

# TRANSCRIPT

## STANDING COMMITTEE ON THE ECONOMY AND INFRASTRUCTURE

### Inquiry into the legislative and regulatory framework relating to restricted breed dogs

Melbourne — 20 October 2015

#### Members

Mr Joshua Morris — Chair

Ms Colleen Hartland

Mr Khalil Eideh — Deputy Chair

Mr Craig Ondarchie

Mr Nazih Elasmr

Ms Gayle Tierney

Mr Bernie Finn

#### Staff

Acting Secretary: Dr Chris Gribbin

#### Witnesses

Mr Bill Bruce, Former Director of Animal Services, City of Calgary (Canada); and

Ms Linda Watson, Research Fellow.

**The CHAIR** — I declare open the Standing Committee on the Economy and Infrastructure public hearing. This morning's hearing is in relation to the inquiry into restricted breed dogs. At this point I welcome our witnesses and members present in the gallery. I will begin by explaining that the committee is hearing evidence today in relation to the restricted breed dog inquiry, and the evidence is being recorded. This hearing is to inform the report due to be tabled in March 2016, and witnesses present may well be invited to attend future hearings as the inquiry continues. All evidence taken today is protected by parliamentary privilege. Therefore you are protected for what you say in here today, but if you go outside and repeat the same things, those comments may not be protected by this privilege.

I welcome Bill Bruce, the former director of animal services for the City of Calgary in Canada, and Linda Watson. Today's evidence is being recorded, and witnesses will be provided with proof versions of the transcript within the next week. Transcripts will ultimately be made public and posted on the committee's website.

I ask our witnesses to make some opening statements for us. At the conclusion of those statements we will have some time for questions from the committee members as well. I think we might kick off with you, Mr Bruce, if you would like to make some opening comments, and then, Ms Watson, I will ask you to do the same. Then we might follow with some questions from the committee. I will hand over to you, Mr Bruce.

**Mr BRUCE** — If I may, I have a PowerPoint presentation for 20 minutes.

**The CHAIR** — Certainly.

### **Visual presentation.**

**Mr BRUCE** — What I will do today is talk about what the is Calgary model and what is responsible pet ownership. You hear a lot about it, but very few people really understand it. It is about the process of getting there. This was the driver behind it. North America, and I am sure you are not much different, does not have problems with an overpopulation of pets, nuisance, stray or vicious animals. Our problem is actually with responsible pet ownership. Every animal we have that ends up in trouble with the law or in a shelter is there because somewhere a human relationship failed and the dog was not under the proper control of the owner. That led us to, 'We've been doing it the same way for a long time and getting the exact same results'. We were killing more dogs, and we were having more people injured by dogs. Our shelters were filling up, so we had to change dramatically how we did things. That is when we moved to the model we called the 'Shifting from traditional animal control to responsible pet ownership' model.

The vision behind that and what we wanted to do differently was create a government department that citizens actually wanted to work with — a very positive animal department. We wanted a collaborative environment with all the interest groups together utilising all the resources that exist within our community, and many of them are volunteer in nature. We wanted to limit euthanasia as an animal management strategy, focus on humane animal strategies and on No More Homeless Pets. No More Homeless Pets is a large organisation in the US. I would call it the uber-Humane Society. We focused on things like returning pets to owners, no healthy adoptable animals being euthanised, utilising our clinic veterinary skills to take animals that maybe had some medical issues, dental issues were the common ones, and getting them corrected to make them more adoptable to reduce the number being killed. We also focused on behaviour modification to help animals with some minor behavioural issues that might normally have prevented them from being adopted but that were totally correctable.

We ran programs to teach citizens about responsible pet guardianship. Guardianship and ownership mean the same, but some people are more sensitive to the terms. We definitely wanted to reduce aggressive animal incidents. We do not believe dogs should bite people. That is sort of a line. We wanted to be self-supportive without tax dollars, so we set up a system through our registrations where we ran the entire department's operations all on the licensing fees. No tax dollars were involved.

How do you move from a vision to action? It is a six-step process, and anyone who has been involved with business planning will find that it really follows that format. Identify your issues, engage your stakeholders, build processes that work, educate people on how to use them — we like a 95 per cent voluntary compliance rate. Five per cent require enforcement; you need to back it up — and measure losses. How do you know you are doing better if you are not measuring it?

Identify the issue. We are really focusing on behaviour. What are the behaviours in our community that are creating problems and threatening public safety? It is all about public safety. What is your desired outcome? What do you want the end result to look like? I think I equate that to, 'Where are you today? Where do you want to be two years from now?'. If you do not have the authority to regulate the issue, who does?

I am going to pick two hot-button issues. The first is BSL. Is the issue around a specific breed, or is the issue actually canine aggression? Does it matter if the dog is a labrador, a greyhound, a bull breed or a German shepherd? No; what matters is what it did. We want to focus on that. The reason it becomes so critical — and I have done extensive work in the US on this, because they use more of it than we do in Canada — is that if you misidentify the issue, and this is what we see happening in the US with breed bans, everybody who has a dog of one of the breeds you have banned that is a good, safe, balanced dog is now your mortal enemy. Anyone who knows that person — they may not even have a dog but they know that person and says, 'No, it's a great dog' — is also your mortal enemy. Then you stay locked in endless court battles and engagements from there on, but you have not improved public safety.

With pet limits it is the same thing: is it the number of pets somebody has, or is it issues around noise, smell, waste or litter? If it is, we have plenty of laws that already deal with those things. So it is about applying those laws and looking at the welfare of the animal and the community. If it is not bothering anybody and the animals are safe, what is the right number? What is the difference between three Yorkie terriers and three 120-pound aggressive mixed breeds? Three is three. Focus on the exact issue.

Engaging the stakeholders: you want to educate the public on the proposals — what they mean, how they will affect them and how they are going to address the issues that have been discussed. Get people's opinions from the public. We do a lot of public engagement in Canada on just about everything. Get people's opinions on how they feel about it, what is their idea of the right solution from their understanding of the issue, and give them an opportunity to be heard — a lot of public forums where we have open discussions. It also allows you to measure the support or opposition for your proposal. We know that if it is not well supported, it is a waste of time taking it into the political forum because it will end up in endless days of debate that do not get anywhere and waste a lot of council's time. So we like to get solutions to the table, not conflict.

Things we consider in stakeholders: who is a stakeholder? Pretty well everybody is — community animal experts, the general public. Never forget the people who have been victims of an incident; they often have a surprising opinion. What is their position going to be? What are their interests going to be? This is conflict resolution/negotiation 101 — interests, position.

