 6 Breed 7 Protection 8 Territorial 9 Prey Drive 10 Unprovoked (No obvious reason)

- **Previous history – *(last 6 months)***

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ **Score:** —

1 Bylaw 2 Barking 3 Roaming 4 Impounded 5 Rushing 6 Aggressive 7 Minor Biting 8 9 10 Attack

- **Previous history – *(6 months to 2 years) Note: Cannot be a shaded box***

■ ■ ■ ■ ☐ ☐ ☐ ☐ ☐ ☐ **Score:** —

5 Rushing 6 Aggressive 7 Minor biting 8 9 10 Attack

- **Previous history – *(2 years to 5 years) Note: Cannot be a shaded box***

■ ■ ■ ■ ■ ■ ■ ☐ ☐ ☐ **Score:** —

8 Minor biting 9 10 Attack

**If dog has been Classified Dangerous at anytime score 10 irrespective of time elapsed*

- **Type of 'control' situation the dog was in**

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☑ ☐ ☐ **Score:** 8

Private Property — Public Place

1 Kennelled 2 Chained 3 Fenced 4 Free run 5 Unfenced 6 Tied up 7 On Lead 8 Off Lead 9 *Other property 10 At large

**"Other property" defined as any private property other than the dog owners*

Use Only One (Do NOT score if NIL previous record)

Dog Total 25

(Min 3 - Max 40)

Dog Owner

- **Attitude to the incident**

☑ 1 Excellent ☐ 2 Cooperative ☐ 3 ☐ 4 ☐ 5 Average ☐ 6 ☐ 7 ☐ 8 Disregard ("Couldn't care less") ☐ 9 ☐ 10 Obstructive

Score: 1

- **Previous History – *(last 6 months)***

☐ 1 Education Verbal ☐ 2 ☐ 3 Warning ☐ 4 (non-attack/ attack) ☐ 5 ☐ 6 Infringement ☐ 7 ☐ 8 ☐ 9 Prosecution ☐ 10 (non-attack/ attack)

Score: –

- **Previous history – *(6 months to 2 years) Note: Cannot be a shaded box***

■ ■ ■ ■ ☐ 5 Warning ☐ 6 (non-attack/ attack) ☐ 7 Infringement ☐ 8 ☐ 9 Prosecution ☐ 10 (non-attack/ attack)

Score: –

- **Previous history – *(2 years to 5 years) Note: Cannot be a shaded box***

■ ■ ■ ■ ■ ■ ■ ☐ 8 Infringement (biting/ attack) ☐ 9 ☐ 10 Prosecution

Score: –

**If the dog owner has been Probationary or Disqualified at any time in the past 6 months – 5 years score 8 and 10 respectively*

Use Only One (Do NOT score if NIL previous record)

- **Level of Responsibility towards Control of Dog**

☐ 1 Control provisions were in place Excellent ☐ 2 ☐ 3 Average ☐ 4 ☑ 5 OK ☐ 6 Ignorant of rules and/or regulations ☐ 7 ☐ 8 Disregard of previous warnings/actions ☐ 9 ☐ 10 Deliberate

Score: 5

- **Likelihood of dog being a continuing threat to the safety of persons, stock, poultry, domestic animals or protected wildlife *(at the same address – with same owner)***
  Note: cannot be a shaded box

☐ 1 Unlikely ■ ☑ 3 Possible ■ ☐ 5 Probable ■ ■ ■ ■ ■

Score: 3

Why? IF OFF LEASH MAY REOFFEND

- **Registration Compliance – *Note: cannot be a shaded box***

☑ 1 Current ■ ☐ 3 Expired ■ ☐ 5 Never Been ■ ■ ■ ■ ■

Score: 1

Owner Total: 10

(Min 4 - Max 40)

Victim 1 – (person)

- **Victim impact as a result of the attack (psychological)**
  Note: cannot be a shaded box.
  Victim Impact statement may be required if 5 or 7

☐ ■ ☐ ■ ☐ ■ ☐ ■ ■ ■

1 Good 3 Angry 5 Shaken 7 Trauma

Score: —

- **Effects/ Injuries as a result of the attack (physical)**

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

1 Scare Torn Clothing 2 3 Bruising 4 Property damage 5 Bite Marks 6 Punctures 7 Stitches 8 9 Extensive medical attention 10

Score: —

Victim 1 Total: —

(Min 2 Max 17)

