

*Standing Committee on Environment and Public Affairs —
Sixtieth Report — Petition No. 020 — Dog Act 1976*

Resumed from 24 November 2022.

Motion

Hon PETER FOSTER: I move —

That the report be noted.

We now move to the sixtieth report of the Standing Committee on Environment and Public Affairs titled *Petition No. 020 — Dog Act 1976*. Report 60 is the third report that the Standing Committee on Environment and Public Affairs has tabled in the forty-first Parliament so it is a great opportunity to have a look at it today. It is also the third report that I have had the privilege of tabling in this place. The report was tabled last year on 24 November. It has been on the notice paper for some time so I hope some members will come forward to make a contribution today. As we learn from the executive summary of the report, which is set out at the front, the report arises from a petition, number 20, which called for the following —

- stronger penalties for dog attacks
- the removal and destruction of offending dogs, and
- a compulsory education program for owners of dogs who have previously attacked people or other animals.

The petition was lodged in this chamber on 5 August 2021 by Hon Tjorn Sibma, who is present in the chamber today. The petition attracted 107 signatures. The principal petitioner was Cindy Burt, who made a submission to the committee. If I have time at the end, I want to read a particular quote from her submission that I think is quite important. It should be noted that petition 20 is the re-tabling of an earlier petition. A petition was lodged in the fortieth Parliament, petition 180, which attracted quite a few more signatures at 638. That suggests to me that people in the community are concerned about this issue. That is the purpose of this committee—to give people in the community an opportunity to raise issues to Parliament and to enable us to talk about them and debate them, as we are doing today.

Before I get into the detail of the report, as is customary with a lot of reports that are tabled in this place, I would like to acknowledge my trusty committee members: deputy chair, Hon Tjorn Sibma; and Hon Sophia Moermond, Hon Stephen Pratt and Hon Shelley Payne also join me on that committee. I would also like to acknowledge the committee staff who were present and assisted us in working on this report. They were advisory officer Stephen Brockway, research officer Maddison Evans, and our committee clerk, Kristina Crichton.

As part of our preliminary inquiries, we always write to the principal petitioner and the tabling member to get a bit more background on the petition. It is important to point that out because when we receive petitions, we cannot move forward until we get that information from the tabling member and the principal petitioner. If members have tabled a petition in this place, please get that information back to us as soon as you can. We also wrote to a number of stakeholders, including the Western Australian Local Government Association; the Minister for Local Government, which was Hon John Carey at the time; the RSPCA; and a number of local governments across both regional and metropolitan Perth. I will come back to some of them later in my contribution. The reason we contacted local governments was that they are responsible for administering and enforcing the Dog Act 1976. That formed the crux of our inquiry into this petition. Local governments can apply penalties—as we learnt, a modified penalty of up to \$400 for dog attacks. Should the offending dog owner be successfully prosecuted, the act currently provides for a penalty of up to \$10 000 for any attack that causes injury and a maximum fine of up to \$20 000 if the attacking dog is declared a dangerous dog. That is an important distinction. Why are dangerous dogs an issue? If members look at pages 1 and 2 of the report, they will see in Australia it is estimated that over 100 000 dog bites are recorded annually with an average of 2 061 a year requiring hospitalisation. Those figures are Australia-wide but I will come to the Western Australian figures shortly.

I am sure many of us here have a story about a dog attack, or perhaps have a family member or friend who has a story about a dog attack. I have one myself. When I was 11 or 12 years old, I was threatened by a dog. Fortunately, I was not attacked as such, but I was threatened and chased down the street. Fortunately, one of my elderly neighbours ran out with a broom, and I was able to make a hasty escape. I think that many of us, especially people who go to parks and places like that, will have a story or two to tell about a dangerous dog. We only need to jump on Google and type “dog attacks” in the search engine and it will bring up a considerable number of stories.

Hospital presentations and discharges are only one way in which we can collect data on dog attacks, as not everybody who is attacked by a dog presents to hospital for treatment. That is important to note, because hospital presentations do not give us a fair reflection of how many people have been attacked by a dog. As I said, we wrote to a number

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of local governments—we wrote to 11 in total—asking to see the records they have kept on dog attacks to try to give the committee an idea of how many people in those particular local government areas had been attacked by dogs over the past five years. The responses are found at appendix 2 of the report. Those 11 local governments came up with a total of 11 861 dog attacks reported on their systems, which works out to be about 216 dog attacks in each local government area a year. That is almost a dog attack a day, or one every two days. I note that these numbers still do not give a true and accurate reflection.

I turn to page 2 of the report. The local governments gave reasons why they felt that not all dog attacks are reported. They said that an attack might not be reported if the attack was minor in nature and there was no serious injury. In my case, when I was 11 or 12 years old, I was not harmed, so my dog attack was not reported. The attack may have been by a family dog. Of course, people love and are quite protective of their family dogs, so they would not want to report that attack. Some attacks are not reported because those involved want to work out the incident themselves. Perhaps they knew the dog owner and wanted to tap them on the shoulder and work it out privately. Some attacks are not reported because of a fear of the court process. People maybe did not want to relive their trauma and have to go through the experience of having to talk about what had happened to them. There is also the fear of the dog being euthanised. Often, when a dog is declared dangerous and vicious, it may be euthanised. Other reasons for not reporting an attack were fear of retaliation by the dog owner, a lack of awareness of what constitutes a dog attack, and a lack of awareness of the ability to report.

One issue raised in the petition is: are these penalties that we have in place effective, or do we need to think about recommending that they be made harsher? Page 8 of the report refers to penalties as a deterrent. The committee formed the view, based on the evidence received, that the penalties that are currently available to the court are quite significant, and that increasing them would be unlikely to act as a further deterrent. I will return to that point if I have time, or maybe one of my colleagues might want to return to it, because the feedback we received from local governments was definitely that they were looking at other ways to deter these attacks. Local governments are encouraged to find ways to encourage participation in education campaigns and dog training courses. Our rationale is in the report.

I want to single out one of the local governments that we spoke to—the City of Mandurah. This is found on page 21 of the report. The City of Mandurah was one of the few local governments that actually recorded a decrease in dog attacks over the past five years. It believed this was mainly due to its continuous program to raise community awareness to report wandering and uncontrolled dogs. That local government’s view was that a dog that is wandering may become a dangerous dog, so its focus was on keeping wandering dogs in check to decrease the number of dog attacks. The result of that approach is seen through those statistics.

Noting that I have only about 18 seconds left, I again thank the witnesses who came forward, the Department of Local Government, Sport and Cultural Industries and the local governments for sharing their information. I commend the report to the house.

Hon TJORN SIBMA: It also gives me great satisfaction to speak to this report, *Petition No. 020 — Dog Act 1976*. Before I deal with the issues of substance, I thank the preceding speaker, Hon Peter Foster, for his very kind remarks about me and the rest of the committee. Indeed, I think we are a committee of trusty people—trusty in equal measure.

I think that the issue dealt with by this report represents one of those sort of community-level sleeper issues. Everybody has a dangerous dog story of one kind or another. But I might just go in a little more detail to the circumstances that led to the tabling of the petition, which eventuated in consideration being given to the matter and the report before the house.

I was contacted by a lady by the name of Cindy Burt, who was the principal petitioner, almost two years ago. She was attempting to attract attention at the state political level to the matter of dog attacks in the community. Unfortunately, Cindy and her pet dog were the victims of a particularly vicious attack that led to Cindy being quite seriously injured and her treasured pet dog becoming deceased as a consequence of an attack by a larger, unleashed, aggressive animal. The feeling of not only physical pain and personal trauma, but also grief at the loss of a treasured member of her household—her pet dog—struck Cindy particularly strongly. If there was an impression I took away from that, it was that the physical wounds obviously heal, but I think that the trauma of the incident will probably be left with that lady for the rest of her life. In a meeting with me, she was joined by a friend of hers who had undergone a similar terrible experience, but that attack was also witnessed by and involved her son, who was quite young at the time. I was obviously very affected by the personal story that Cindy confided in me in my electorate office, but I think it was the perspective of her friend that resonated with me, because I am the father of very young children. I think that as a parent—particularly as a new parent—we discover a whole new realm or vector of fear that we had long suppressed or did not know existed before we had someone young to protect and care for. Despite personally being a dog lover, I am very, very anxious when my children are in the vicinity of any dog, whether they are known to the family or not. It is very easy to envision a range of scenarios by which one might become a victim personally, or a vulnerable member of one’s family may become a victim, or a pet may become a victim. Neither

of the ladies who were so generous in telling me their personal stories woke up on the morning of the attack being prepared to be affected. I think that is a logical conclusion. It was so unexpectedly vicious and consequential, and it will resonate with those people for the rest of their lives.

What, then, as responsible legislators, can we do about it? Inevitably, an increased penalty sort of response is almost a reflex of first resort in any of these circumstances. The committee gave consideration to the terms of the petition effectively calling for an evaluation of the penalties as they apply. It was also an occasion for the committee to expand its view to try to ascertain the degree to which this is a problem in the community and how it can be remedied. Hon Peter Foster relayed some national statistics about the prevalence of dog attacks that result in hospital presentations each year. We did a quick survey of a number of local government authorities in Western Australia. We tried to get information from a mix of peri-urban, northern suburbs, rural, regional and remote councils to get a very good picture of the issue. I was staggered at the number of reported incidents. Hon Peter Foster read in figures on the frequency of dog attacks in Western Australia on a daily basis that are quite sobering. It is the devastating attacks that lead to death or serious injury that obviously attract media attention, but the statistical occurrence is so frequent that I think it probably deserves some dedicated attention.

The first problem that any committee is faced with, particularly when the issue is unknown, not spoken about and not flavoured by any sort of partisan wrangling, is attempting to understand the data. With this issue, as with so many others, there is a data deficiency. The committee came to some informed conclusions and made some suggestions about how that might be remedied because there is diversity in processes and record keeping on this matter at the local government level. At the time I thought there may be a neater solution in the guise of a set of regulations and measures that were to flow from the passage of a previous bill—that is, the stop puppy farming bill, as it was colloquially referred to. I think the legislation gained assent in late 2021. There was an attempt to pass the legislation in the previous Parliament, but the bill did not make it to this house before Parliament was prorogued, if I recall correctly. As an unrelated, but dog-related, matter, there was a view that the Department of Local Government, Sport and Cultural Industries was to devise a centralised register of ownership, or provenance, of animals obtained in Western Australia. I thought that opportunity provided another means by which dog attack statistics and dog ownership statistics could be accumulated in a centralised system. At the time we held our hearings, the department had entered into only very cursory discussions on what might constitute that register. I understand that at the time of tabling or some time thereafter, the department went out to tender on that process. I am also reminded that, to the best of my investigations, the original act has still not been promulgated, nearly 18 months since it was gained assent. I think that is something we should follow up with the new Minister for Local Government. That is to the best of my knowledge as of yesterday.

I have a short time available to me. We can collectively as a Parliament make a constructive contribution to governance and community safety in this state, starting with better data. I hope at another time to reflect on the need to codify and probably strengthen enclosure laws for more dangerous dogs. There are some very considered remarks and evidence in this report. It is the kind of report that members might be tempted to gloss over, but I encourage them to delve into it because I think there is something in it for them and their communities.

Hon STEPHEN PRATT: I begin by thanking Hon Peter Foster and Hon Tjorn Sibma for their contributions. I will follow on from where Hon Tjorn Sibma left off. He touched on the central registration system that came out of the stop puppy farming legislation that we passed in this place. He is correct that the system has gone out to tender. I look forward to seeing it established. This report outlines the little journey our committee went on as a result of the presentation of a petition. It is a microcosm of the effort that we put in to do justice to the petition. I was reminded today of the story of the principal petitioner, Ms Cindy Burt, and the tragic loss of her puppy dog. I think Tjorn touched on that more and more dogs are becoming part of our families. We do not have one in our household anymore, with the loss of Jake the Wonder Dog last year. I look forward to the kids in our house getting to the age when we can all appreciate having another dog in the house. That highlights the importance of the issue raised in petition about the traumatic impact of any dangerous altercation with a vicious dog and the ongoing consequences to the individual and the other dog involved.

I have extensive notes I want to touch on. The committee held some hearings. Some members might be consider that to be unusual given that we did not undertake a full inquiry, but we wanted to satisfy ourselves that we were comfortable with what was in place and what the government was doing. After hearing from local government authorities, the Department of Local Government, Sport and Cultural Industries, the RSPCA and the Western Australian Local Government Association, as a collective group we got to a point at which we were satisfied that a range of things are being implemented and progressed. The crux of the petition was a call for increased fines. The committee found and quickly reached a clear consensus that a stronger focus on education and promoting responsible dog ownership is preferred over an increase in penalties. Most people who presented evidence to our committee suggested that increased penalties would not have the desired impact and the focus should be on other areas.

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I have already touched on the stop puppy farming legislation and the creation of a centralised registration system. The committee through its investigation as a result of a petition found that this mechanism is viewed as an important step in reducing the incidence of dog attacks. Members might wonder how it will do that. The new system will do a range of things. It will eliminate duplication. I guess it is more than duplication; across the board every local government authority manages its own system to register dogs and cats.

What we will see with the creation of this centralised system is one register across the whole of Western Australia. If someone moves from one local government authority to another, they will be able to go online and update their details. We will have a better ability to trace and track dogs across the state and will also be able to keep a clearer record of restricted breeds of dogs. It will make it a lot easier and will result in a saving to local governments, because there will be no duplication of work across the board. In reality, this could result in a saving to residents in each of the local government areas because they will not have to expend that resource. At the moment, 137 local government authorities across WA have to manage their own registers for both cats and dogs. I see this new statewide system as a key feature that will make this issue a lot easier to deal with. If I have not explained some of the benefits clearly enough, the other area in which this will be of assistance is when a dog is sold to a new owner, or, as I said, the owner could move between districts and this system will make that easier to track. It will also be an easy online process, whereas in the past residents would have to go along in person to do a manual registration. We look forward to that being implemented. I think it should be done by mid-next year. That is an exciting thing to look forward to.

I already touched on the fact that this system could save some local governments money, so I will move on.

I do not think anyone has yet touched on page 16 of the report and the issue of dog enclosure requirements. It came up that there was not uniformity across local governments. The committee commented —

There is support across local governments for more uniform and detailed dangerous dog enclosure requirements.

The government could consider amending legislation in future to provide specific details in the regulations around the construction of those enclosures and, in the meantime, the department could consider producing uniform guidelines. I think that was the main consideration for us. There is perhaps the opportunity for some clear guidelines that could be shared through the Western Australian Local Government Association, for instance, so that local governments can have a clear understanding of what the expectations are.

From the public hearings, the City of Mandurah stood out because it is taking a really proactive approach. I cannot recall the name of the program that it was running, but it was engaging with dog walkers and people who own dogs, proactively seeking their input and advice about what they see when they go for a walk and what the local government could be doing to make it safer. It is getting on the front foot, looking at ways that things can be done better. I think it was a bit of a shining light from some of the presentations we had before the committee.

In closing, we had a thorough look into the issues raised in this petition. Although we did not agree with the key call for an increase in fines, we found a whole range of useful information and came to a collective agreement that we were satisfied with what currently exists and what is on the horizon with what the government will be implementing across the coming months and years. I thank all my colleagues on the committee and the committee staff.

Hon SHELLEY PAYNE: I, too, would like to speak on the sixtieth report of the Standing Committee on Environment and Public Affairs, *Petition No. 020 — Dog Act 1976*. As my other colleagues have done, I thank my colleagues for making contributions: Hon Peter Foster, Hon Tjorn Sibma and Hon Stephen Pratt. First of all, I would like to echo the comments of Hon Tjorn Sibma about everyone having a story about a dangerous dog. I thank Hon Peter Foster for his story about a dog attack. Dealing with dogs is something that depends a lot on people's upbringing. I did not grow up with dogs, so I am not all that comfortable with other people's dogs. That comes from my mother probably not being that comfortable with dogs. I can understand a bit of concern in the community when people do not have their dogs under control. My daughter suffers from headaches as a result of a dog attack when she was younger. It bit her face and damaged some of her eye muscles. Even today she was telling me about the pain behind her eye and that she did not want to have to go to work. Some of these small things can end up having an impact on people for a long time. I used to live next to a dog that did not like skates. We used to go down the back of our garden with our skates on to skate along the river. It used to grab onto our ankles, and we would always run back into the house to get rid of the dog. Later, when rollerblades came out, the dogs in the city would love to get our ankles on our rollerblades as well. I do not know whether they look like little bunny rabbits going by, but we used to be worried about dogs when we would go off rollerskating.

Anyway, I divert from the report. This was quite an interesting petition. As Hon Peter Foster said, a previous petition could not be addressed in the previous Parliament. When this petition came forward, it was an issue that was getting quite a lot of media at the time. It was something that the committee thought was worth having a look at, acknowledging it is a local government issue to administer the Dog Act. Was there something that could be

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done? What were the main issues surrounding dog attacks we seem to have in the community? As Hon Peter Foster mentioned, the petition wanted us to look at stronger penalties for dog attacks, the removal and destruction of offending dogs, and also compulsory education for owners whose dogs have previously attacked other people's animals.

One of the things we noted was that there was recently a statutory review of the Dog Amendment Act 2013. The Dog Amendment Act 2013 increased penalties. The act provides for penalties of up to \$10 000 for a dog attack. One of the things we looked at was that to enforce that penalty, there has to be a successful prosecution, and maybe that is not always the case. As Hon Stephen Pratt mentioned, one of the local governments that came in to talk to us, the City of Mandurah, is one of the local governments that reported a reduction in dog attacks. The way it deals with dog attacks in the community is not looking at going through prosecution, but with carrying out education programs in the community and encouraging people to report stray and wandering dogs. I commend the City of Mandurah for all the work it is doing to help reduce dog attacks in its community.

Another issue that other members talked about that we looked at is the centralised dog registration system, which came as part of implementing the stop puppy farming legislation. This centralised registration will be really great. It will replace all the different registers that the 137 different local governments have at the moment. It will save local governments money. Usually they complain about state government putting more on them and things costing more money, and this will help local governments. This is going to be really great. It will replace all the various dog and cat registers with one centralised registration system, which hopefully will be operational around the middle of next year. I believe the public request for tender went out earlier this year. It will help to improve the tracking of dogs across Western Australia. Whether the dog is sold or the owner moves between districts, it can trace the history of the dog and whether it has been involved in a dog attack, is a restricted breed or has been declared a dangerous dog. It will effectively track the dog over its lifetime. This is a really great initiative of the Cook government. I look forward to the centralised registration system.

I know that there will be a consultation paper on the new registration fees to go with the new registration system. One more benefit of the central registration system is that it will make it a lot easier for dog owners. They will be able to hop online to register their dog or update their details. That will be really good. I understand it will be operational around the middle of next year.

Another thing that the committee noted that I have sort of addressed is responsible dog ownership and how it is more likely to be achieved through education and public awareness rather than through a system of prosecution. The committee talked a bit about trauma services and whether there was merit in local governments directing those involved in attacks to appropriate trauma services to help them if they have any issues. We also talked about the statutory review that the government did. There was support for increasing the penalties, but the committee found that there were varying views and that education and community awareness would probably work better than a fine, noting that the fines in the Dog Act were increased in 2013. Another issue we talked about was dangerous dog enclosures and how the state government could provide a little more guidance to local governments on dangerous dog enclosures, noting that sometimes they are not as effective for the dog as the person who designed and implemented them thinks they are.

I have addressed the education and awareness campaigns and talked about how good the City of Mandurah has been in reducing the number of dog attacks. We also noted that there is not a statewide advertising program promoting responsible dog ownership. It might be a positive thing for the state government to drive something to that effect in the future. I note that greater participation in the training of dogs and their owners will have a greater impact on reducing the number of dog attacks.

Again, I would like to thank the committee for its work on this report, my colleagues for looking into this issue with me and the other people who have made a contribution today.

Hon PIERRE YANG: I, too, would like to thank the Standing Committee on Environment and Public Affairs for its report titled *Petition No. 020 — Dog Act 1976*. Members before me have talked about the context for the petition and also the report. It is always good when parliamentary committees arrive at a unanimous position—that is, members of the committee put their heads together and work out a position on a parliamentary issue or question. In terms of this report, a petition was presented to Parliament and referred to the committee. As we have heard, this petition was tabled at the end of the fortieth Parliament and was re-tabled at the beginning of the forty-first Parliament by Hon Tjorn Sibma, who is the deputy chair of this committee.

I would call myself a born dog person. I love dogs. I think many members of this place will share that sentiment with me. When I see a cute puppy, I am powerless; I cannot resist trying to pat the dog on the head and playing with it for a little bit. I am also a converted cat person, so I am talking to the other part of my constituency. I am a dog person, but I am also a cat person. At the same time, we have to be mindful that not all dogs are cute. We have a lot of dangerous and aggressive dogs in the community. This is not a new issue. This act was passed some 50 years

ago—1976. In comparison, the Cat Act was enacted in 2011 during the Barnett Liberal–National government years. I remember that because I was elected as a City of Gosnells councillor after that.