Build processes that work. This is based on what is called SMART. It is based on the book *Don't Park Your Brain Outside* on business process. I see someone nodding. You know the book? It is good. Gather the data on the current state in your community. From what I have seen, you have a pretty good handle on what is going on from all the reams of data I have read in the last couple of weeks about what is going on in Victoria. There seems to be some good stances. You have got an understanding of the situation. So that is a step up already. What facts do you have available? What facts do you not have or what facts need to be validated? We went through one proposal, and I think Linda pointed out right away that the chart was wrong and did not reflect that we actually have to validate all the facts and make sure we are dealing with the truth.

Processes that work, so engage our stakeholders in the solution. The other thing is that things do not happen overnight in society; things move a little slowly, so people need to know: how long is this going to take? What are the milestones? What are the steps? What are the things we will see that have changed after a year, after two years? We should be able to track changes that tell us we are on the right track here.

Remember that regulations on their own are not the whole answer. What do we need to do that supports that? Of course the prime one for that is public education to support the regulation. People need to know what the rules are, know how the rules are applied, what their responsibilities are. It is the most powerful tool to change human behaviour. What we are trying to do here is modify human behaviour. If we modify human behaviour to responsible pet ownership, the animal issues will look after themselves. The animal takes its cues from the leadership in the home, which is the human.

We want knowledgeable citizens — why the rules exist, why they work, why we need them. Give people good information that supports making good choices. That goes to everything from taking care of a dog to what kind of dog you should get. As animal experts, we can give you a lot of advice about a good match for you. If you

are not an active person, for heaven's sake do not get a border collie; you will drive each other insane. This supports a perception of fairness, so people know what the rules are. If you have to enforce the rules, people did know what the rules and the consequences were, so it is a fair system.

When we got into it we realised that when we say 'responsible pet ownership' it does not mean the same thing to everybody, so we had to clearly define what makes a responsible pet owner. Some people think because they love their animal and do whatever it wants they are being a great parent — but no, that is not true. The first step for us is always license and provide permanent identification for your pet. That is the ticket home. If the animal gets lost — and animals do get lost; people leave gates open, service people come and leave your gate open — it gets your dog home fast. The best way to empty shelters — the most humane way — is to return to owners with a bit of education. It also makes you realise that you are accountable. It is like your car licence; you are responsible for what that car does. As a pet owner, you are actually responsible for everything your pet does.

Next is spay or neuter your pet. Unless you are a qualified breeder or working with one, it is in everyone's best interests that we spay and neuter. Provide the right training, physical care, socialisation and medical attention — everything your pet needs to be balanced, comfortable and content. The last one here is do not let your pet become a threat or a nuisance to the community. So that is the barking, the wandering, getting into garbage, growling and barking at people as they walk by your fence — control of those behaviours — and that is where the training comes back in.

I would say in all my years of doing this I have never actually had a neighbour call me up and complain that the next door neighbour's dog was too good. That is the truth. Bear in mind, too, that we only hear about a very few per cent of the dogs in our society that get into trouble. Ninety-five or better per cent are excellent, balanced, happy dogs in their homes. When we look at these regulations [inaudible] we do not want to put a burden upon them, because they are doing a good job. We want to focus our attention on the non-compliant, on the people who are creating problems.

The last one I will just quickly go over is ethical procurement. This is where we ask you to first say: is this the right time to bring a companion animal into your home? Do you have the time? Are you ready for a 10 to 20-year commitment? Have you talked to a veterinarian about what the costs might be annually to maintain this animal? What about feeding? What about training? Can you afford it? Do you have the time? Is it the right time? Is that the right animal? Then source from only credible rescues or ethical breeders.

Enforcement is the final step if everything else has failed; it is the consequences. We know human behaviour does not change without consequences. Consequences can be negative or positive, so we have gone through the positive ones of having the right to have the type of dog, or however many you want, if you are in compliance with all the rules, but there are other consequences if you do not want to. But they need to be effective, and there needs to be a strong perception that you will be caught, that you will not get away with it.

The deterrent cost of non-compliance has to far exceed the cost of compliance. So Washington, DC, for example, had a \$25 ticket for not having your dog licensed. The licence was \$30, so people would take a chance that they will not get caught because the odds of getting caught were low. If they went three or four years, they were ahead of the game. I always like to go with 10 times — so if a licence is \$30, non-compliance is \$300 — to make it effective. But again you want to have a perception of fairness in the enforcement.

As I said earlier, measurement confirms whether your program is successful or not. It will also track the changes and trends in the community. You will see shifting in preferences for different breeds of dogs and other situations that happen in dog ownership — how many people are getting dogs, how many people are not getting dogs. The trick is what do you measure and what it tells you.

A good system in a community has partners. There are really three groups heavily involved in your community with animals. There is the regulatory — that is, government. They set the rules; they enforce the rules. There is the humane, whether it be private rescues, an SPCA or the city shelter, whatever that is. That is the humane side. Medical/service providers — veterinarians, medical associations, breeders, trainers, behaviourists, stores that sell pet supplies. They are all partners in the management of that animal in the community. You want to engage them, because they all have a piece of it. A critical thing we found is that the pet owners themselves are getting information from three different sources, and they are given the same information consistently about responsible pet ownership — about the importance of licensing, spaying/neutering, proper [inaudible]. All those things are getting consistent messaging right through.

When I talk about collaboration, just a quick note of warning. This is what we think collaboration is: groups A, B and C are all in the big circle and they are happy. That is not how it works. That is collaboration: the collaboration is the little green spot in the middle, that overlapping part. You get other, smaller collaborations. In times we build trust working together, those circles will get larger and larger and we will get more and more collaboration. But you start with some simple, basic things we can all agree with, which is typically: we want less dogs killed and we want less dog bites in the community.

Shifting to regulating the right end of the leash — that is what we call it — your dog cannot read laws. Your dog cannot receive a ticket. The owner has to take 100 per cent responsibility for the animal. If we change human behaviour to being responsible for the command of the animal, the animal issue will solve itself. We want to create services that people actually want. We want to be preventive to reduce a responsive, penalising approach. Issuing a ticket after a vicious incident does not change anything. It penalises, but the child is still severely injured and will carry those scars. We want to become preventive. That earlier detection: animal behaviour shifts in increments. No dog wakes up one morning and decides, 'Today I'll start biting people'. It started with lesser behaviours that were not picked up by the owner and were not corrected at an early stage.

How do I measure performance? This is what we use. You will probably end up with similar measures. You want less impounded animal numbers, you want more return to owner, you want less aggressive incidents, you want less euthanasia, you want the percentage of licensed animals up. We were at 90 per cent when I retired, on dogs, and 55 per cent on cats, and we had only been doing cats for three years. You want your infractions charges down. If you cannot find a lot of violations, that tells you people are in good compliance, are self-regulating. And of course for us, financial performance: we want to be off the tax dollar.

Good programs remove barriers — so licensing, market sensitive, easy to get, convenient, not complex at all. You could do ours online. You could do it over the phone. You make it easy. You could put it on your credit card, pay cash, write a cheque. We use the profits from licensing to provide no-cost spay/neuter for low-income to remove that barrier so they have a pet, they are a good pet owner, but they cannot — —

In my jurisdiction a spay/neuter could run anywhere from \$400 to \$700 or \$800, which could be prohibitive for some people, but they are still good pet owners. Public education teaches people how to be a responsible owner.

Officer training — I am not going to spend a lot of time on this, but it is critical. High-level training produces public confidence in your officers, reduces injuries to officers and gives them the tools to deal with animals and assist owners in correcting those behaviours we do not want to see. We do behaviour assessments. I will just use this one example. After an aggressive incident we want to assess the animal by a professional behaviourist to determine what triggered the incident. What happened? What was the dog exposed to? How did the dog react? And we go into vast detail about: in the home, what is the dog's life like? How is it corrected? And we can usually zero in pretty quickly on why the dog did what it did, and it is preventable if we get it early enough.

We can go to charges — a nuisance order; we can place a vicious or dangerous order on the animal. Charges are straightforward, just tickets. Nuisance order — that is something I, as the director, would issue, and I can put it on for a year, which I can extend indefinitely. I can put conditions of confinement on it. I put requirements to receive training from a qualified trainer and then reassess the animal in a year, and I can remove that designation once the animal has been clean for a year with no violations and no complaints.

The last one is of course a vicious or dangerous order. We have that done in the court; it actually goes to a hearing before a judge. We present our evidence, the owner has a defence and the court will either support or not support. I do not think I have ever had one not support a dangerous, because it is only there if the owner is probably not all that cooperative about making the changes and then it becomes a court order. If he does not comply with court order — which can do the same thing, can order euthanasia, confinement control measures or training — he is in contempt of court, and that is a very serious offence in Canada.

Quick stuff about history: this just gives you a long-term graph. Green is returned to owner, dark blue is euthanised. That was cats. Over time Calgary grew at a phenomenal rate, doubled in population over this period, and we see a dramatic drop in the killing of animals and an increase in adoptions and going home. Dogs — much more successful at dogs, but we have been at it longer.

Aggressive incidents: the grey line that you are seeing there is the population growth, and the other line shows you chase threats, bites, threatening behaviours, damage to property — so 2000 a year down to, I think we are just about 380–394 the last year, and of those there are very few bites. In terms of the bites, the last year I worked I think we had five that had to be reported to hospital. Most of them were very minor in nature. We use a system called the Dunbar scale. I could go into some pointed detail of how that works, so a 1 to 6 rating of how serious a bite was.

Basically what happens is that the Calgary model, as you say, is not plug and play. It is a process. If you follow the process, you end up with the Victoria model, which is what you want because you will have some different issues. Every jurisdiction will have its own issues, its own resources both in-house and within the community, so you have to do your analysis and then build your program based on that and then you will end up with a model that works for your community.

**The CHAIR** — Excellent. I think at that point we might ask the committee if they have any questions, particularly for Mr Bruce, and maybe after about 15 minutes or so of questions, we will ask Ms Watson to make a presentation to us.

**Ms TIERNEY** — I am quite open to what you have put here obviously, but in terms of the immediate situation that we are in without that process and with a number of dogs in the community that potentially, or we know, are aggressive, what would you suggest?

**Mr BRUCE** — The first thing I would look at is: how many do you have that are actually known to be aggressive, not identified just by how they look but actually known to have done something wrong? Then you would evaluate. You would leave conditions on those animals for now and then start at the beginning with an assessment of how many dogs you have, what is the percentage, what resources do you have, what is the community thinking, what are the options, and start your process from there.

**Ms TIERNEY** — And for those dogs that have not necessarily committed a bite but there is a high probability in terms of their general behaviour that they may — you know, they are that far away from the potential of being on the front page of a newspaper.

**Mr BRUCE** — The problem is that without a really highly qualified behaviour assessment you cannot really even answer that. That is where the Dunbar scale comes in: 1 is where the dog just exhibits threatening behaviours; 2 — he may have made contact with the clothing but no skin; and 3 is a light touch on the skin, maybe a scuff but not a puncture. Most [inaudible] actually that is not. The dog has shown what we call bite inhibition. He had you in his mouth. If he wanted to bite you, he would have bit deep but he did not. He showed inhibition, and that tells you that dog is still very workable up to there. Four is where you have got a puncture, just the canines. There is still some hope. If you get beyond that, you are getting into a more difficult dog to deal with.

You have to really look at: potentials are all there. All dogs can and will bite. They all have teeth. They all have the same basic genetic make-up. It is a matter of what triggers them. So if you have a dog you are concerned about, I would suggest those should be sent for behaviour assessment to find out really: is it the dog? Then there is a whole complex thing: is it aggression or is it fear? Many, many dog bites are what are called fear bites. The dog did it out of fear.

I banned tiny dogs outside of coffee shops and had a 20 per cent drop in bites almost overnight, because the dog is there alone, it is tied up and it cannot run away. Dogs understand fight or flight. He is tied up there, he cannot get away and a stranger approaches. The stranger does not read his warning signs that he is scared. He approaches and gets bit. So we banned that, and bites came right down. It is understanding, really working with our animal experts on what triggers a dog to bite and how do we know he is likely to bite.

**Ms TIERNEY** — In relation to the media, obviously dogs biting children in particular sets up a whole chain of natural reactions, but there is also a propensity for the media to play a role that is not necessarily fully informed in terms of the whole picture. What was your experience in terms of getting influential institutions to be more aware of the issue?

**Mr BRUCE** — I handled all of our media personally, 7 days a week, 24 hours a day. When a bite occurs there is a set process we go through in the vast cases, and the first is to get that dog in custody. The first message

to the community is this dog has bitten somebody, it is in custody and an investigation has started, and that is actually a calming signal to the community. This dog is safe; it cannot hurt anybody. And then we are very open with what happened, why it happened, where it happened, how it happened and what could have prevented it. We actually got excellent cooperation from the media, but we did it by making sure we flooded them with information. We did not hold back. We were not hard to get a hold of. We were open and honest and always offering solutions.

**Mr ONDARCHIE** — Bill, I should start by saying I love my dog. She is a golden lab, an ambassador dog for Guide Dogs Victoria, and she is beautiful. The problem is that not everybody has a dog like her, and there is an element of our community that has dogs that they breed for reasons other than being a great family pet. I like the Calgary model, and I talked about that before we first started our meeting. It is only one element of the mix, though, is it not? It is not the total solution.

**Mr BRUCE** — It is if you follow the whole model through.

**Mr ONDARCHIE** — But there is still going to be an element of people who have dogs who are there for reasons other than being friendly dogs that you walk on your way to get a latte.

**Mr BRUCE** — Absolutely.

**Mr ONDARCHIE** — What we do about that?

**Mr BRUCE** — Those are the people we save that 5 per cent enforcement for — the bonus prize round — and we watch them carefully. We monitor them. If the dog gets out twice on the loose, I slap a nuisance order on it, and when we put a nuisance order on the dog, the licence goes from, at the time, \$30 to \$100 and all your fines double automatically. Then I can order the dog be confined. I can order a lock on the gate. I can order them to go to a professional trainer based on what my behaviourist says the dog's issues are. So we just keep the pressure on those few people. And what you remember is that you are only dealing with a very small percentage of the population.

To go to the member's previous question about the media, part of the problem we are facing — and we face — and I firmly believe this, is that the media actually encourages that, because people who think they are going to get a dog to make them a stronger person will gravitate towards the breeds that the media makes a big splash in the news about. They get that they are a strong dog, and that is not always the case, and they turn out to be your poor owners. Consequently we use the media when we have to come down hard on somebody, which could be as hard as if they have vicious dogs, we take them away, have them assessed 'not correctable', put them down and have a court order issued that they should not get another dog in their jurisdiction.

**Mr ONDARCHIE** — In the interim bad things can happen.

**Mr BRUCE** — They can, but you are dealing, again, with a very small percentage, so because your enforcement officers are spending their time focused on them and they are not wasting their time on the people who are not a problem, they are focused on them, you keep the pressure on them, and it does work.

**Mr ONDARCHIE** — So you are suggesting that maybe we do some restrictive breeding on 5 per cent of the owners?

**Mr BRUCE** — Maybe that is not a bad thing!

**Mr FINN** — A very fine idea.

**Ms HARTLAND** — I will follow on from that, and my apologies for being late. I think this is where we have a dilemma. This model looks really interesting, and it looks quite workable in Victoria. We have had, in particular, the death of a child near where I live. If the owners have not been notified, if they have not already been involved in some action and this is the first time there is an attack and a child dies — so we are talking about a small percentage, but we are also talking about children being maimed or killed — I want to understand how this could work because we are not talking about a casual bite, we are actually talking about children who have died.

**Mr BRUCE** — We have actually never had a fatal dog attack. We had one in the city just north of us, and it was a family pet that did it. When we assisted in the evaluation there, the dog had displayed plenty of issues before that. It is a multipronged approach, and education is a cornerstone. We actually teach bite prevention education as part of the school's curriculum to all children. We teach children how not to get bitten by dogs — about not making eye contact, about not approaching dogs — and children are one of our lowest bite groups. Our highest bite group is males aged 35 to 45; that would be the highest number getting bitten.

Children receive education on how not to be bitten by a dog — the old stand like a tree, do not move, do not make eye contact and the dog will walk past you because you are not interesting and you are not doing anything. We work on that, and then we rely on our community. If you have an aggressive dog next to you, you would be phoning me to say, 'I am really worried about this dog'. We would go around and have a look at it, have a meeting with the owner, assess the dog and then educate. The consequences could be quite dire if you have a dog that is not a responsible, reasonable and healthy dog in the community.

**Ms HARTLAND** — If I can just follow on: I can understand all of that, but it sounds like it is a process that would take several years to bed down, educate the community and get all of that in place. What do you do in the interim to deal with that small group of people with aggressive dogs that have the potential to kill?

**Mr BRUCE** — Once you have set up a system where you have the facilities to deal with it, your public will be very forthcoming with information, especially when they know it is confidential when they phone in a concern about a neighbouring dog. You will get a great deal of information from your community once you set up an avenue for them to complain about it. It does take a couple of years to get everything to where you want it, but it will start very quickly and you will find the first ones you hear about are most of your problem dogs. Then it is a case of having properly educated enforcement staff go out, meet with the person, assess that dog themselves and then, if need be, the director could put a nuisance order on it right away.

**Ms HARTLAND** — I am still very concerned about in the interim there being no protection for children against these dogs.

**Mr BRUCE** — In the interim you have all the protection you have now, and every day that will grow.

**Ms HARTLAND** — Which is very little.

**Mr BRUCE** — Yes, but it starts with teaching children safe behaviour around dogs.

**Mr FINN** — My apologies, too, for my lateness. I did catch a little of what you were saying, Bill, so my apologies if I get this wrong in some way. I share with Ms Hartland concerns about what would happen in the interim. My view is that the lives of children are far more important than pets or dogs or anything like that. We have already seen, as Ms Hartland pointed out, in our own area in the west of Melbourne a child killed by a dog, just apparently out of the blue. These sorts of things ring alarm bells. If they do not ring alarm bells, there is something desperately wrong. We are very aware of the dangers of what a dog can do after that particular episode, and of course there are a number of other attacks we have noted as well. I just wonder if you feel that there is some way we can protect other animals and children, because I know there have been a number of animals, a number of dogs, to my knowledge, that have been attacked and killed by certain dogs. Is there any way that we can put in place a protection strategy for children and for other animals against these dogs without having to wait two or three years for things to settle down?

**Mr BRUCE** — One of the key things is that you do not just flip a switch one day; you transcend through it. You maintain your current protections as you work towards changing the rules and getting compliance. It is not just that today we wake up and all of a sudden all those rules are off — no, you still have to have a system in place for how you are going to transcend into a new system of doing it. Then all of your existing protections are there, and you will bear in mind that with those protections things still happen. With a responsible model, you will have a lot less of it, but it will take some time.

**Mr FINN** — So there is no way in your view that we can protect children or other dogs in the meantime?

**Mr BRUCE** — Instantly? You would have to have a plan in place to do that. That would take some evaluation of exactly where the risks are — do the risk assessments and the risk mitigations. Even that would take some time to do, to really assess it clearly. What are the risks? Not having seen the investigation on those



incidents to find out what happened — because remember a dog does not just out of the blue start biting; other things happen — that is what we need to look at. It is getting into those early situations, intervening and correcting the behaviour before it gets to those levels.

**Mr FINN** — It seems in the case of the little girl who was killed in the west that she was in no way responsible and was in fact killed in her own kitchen by this dog. As a father of small children — they are not as small as they used to be, but young children — we have a wonderful dog, but, as Mr Ondarchie said, not all dogs are like that. There are some dogs that, as we have seen, go off for reasons that are better known to themselves and cause the sort of damage that we have seen. Is there a way? You are suggesting that after two or three years this program will work extremely well — and I do not doubt that for a moment — but I am more concerned about the damage that could be caused in two or three years on the way.

**Mr BRUCE** — You would have to build that into your plan. As I said, remember that this is not a plug and play; this is a matter of looking at your situation and where your risks lie and developing mitigation strategies for that as you transcend to this new facility.

**Mr EIDEH** — Just in reference to that, in a quotation from the Calgary model, you said:

‘North America doesn’t have a pet problem, it has a people problem’. ‘We do not punish breeds, we punish behaviour. The bottom line is we believe all dogs are capable of biting’. ‘It’s not about controlling pets, it’s about holding people responsible for their pets’.

Can you elaborate more on that?

**Mr BRUCE** — Again, the owner is responsible. We know that dogs do not make very good decisions on their own. The behaviour of the dog is often a product of how it has been trained, how it has been raised and how it is cared for, so we want to make sure that that is all being done right, and then we can reduce that issue of dogs biting. As I said, it is an escalating thing. A common one I see is that a person tells me they have a problem: when they want to go to the toilet the dog is blocking the door, so they just push the dog out of the way and go. They do not realise that that is actually called resource guarding. The dog is protecting the toilet as a water source he uses. It is fine for you or I — we are big people — to push by. Wait until a little five-year-old tries to push by and the dog decides no. It is that simple. If your dog is on the couch and you go to push him off but he growls, that is a serious problem. He is guarding the couch as his property. That is where the owner has to be aware of these things. Food resource guarding — same thing. These are all correctable behaviours if they are done right. If the owner is doing everything right, the probability is — nothing is absolute in the world — the dog will be a balanced, safe dog to be around.

The other thing we talk about a lot is as an owner not setting your dog up to fail, knowing what your dog is like. If your dog is uncomfortable in crowded areas and may bite out of fear, do not take it to the market with you. If your dog is not reliable on recall, do not take him to an off-leash park. Take him to a safe on-leash park where you can exercise him on a long lead, but do not set him up to fail. So understand what your dog’s capabilities are and work with those, and put your own plan in place. My dog is not great on recall. She goes deaf when she does not want to hear, so she does not go off-leash outside of the yard, outside of a confined area.

We have to make those decisions too, and part of being a responsible owner is knowing that if you know your dog is uncomfortable around children, do not take them around children. If you have people around with kids and your dog is skittish around kids, put the dog away. That is what we are trying to do: to teach people just common sense, good leadership.

**Mr EIDEH** — So your suggestion is that there should be an education program, something for the animals clubs?

**Mr BRUCE** — I am sorry, I did not hear that.

**Mr EIDEH** — Sort of education programs or something that is for the animals?

**Mr BRUCE** — Yes, that is training. That is where if I saw a dog displaying those type of defences, I would order that dog to be trained at the owner’s expense, and then he would be reassessed.

**The CHAIR** — Mr Bruce, what was it that brought about this model coming into place and what was in place before this model? Was there restricted breed legislation or the like?

**Mr BRUCE** — We did not have official restricted breed, but the policy was that all [inaudible] breeds were killed, regardless of temperament and everything else, and yet other breeds which were inflicting just as serious a bite were not restricted. We wanted a shift to a system that we knew the public would support and that would actually be effective. All dogs can bite, so looking at areas that put breed restrictions in, their actual bites do not go down when they ban a breed. They do for that breed, but that is not difficult to figure out. If there is breed X, then you will not have many bites from breed X, but people who get dogs that are not doing the right thing will just get another power breed, so your action on the rights do not until you change the way you do it.

**The CHAIR** — And the genesis for the change, for the introduction of the model, where did it come from? What change brought about the model?

**Mr BRUCE** — It was just something I wanted to do. I wanted to do it differently. I started my career at the City of Calgary, believe it or not, in traffic engineering, and I switched to this area because I saw a huge opportunity to change — powerful change.

**Mr ONDARCHIE** — Bill, I hear what you are saying, and I hear your advice to dog owners. The issue is that us and people sitting in the gallery, and perhaps those listening in other places, are already responsible pet owners. I am talking about the group who are not responsible pet owners, who may not listen to your messages. I accept that the Calgary model is in evolution — not plug and play, and we will get there — and I know that Linda may well talk about Ace and Bobo, and I understand the issues around Ace and Bobo, but what do we do in the interim? You said if somebody gets an aggressive dog that is out and you can find them and do all that sort of stuff, but much worse can happen. While the Calgary model or the Victoria model is evolving and we get to a point where we are really happy with the outcomes and the evaluation, what do we do in the interim? Are you asking us to make a choice between dog and human? What are you selling us here?

**Mr BRUCE** — No, absolutely not. You are making a choice for a community overall to make it safe for people and dogs. In the interim I think the first thing you do is you make sure you have well boilerplate legislation for the dogs that misbehave, which allows you to have that dog assessed quickly, that dog impounded and assessed, and then get him into court and have a hearing. That is for your really serious dogs, and your animal officers probably already know who they are; it is not usually unknown. And make sure they have the tools to deal with the specific problem person, where there is a demonstrated problem dog. As I said, as you transcend to the model, you are a nobler self than you are today. You are not giving up everything you have got, but you are going to set up a transition model that makes sure you have all the boilerplate and protection in place as you grow your program. You do not just kill everything today and say, 'Hope for the best'.

**Mr ONDARCHIE** — No, I accept that, but picking up the point that Ms Hartland made and Mr Finn made — and they are terribly close to this tragedy that happened in the western suburbs not that long ago — we have to protect the children until we get this right.

**Mr BRUCE** — And our seniors too. We have to protect all the members of the public. Nobody should ever be bitten by a dog.

**Mr ONDARCHIE** — So what should we do?

**Mr BRUCE** — You build a program that takes everything — saves the boilerplate but the right regulations in place — that allows you to take action on people that have these dogs now. Order the training, order a confinement, put orders on them to get that dog safe, and then you can start building the transition. As you build it and the public begins to have, I think, more confidence in the program, they will certainly let you know where the dogs are that they are worried about, because they do not want anyone bitten either.

**The CHAIR** — At this point we conclude the questions to you, Mr Bruce, and hopefully there might a time at the end for further questions. At this point in time I hand over to you, Ms Watson, for your presentation, and then we will have some questions at the conclusion.

**Ms WATSON** — Thank you. I am here in the main as someone who works in injury prevention, but I am also a dog owner. I consider my dogs my family, and I love them. In the main I will talk about the injury

prevention aspect, and that is that the full extent of dog bite injury in Australia is really difficult to quantify as there are no reporting requirements for injury from dog bites. We have fatalities from the National Coronial Information System. We have hospital-treated dog bite data through emergency departments and hospital admissions data, but there is not any comprehensive data on medical practitioner-treated injury and non-medically treated injury at all. In the main people whose own dog may bite report that to no-one. Unless it is an injury with which they go to hospital, it does not get recorded, so I would say that dog bites are fairly under-reported in the figures we have. That is a major issue.

In the data that is available — the admissions data — you could look at that as being an indication of serious cases and look at trends from serious injury data. With the hospital presentation data that we have in Victoria, different hospitals have come on board over a period of time, so those figures are not comparable over periods of time. Death as a result of dog bite injury is really quite rare. Between 1997 and 2003 there were 22 deaths — this is from an old presentation I did — registered as a dog-related injury, which also included being struck by a dog. Up until probably 2003, I think, the injury coding that was used combined bites and falls, so anybody being struck by a dog and who fell and ultimately died would be included as a fatality, and that is still the case overseas. They do not have an injury classification system which splits bites and being struck by dogs, whereas in Australia we do now have a modification which does split that.

We have an average of three deaths every two years, so it is rare. Children aged nine years and older have the highest rate of dog bite injury and the greatest injury severity, and they are the ones that you are primarily concerned about here. For children, most injuries are to the head, whilst most adults sustain injuries to the wrist, hand, forearm and elbow. More than two-thirds of dog bites to children occur in a domestic setting, whether that is their own home or the home of a family member, neighbour, friend or acquaintance.

Up until now dog bite prevention in Australia has been based predominantly on a legislative approach, starting with restrictions about containment and mandatory leash rules. As we have gone along, 2001 — in Victoria — was the first time we brought breed specific legislation in. At that time there was no evidence base, and a regulatory impact statement was a necessary document prepared under legislation for the regulations that occurred a year later. It was actually stated in that regulatory impact statement that there was no evidence that the particular breeds targeted were more at risk of biting people but that it was based on media reports.

The media do focus on particular breeds from time to time. Over the years they have focused on German shepherds and they have focused on Rottweilers. The focus for the last 10 years has been on American pit bull terriers or 'pit bulls'. The term 'pit bull', just to tell you, is a term recognised to represent many purebred dog breeds. In America, for example, when you see a pit bull has been banned, it includes American Staffordshire terriers, Staffordshire bull terriers — so the little English Staffordshire bull terrier is considered to be a pit bull in America and Canada — American pit bull terriers, any crosses and any types, so any dogs that look like them, which is the approach that has been happening in Victoria for the past years. They are all considered to be pit bulls, whereas in Victoria at the moment we are focusing on purebred American pit bull terriers and crosses and types. American Staffordshire terriers are protected in the act by having a pedigree certificate or a certificate from a vet. Staffordshire bull terriers have no protection like that at all in the act, so they can be affected if a council should decide that it considers they look like a pit bull under the standard.

I am a scientist as well, and there is no scientifically sound evidence to suggest that targeted breeds feature disproportionately in dog bite stats. Within Australia we do not have any reliable stats on the breed of dogs involved in injury events anyway. In hospital data there is no provision for collecting the breed in admissions data. In presentation data there is a 200-character narrative, which may or may not describe the dog's breed. Maybe 5 per cent of hospital admissions data would indicate a breed — probably even less than that.

The other thing is that breed identification based on physical characteristics is inaccurate, even when you have experienced people doing it. So there is no accurate breed denominator available to estimate breed-specific bite injury rates. Breed identification in dog attacks is further complicated by reliance on media reports. Quite often reporters will rush out and report a dog as being a pit bull, and then you find out later that it did not look like pit bull at all. But that is never reported. They never go back and say, 'Oh no, we made a mistake', because pit bulls sell papers. As I said, and as has already been mentioned, they focus on particular breeds. That selective reporting may misrepresent the role of that breed in a dog bite injury.

The effectiveness of breed-specific regulatory measures has not been demonstrated clearly anywhere, but there is now a fair bit of literature out there that shows that there has been no reduction in dog bites. This literature is

from around the world. So from my perspective, injury prevention is a multidimensional approach. You have to look at every aspect to determine how you can fix the issue. Breed-specific regulatory measures is just a single issue, and it reflects a total lack of understanding of causal factors that will influence a dog's reaction in any situation, including hereditary, early experience, socialising and training or lack of, health, which includes medical and behavioural, environment and the victim's behaviour.

Another aspect is that there has been no literature that has looked at the potential harmful effects of that breed-specific legislation as an intervention, and in the injury prevention world it is critical to ensure that health gains are made and finite public resources are used effectively and any intervention does not cause harm. Breed-specific legislation has caused a lot of harm, not only to the dogs and their owners but also to the council workers who have to enforce the legislation — who have to go along and take someone's dog that has done nothing wrong and who may ultimately kill it. So there is a lot of harm that has never been considered when introducing this legislation. It has not been considered at all.

My approach is that there has to be a multidimensional approach, instead of focusing on breed, and every single aspect of dog bite incidents has to be considered. There has to be a rational, standard approach to a dog bite incident, where all factors are considered openly and reported on. It is only when the reasons for an incident are reported back to the public that the public will learn how they can prevent any incidents. To do it you have to look at the epidemiological data on the injury problem, and you have to look at the legal environment affecting the injury problem — for example, with the breed-specific legislation that we have had here.

It has been very hard for councils and the dog owners to overcome a case where a dog has been declared to be a restricted breed. It has cost councils lots of money. It has cost owners lots of money, and for those owners who were unfortunate enough not to be able to afford legal representation or have help, they lost their dog, which may not have been an issue to anybody at all. You have to look at the behavioural contributions to the problem, the effectiveness of previous interventions — so you could look at the effectiveness of breed-specific legislation here and see really that it has failed — and look at the feasibility of new approaches and the availability of resources. So it is a very multidimensional approach that involves everybody — dog owners, the public, the government, councils, everybody.

Referring to the coroner's inquest, up until recent years I have collected all of the data on all of the fatalities in Australia with the aim of looking at common characteristics of all of them, and a major issue to me is that when there is a fatality or a very serious incident, the dog is instantly killed. In any other situation that dog would be considered evidence. That dog should be examined by vets for health issues, injury issues and behavioural issues and then, if the decision is that, disposed of. But until you look at an incident and look at everything, you are not going to learn how to fix the problem.

I attended Ayen Chol's inquest, and it was quite a shock to me, because I went there expecting that they would look at everything. Unfortunately they did not — in my opinion they did not. The dog escaped the owner's backyard through a roller door that was activated by unknown means. At the inquest the owner had actually got an independent report done on the roller door, and it came to light that the police had not even done anything like that. They had not even considered it. So they were asked to go and look at it. The roller door was activated not by the owners. The middle-aged father — this is a family. The son who owned the dog was overseas on holiday in Bali. The father put the car away in the garage, closed the door, went into the house, hung the keys inside the door and went to watch TV. Half an hour later that door activated.

There was no separation between that roller door and the backyard, and there was no front fence or gate. To me, there should be a law that says that if you are going to have an electronically activated roller door, you need to have separation from the backyard if you have a dog, and then that dog cannot escape. To me, that is just fundamental, and that is something really fundamental that could have come out of that inquest but did not, because the inquest focused on the breed of dog. From the very beginning the coroner referred to 'dangerous breeds' — all the way through, 'dangerous breeds', so there is the assumption there that the breed is dangerous.

**The CHAIR** — In the interests of time, Ms Watson, would you like to make a concluding statement, and then we can move on to questions?

**Ms WATSON** — Basically that is it. Injury prevention is a multidimensional approach that should be used rather than looking at a single aspect of anything. It is really important that that is how it is approached.

**The CHAIR** — Certainly. Thank you.

**Ms HARTLAND** — I would like to start by making a comment in terms of the Ayen Chol situation. In the aftermath of that child's death, I attended a fundraiser that was organised by local firefighters and police, who were incredibly traumatised by the death of that child. I am not really sure what you are saying in your report — that you do not think that that animal should have been put down?

**Ms WATSON** — No, I did not say that.

**Ms HARTLAND** — That is why I am asking you. It is not clear in your report.

**Ms WATSON** — No, what I meant there was that the dog was not examined for any health issues or — there was no autopsy.

**Ms HARTLAND** — Right, but it had killed a small child.

**Ms WATSON** — But if you want to find out why, if you want to look at every possible reason why that event may have happened, that dog needed to be examined. It could have had a brain tumour. I am not suggesting that it did, but why would you not do an autopsy or do a behavioural examination to learn more about why it happened? The dog would then be destroyed, but in the meantime why would that dog not be looked at for possible reasons why it behaved the way it did? I had heard that it got hit over the head with a table, which may have fractured it. I do not know; I just do not know. But I think it should be a mandatory thing with any fatality or any serious dog bite incident that the dog be examined by qualified veterinary behaviourists to determine if there is any explanation for why it happened.

**Ms HARTLAND** — So if there had been an explanation for why it happened, would you be suggesting that that dog should not be put down?

**Ms WATSON** — No, not at all. I did not say that.

**Ms HARTLAND** — No, I am sorry. I am finding this quite confusing, because this is not clear. I feel like both in your submission and in talking to this we have focused — —

**Ms WATSON** — No, no — —

**Ms HARTLAND** — If I could just finish, we do not seem to have focused at all on the fact that a small child died. We are very much focused on the dog, and what you, I think, are putting across is that the dog did not receive justice. This is quite difficult because a small child was killed.

**Ms WATSON** — That is not at all what I intended. What I am saying is that to determine injury prevention strategies you need to look at why things happened. You just do not consider the dog in a single way — as a dog. You have to look at, 'Did that dog have a health issue? Did it have a brain tumour? Did it have whatever — did it have an underlying behavioural issue that may have contributed to it?'. That is all I am saying. And then the dog would have been killed. I am not saying, 'Don't kill the dog'; I am saying that the dog needs to have been examined by experts to determine why it happened. There have been other fatalities or bad injuries where children have been left unsupervised with dogs, and the child has put a pen through the dog's ear. That would indicate that children should not be left unsupervised with dogs. What I am saying is you need to look at everything — absolutely everything.

**Ms TIERNEY** — Just to follow-up on that, you are saying that because we have dangerous dog legislation in Victoria, when these like situations go to court, because that is the only thing that the courts are required to look at, because that is the legislation, or the act, then that is the only focus the court has; it does not have a wider approach to the situation. Is that what you are saying?

**Ms WATSON** — No. What I am saying is that that particular coroner's court, to me, did not look at everything as it should have — just that particular case. There have been other inquests in the Coroners Court where they have looked at everything.

**Ms TIERNEY** — My actual question is, then: out of interest, I just want to have a sense from both of you, actually; in your opening comments, Bill, you gave an example of an owner who might have a border collie. It

is an active dog, and then there will be other dogs that we know are more hunter dogs. Do you subscribe to the view that there are certain dogs that have DNA that has high levels of aggression than others?

**Mr BRUCE** — Not specifically. All dogs have certain drives built into them — we know that — but aggression is actually a learnt behaviour. They are not born aggressive; it has to be taught to them and learnt. In a dog pack environment, aggression is not acceptable. So there are dogs that are more trainable than other dogs; hence police use German shepherds. But they are not born that way; they have to be created.

**Ms TIERNEY** — In terms of a dog that has bitten, what can be put in place, and how do we unpack that? How can we unlearn that behaviour in a dog?

**Mr BRUCE** — Again, to qualify, I am not a licensed animal behaviourist, but it is very difficult for a dog to unlearn a behaviour once he has learnt it, which is why early intervention, as we talked about, is key — so, if you can get the dog before he has actually done that. I think what Linda was getting to is that with that fatal attack — and there is never an excuse or an acceptable reason for an attack on a human being — it is important to know everything that led up to that fatal, horrible situation. What were the dog's behaviours? What was going on? So that we might understand better so we can educate people on: you know, if you see some of these behaviours in a dog, those are urgent triggers and that something needs to intervene before we get that level.

With that, quite often this is where things like training and controls come into place. When you have a dog that has learnt some bad behaviour, then you do not put him in those situations where he will be unsuccessful. And, then when you take a dog that has behavioural issues, he is going to need some more training and some more supervision.

**Ms TIERNEY** — I really liked that idea of teaching children about the relationship with animals, and I think that is really important because, I suppose, we were brought up with — if you were fortunate enough to have an animal in your home, you took them for a walk, you fed them and you took them to the vet for check-ups or whatever. If you could afford it, you would take them to dog school or dog training. That was about obedience; it was an imposed set of behaviours directed at a range of things to make your life a little bit easier when you took the dog for a walk, for example. However, you are saying, 'No, we've got to build a base of a clearer and more comprehensive understanding about animals'. So the example of a dog blocking the toilet or someone pushing it off a sofa, all of those sorts of things are a different way of having a dog in your family than what other generations have had in the past. I would just like to hear more of your comments, because it is not just about training; it is about the real, genuine relationship that you have with that animal.