Victim 2 – (stock; poultry; domestic animal; protected wildlife)

- **Effects / Injuries as a result of the attack *(not applicable if death)***

☐ ☐ ☐ ☐ ☐ ☑ ☐ ☐ ☐ ☐

1 Bruising 2 Bite Marks 3 4 Punctures 5 6 Minor Vet 7 8 9 Major Vet 10 Euthanasia

Score: 6

- **Death of stock, poultry, domestic animal, or protected wildlife.**
  NOTE: (poultry – not above 3; protected wildlife – not below 4; domestic animals and stock – not below 7)

☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

1 2 Poultry 3 4 Protected Wildlife 5 6 7 Domestic Animals & Stock 8 9 10

Score: —

- **Victim impact in relation to being the owner of stock; poultry or domestic animals as a result of the attack. If protected wildlife the victim impact of the complainant (psychological)**
  Note: cannot be a shaded box.
  Victim Impact Statement may be required if 5 or 7

☐ ■ ☑ ■ ☐ ■ ☐ ■ ■ ■

1 Good 3 Angry 5 Shaken 7 Trauma

Score: 3

Victim 2 Total: 9

(Min 2 Max 17)

MODERATE

Assessment Total: 44

(Min 9 Max 97)

Use Only One

SCORE RANGE OPTIONS – (Min 11 / Max 97)

Use the following Guide based on the matrix score to provide a gauge as to the type of enforcement action to apply for attacks pursuant to Section 57 or 58 Dog Control Act 1996. ***(one or more options may apply)***

Complaint Number ...5540... **Assessment Score** ...44.....

Score: **11 – 34** *(tick box/s)* **(OFFICER OPTIONS)**

- ☐ S33A Menacing Classification
- ☐ Warning Notice
- ☐ Verbal Warning
- ☐ Education
- ☐ S52A Infringement
- ☐ S42 Infringement

Note:

- In the case of an unregistered dog a S42 Infringement **must** accompany the above (unless dog impounded or handed over) **and** a S33C Menacing Classification in the case of a dog listed under Schedule 4 of the Dog Control Act 1996.
- S33A Menacing Classification would **not** apply if the dog was destroyed.

Score: **35 – 84** *(tick box/s)* **(T/A OPTIONS)**

- ☐ S57 Prosecution and Dog Seizure Retention
- ☐ S57 Prosecution
- ☐ S25 Disqualification *(upon conviction)*

(OFFICER OPTIONS)

- ☑ S33A Menacing Classification
- ☐ S52A Infringement Notice
- ☐ S53(1) Infringement Notice
- ☐ S31 Dangerous Classification ***(if applicable)***
- ☐ Warning Notice
- ☐ S42 Infringement Notice
- ☐ Notice to Register

Note:

- In the case of an unregistered dog a S42 Infringement **must** accompany the above (unless dog impounded or handed over) **and** a S33C Menacing Classification in the case of a dog listed under Schedule 4 of the Dog Control Act 1996.
- S33A Menacing Classification would **not** apply if the dog was destroyed.
- Where medical/veterinary attention is required the officer **shall** give higher consideration to the more serious action option *(providing it is relevant to the circumstances of the case).*

Continued over page

Score: **85 – 97** *(tick box/s)* **(T/A OPTIONS)**

- ☐ S58 Prosecution and Dog Seizure Retention
- ☐ S57 Prosecution and Dog Seizure Retention
- ☐ S57 Prosecution
- ☐ S25 Disqualification *(upon conviction)*

Note:

- In the case of an unregistered dog a S42 Infringement **must** accompany the above (unless dog impounded or handed over) **and** a S33C Menacing Classification in the case of a dog listed under Schedule 4 of the Dog Control Act 1996.
- Where extensive medical repair and/or hospitalisation is required the T/A **shall** give higher consideration to the more serious action option.
- Seizure of Dog *(if applicable)*
- S25 disqualification *(upon conviction)*

Details:

Dog ID: 42294

Owner ID: 86441

Impound Notice: N/A

Infringement Notice: N/A

Officer recommendation: ☐ **Prosecution** ☑ **No Prosecution**

Reason for either Prosecution **or** No Prosecution: *(see Factors to Consider for Prosecution decision)*

as this is the first offence in my considered opinion a menacing classification is sufficient and should prevent further incidents if the owner complys with the classification.

Signed:
Team Leader Animal Management and Education

Date: