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17 November 2021

Hon. Peter Foster MLC  
Standing Committee on Environment and Public Affairs  
Parliament House  
4 Harvest Terrace  
WEST PERTH WA 6005

Dear Mr Foster MLC,

**PETITION NO. 020 – DOG ACT 1976**

Thank you for your correspondence to the City of Stirling dated 27 October 2021, in respect to Petition No. 020 which requests changes to the *Dog Act 1976*. The City's Chief Executive Officer, Mr Stuart Jardine PSM has requested I respond to your specific queries on his behalf. As such, in relation to your questions;

**1. In the last 5 years, in relation to the City of Stirling:**

***I. How many dog attacks have been reported?***

1372 dog attacks have been reported, noting that not every report has constituted and been substantiated as an actual "dog attack" once an investigation has occurred.

***II. How many infringement notices have been issued for offences relating to dog attacks? What fines have been imposed and what were the circumstances of the offences?***

A total of 310 infringements and 66 cautions have been issued, specific to dog attack offences. The infringements issued consist of the following offences and penalties:

- 258 x 'dog attack or chase causing injury' – (\$400 infringement)
- 48 x 'dog attack or chase no physical injury' – (\$200 infringement)
- 4 x 'dangerous dog attack or chase no physical injury' – (\$400 infringement)

This is a total of \$114,000 in infringement penalties being issued.

***III. How many prosecutions have been bought?***

40 prosecutions

**IV. How many dogs have been declared dangerous?**

43 dangerous dog declarations

**V. How many dogs have been seized and/or destroyed in response to a dog attack?**

This is not a figure that the City can provide for the 5-year period requested due to historical system capabilities. However, the City's current system has enabled us to collate this data for the period from 25 August 2019 to the current date. A total of 67 dogs were impounded as an outcome of a reported dog attack case.

Of the 67 dogs impounded a total of 13 dogs were euthanised as a result of the dog not being suitable for rehoming following:

- The offending dog owner not being able to be identified; or
- The offending dog not being reclaimed by the owner; or
- The offending dog being surrendered by the owner

Depending on the severity of the attack, dogs are seized pending investigation by our officers, and a destruction order may be sought depending on the result of the investigation.

**VI. How many dogs have been seized but then returned to their owners following impoundment as a result of a reported dog attack?**

Further to the response of question V above, since 25 August 2019, 54 dogs were impounded and subsequently returned to their owners or rehomed as a result of a reported dog attack.

**VII. How many owners, if any, have been compelled to attend training courses?**

The City regularly recommends offending dog owners to attend training to assist with improving control of their dogs. The City is unaware of any court orders that have been made for an owner and their dog to complete a dog training course however several dog owners have been required to complete a dog training course prior to the revocation of a Dangerous Dog Declaration.

**VIII. Of the dogs who have previously attacked, what follow-up (if any) occurs to ensure owners are continuing to comply with their obligations (for example, in relation to signage, fencing and muzzling).**

Where a dangerous dog declaration applies, annual property inspections are conducted to ensure the property remains compliant. Where an attack has occurred, but a dangerous dog declaration is not applied, no follow-up action is undertaken.

**2. What process is available for local residents to report dog attacks?**

The City of Stirling has multiple avenues to report an alleged dog attack as list below:

- Telephone the City's Customer Contact Centre on (08) 9205 8555
- Telephone the City's 24hr Security Services team on 1300 365 356
- Submit an online enquiry form on the City's website (<https://www.stirling.wa.gov.au/your-city/contact-us>)

Dog attack reports are considered a high priority job for the City's Rangers.

We also accept more conventional methods such as post and fax, although these are rarely received for dog attacks

### **3. Any other information which may assist the Committee with its enquiries:**

Recently the City has observed a trend of increasing timeframes to have animal related matters finalised in Court. These increased timeframes have resulted in increased frustration and stress to both victims and offenders, who are often wanting to have an outcome determined. An example of a dog attack matter that is currently experiencing long timeframes within the Court system is the same dog attack in which is a victim. I note that is named in the documents you provided.

From the time of the dog attack incident, it will be almost two (2) years before an outcome will be determined by a Magistrate in Court.

A chronology of the dog attack including Court dates is listed below:

<b>Date</b>	<b>Attendance</b>	<b>Outcome</b>
16.03.2020		Dog Attack Incident
20.04.2020		Dog Attack Investigation Finalised
19.06.2020	Court - First Mention	Neither accused attended and were convicted pursuant to Section 55 of the Criminal Procedure Act. Adjourned to sentencing on 31.07.2021
31.07.2020	Sentencing	Neither accused attended. Adjourned to sentencing on 11.09.2021
11.09.2020	Sentencing	Accused attended represented legal representative Adjourned for legal advice to 09.10.2020
09.10.2020	Sentencing	Accuseds make applications to set aside convictions, which was granted. Listed for trial allocation on 27.10.2020
27.10.2020	Trial Allocation	Matter listed for 2 day trial on 09.10.2021
29.07.2021	Application (filed by legal representative, Adjourn Trial (accused #1 only)	Application to adjourn trial against Accused #1 granted. Trial allocation listed 05.10.2021 Trial listed 09.10.2021 remains for accused #2



06.08.2021	Application (filed by the City's Legal representative) to Re-join Trial (accused #2 only)	Application granted. Adjourned to trial allocation 05.10.2021
05.10.2021	Trial Allocation	Trial listed for 01.02.2022
01.02.2022	Trial Date	Yet to be heard

Additionally, the City would support amendments to the Act to enable:

- A local government authorised officer to require the owner and respective dog to complete a dog education program where the dog is found to be responsible for injury or where two or more offences under the Act have been committed without the necessity to seek a court order.
- Provisions to streamline a local government's ability to seize and detain a dog that has caused serious physical injury and/or death.

I trust this information is satisfactory. However, should you require any further information regarding dog attacks, please feel free to contact me by telephone on

Yours sincerely,

Laurie Crouch  
Manager Community Safety