Hon Dan Caddy interjected.

Hon PIERRE YANG: Thank you. I wanted to acknowledge Hon Dan Caddy, who played a significant role in my election to that council. I thank him for his support and contribution. Obviously, it links to what I am going to say next. One of the first things that we looked at after the composition of the new council in 2013 was the implementation of by-laws by individual local councils pursuant to the Cat Act, which was obviously enacted in 2011. I was elected in 2013. The requirement came to local councils in Perth in 2013–14.

I have had a few personal experiences with dangerous and aggressive dogs, and I want to quickly outline them. My first experience was when I was really little. I was visiting my father's workplace at a big warehouse and I was wandering around by myself. I think it was a weekend, so there were not a lot of workers around. Allowing a young child of probably four or five or six years of age to walk around the empty yard of a big factory is not something that I would allow my children to do these days. I make sure that they are tied to my hands all the time if we go someplace that I foresee as being dangerous. In my situation, I saw a dog rushing towards me from a few hundred metres away. I thought: "I am stuffed; I am going to die here." I turned around and started to sprint—probably at a very slow pace, but I thought I was running pretty fast. My father came and saved me. He yelled at the dog, which was one of the guard dogs at the factory. The dog ran away and I said, "Thank you, Dad. I thought I was going to die." He said, "Next time, climb up something higher and hopefully, as dogs can't climb, you'll be all right." That was when I was very little. I somehow remain a dog person. It is pretty astonishing, but I still love dogs.

The next time an incident occurred was in Sydney. After I came to Australia, I would come across some dogs on my way home from the train station. I think one of the dogs was a pit bull terrier-type breed. It had a deep voice and would knock against a metal gate. It was quite intimidating, especially when there was no-one around and it was dark. Yes, it was a pretty scary moment. Another dog along the way to the place where I lived was much slimmer and could jump really high. I was talking earlier about dogs not being able to jump! The dog could jump to the point that it could stick its head over a 1.8-metre high metal gate to see what was going on on the other side. That was okay because it was in an enclosed place, but I would sometimes come across dogs wandering on the street as I was walking home. They were big ones—probably a metre tall. I was very fortunate to never be bitten; however, I think they were dangerous dogs. That was quite a scary moment, I have to say.

I hope this next example is the last encounter that I have and that I do not get into a similar situation in the future. During the 2007 or 2010 federal election campaign, I doorknocked in the foothills area. As I was going up a driveway on a bit of an elevation, all of a sudden a dog jumped out and charged at me. I thought, "Not again!", so I walked backwards. Fortunately, the dog stopped. There was no gate. Maybe there was a gate, but if there was, it certainly was not locked. I think the dog was simply defending its territory and I was seen as an intruder. Fortunately, I was not attacked.

I have been highlighting some personal examples, but there have been more serious incidents, including a fatality in the City of Gosnells in August 2017 when a dog attacked and killed its 58-year-old female owner. Members would remember that the state election was held in March 2017, so this occurred a few months after I had left my role as a councillor at the City of Gosnells. The woman died in her Southern River home. Grant Bradbrook, a colleague of mine from the city, was the director of corporate governance at the time, if I remember correctly, and he had to issue a statement to explain that the rangers had gone to a pretty horrific scene when they visited that lady's home. We can imagine what the rangers had to deal with in that incident in which a lady unfortunately lost her life. The rangers had to go through that. It was later reported that the dog was put down.

If no other members seek the call, I hope that I can take a few more minutes to conclude my remarks.

The DEPUTY CHAIR: The question is that the report be noted.

Hon PIERRE YANG: I wish to continue my remarks, but I will conclude fairly quickly.

There are aggressive and dangerous dogs. Although I have had encounters that were unpleasant and sometimes dangerous, an astonishing number of incidents result in people getting injured and, sometimes, losing their lives. As the committee pointed out at paragraph 1.7 of the report, an estimated 10 000 dog bites are reported annually. That is a huge number of attacks. The committee also noted that there were 60.7 per 10 000 emergency department presentations in the paediatric population and 12.9 per 10 000 emergency department presentations in the adult population. Children are particularly vulnerable and from time to time are mauled by dangerous dogs. For a child to be attacked by a dangerous dog would be the worst nightmare for any parent. I saw two dangerous dogs from two families, so to speak, that were going for a walk in the park, and when the dogs saw each other, they wanted to kill each other. Sometimes you see owners who are hardly able to restrain their dogs. It is unfortunate when someone

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is hurt. We have also seen reports of dangerous dogs attacking smaller dogs. We can imagine the grief and sadness of an owner when their small dog is attacked.

As I said earlier, the committee did not produce a finding or recommendation. I can infer from the introductory words and the report itself that the committee's position was unanimous. I again mention that when members of a committee sit down together and reach a unanimous position, it is generally a very good outcome. No doubt that is the case with this report. Paragraph 7 of the executive summary reads —

The Committee does have the following concerns regarding the statutory requirements for dangerous dog enclosures, concerns which were also raised during the DLGSCI's Statutory review. In the Committee's opinion:

- they are not sufficiently robust
- they should be amended
- the DLGSCI should issue uniform guidance regarding them.

Paragraph 8 goes on to say —

Responsible dog ownership is more likely to be achieved through education and public awareness campaigns than through any increased deterrence provided by increasing fines. Local governments are encouraged to find ways to encourage participation in such campaigns or in dog training courses.

The Dog Act 1976 prescribes a penalty of \$10 000 for a dog attack that causes injury and a maximum fine of \$20 000 if the attacking dog is declared a dangerous dog. I agree with the committee that the fines are significant—\$10 000 or \$20 000 is not an insignificant amount to anyone in our community. The committee is of the view that increasing the fines may not necessarily be the best course of action. I support the committee's position that education and public information campaigns are the best way to go. I think, drawing from my local council experience—I am sure that Hon Stephen Pratt, Hon Peter Foster and Hon Shelley Payne would share that with me—and drawing from other local government experience, that when dealing with dangerous dogs, education and public campaigns are the way to go.

I understand there are others who wish to make a contribution therefore I will conclude here and may seek a further opportunity in the future.

Hon MARTIN PRITCHARD: I commend the committee for looking into this issue. It is obviously quite prevalent. The part I want to commend the most is the committee understanding that there are problems in this area but not taking the easy option of increasing penalties. There are substantial penalties on which I want to focus my contribution.

If a dog attacks or chases any person or animal and a physical injury is caused, every person liable for the control of that dog commits an offence. That is a penalty of \$10 000. I note with dangerous dogs there is a minimum of \$1 000 and a maximum of \$20 000 imposed. I am a dog person—and a cat person—but I do not understand why there seems to be a prevalence within the community—and I am going to upset, I presume, a number of people—of people wanting to own declared-dangerous dogs. They are built for fighting and why someone would want that within their household or community, and the damage those fighting-type dogs can do if they do get riled and get the opportunity to attack—it is beyond me why people own such dogs. There are many breeds of dog to choose from and I do not understand why people want those dogs.

Getting back to the issue at hand and increasing fines, I am sure a person who loses control of their dog does not suddenly feel more threatened by the fact that there might be a \$20 000 fine instead of a \$10 000 fine. Fines are an important deterrent but the deterrent only goes so far. Increasing those fines is not going to reduce the prevalence. It can get to a ridiculous stage. The fines currently in the act include, if a dog attacks or chases any person or animal without causing physical injury to the person or animal that is attacked or chased, every person liable for control of that dog commits an offence and there is a \$3 000 fine. There is a minimum fine of \$500 and \$10 000 if it is a dangerous dog.

I worry because we concern ourselves with the physical injury that may be caused if bitten by one of those dogs, but psychological damage can happen when people feel their lives are threatened, particularly by a dangerous dog. I am concerned that psychological damage is not taken into account. I think that physical injury will heal at some point, but I am not sure that the psychological damage is as easily addressed and healed.

There are a few other comments I would like to make but I note the time and I might continue my contribution at a later time when this report comes up again.

Consideration of report postponed, pursuant to standing orders.

Progress reported and leave granted to sit again, pursuant to standing orders.

Extract from *Hansard*

[COUNCIL — Wednesday, 21 June 2023]

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Hon Peter Foster; Hon Tjorn Sibma; Hon Stephen Pratt; Hon Shelley Payne; Hon Pierre Yang; Hon Martin
Pritchard