**Mr BRUCE** — Absolutely; it is an understanding of how the dog's brain works and how to communicate effectively with the dog. We say it is a really simple thing: you reward the wanted behaviours, and you correct unwanted behaviours. Sometimes that guarding thing may never erupt into an incident, but it is still unwanted behaviour that needs to be corrected. The dog has to understand his place in the pack — which is how he sees the family — his role, who is in charge and what the rules are. Often people, because they do not seek professional help, mess up. I can tell you about a woman who had a dog who was food aggressive. She could barely put his bowl down before he was attacking it. In her situation she would take the broom, beat him back and take it away. Any behaviourist would have told you that she had just confirmed to the dog that he had better protect the food because she was going to steal it from him. But there are ways you can correct that, and this is where I think we get into trouble.

When we all grew up, Mum was home all day. Now things are a little different, and there is not the level of supervision we used to have. I think that is part of our problem. We have to bring our game up a little bit and be a little bit more educated as dog owners to know how to read our dog's signals and how to know when our dog is nervous or upset. They say they are experiential learners. Why do dogs bark at the postman? Because he comes, he rattles on the door, they bark and he goes. They actually believe they make that happen and that they protected the property. We have to understand how they perceive things and what they need from us to be successful.

**Ms TIERNEY** — I think it is really important for adults to understand a dog's behaviour and how that might impact on a toddler, a child or even a young teenager; it is quite different to a fully formed adult.

**Mr BRUCE** — Yes. Never leave a child alone with a dog, no matter how much you trust the dog — never, ever, ever.

**Mr FINN** — I was fascinated, Ms Watson, to hear your comments about the number of bites that occur and the fact that if you take certain dogs out of the equation, the number of bites will not go away. I was fortunate enough to be brought up with animals. I grew up on a farm, and I have had dogs all my life. I am aware that if you are bitten by a fox terrier, for example, it can be a nasty bite, but it probably will not kill you. If you are bitten by a Rottweiler or a similar type of dog, there is a chance that if you do not get some attention pretty quick smart or if that Rottweiler or similar type of dog latches on to you, you will expire. I am just wondering if you see a connection between the breed of dog and the severity of injuries that occur as a result of bites.

**Ms WATSON** — It is more a size and weight issue than anything. The larger the dog, obviously the more severe an injury will be if it seriously bites. In saying that, there have been children who have been killed by little dogs. It just depends on the circumstances. Certainly, yes, a Rottweiler has the potential to cause much more serious injuries. The larger the dog, the larger the potential for more serious injury.

**Mr FINN** — Even a pit bull terrier, which is not a particularly big dog, can cause, and indeed has caused, deaths.

**Ms WATSON** — One death. In Australia, of all deaths recorded up until Ayen Chol's, there has only ever been one death attributed to a pit bull cross dog, and there were a few questions about that. That was back in 1995. There have been many other breeds, crosses or types of dogs that have been involved in those fatalities in Australia.

**Mr FINN** — Would you be able to provide us with a list of those dogs and the fatalities?

**Ms WATSON** — Yes.

**Mr FINN** — That would be very helpful, I am sure. Thank you.

**Ms WATSON** — I would also like to provide you with the full presentation, which I had not thought of doing, for the case control study on dog bite risk factors to children that was presented at the World Injury Prevention Conference, because that has got more detail in it about what actually was found.

**The CHAIR** — That would be most appreciated. Thank you.

**Ms WATSON** — I have got that electronically.

**The CHAIR** — That would be fabulous. Thank you.

**Mr ONDARCHIE** — Linda, if you had been making the decision, would you have put down the dog that was involved in the tragedy of Ayen Chol?

**Ms WATSON** — Eventually, yes.

**Mr ONDARCHIE** — We know there is lots of data around that suggests that some of the people in the 5 per cent that we have been talking about breed dogs for evil and not good. Are there particular breeds that they choose to breed?

**Ms WATSON** — They choose the breeds that they think are the dogs that will give them some social standing among their peers, and quite often that will be from the media.

**Mr ONDARCHIE** — Like what sort of dogs?

**Ms WATSON** — The media has focused on pit bulls for the last 10 years.

**Mr ONDARCHIE** — So there is a predominance of people breeding pit bulls for those aggressive reasons. Is that what you are saying?

**Ms WATSON** — No; acquiring them. I would not say breeding, necessarily.

**Mr ONDARCHIE** — What sorts of breeds of dogs are being bred to be these aggressive-natured things?

**Ms WATSON** — I would not know, but I would — —

**Mr ONDARCHIE** — Really?

**Ms WATSON** — No, because there are a lot of mixes out there that they can cross with, and they can make any mix or any dog they like vicious if they are so inclined to.

**Mr ONDARCHIE** — I understand that, but we do know there is some data around people breeding certain breeds, whether they are crossing them or whatever — —

**Ms WATSON** — I am not privy to that data. Really.

**Mr ONDARCHIE** — You are not reading about that? We are reading about it. I thought you might be reading about it.

**Ms WATSON** — Where are you reading about it?

**Mr ONDARCHIE** — We see it in the media, like you do.

**Ms WATSON** — But it is the media. There is no evidence. That is the media. The media have published lots of things that I can debunk.

**Mr FINN** — Me too; and not just about dogs, let me tell you.

**Ms WATSON** — I have no evidence about what is being bred for what, but I do believe that there are people out there who are that way inclined who will breed whatever they can get. If you remove pit bulls from their availability, they will just go out and get another breed. They will start breeding Neapolitan mastiffs crossed with whatever.

**Mr ONDARCHIE** — I do not even know what that is.

**Ms WATSON** — It is a big dog. They used to hunt lions, I think. You will get those kind of people. You do not target the dog; you have got to target them — —

**Mr ONDARCHIE** — I get that; I have been listening to Bill talk about the Calgary model. What I am trying to understand with your expertise is if they are looking at certain breeds that provide them with whatever level of fascination they are looking for.

**Ms WATSON** — Yes, but they could be getting any combination of breeds. There are many, many large dogs out there that they could combine to produce, if they are so inclined, nasty dogs. If they cannot get one type of dog, they will go out and get others. I cannot personally control that at the moment, but — —

**Mr ONDARCHIE** — Nor can we. That is what we are trying to establish.

**Ms WATSON** — No, I know. Legislation like Bill is talking about has the potential to target those owners, whereas at the moment this legislation targets a type of dog, but most of the owners that have ended up in court — those dogs have not done anything. If an owner was to lose a dog, they would just go out and get another one. It does not stop their behaviour. They will just go out and get another replacement dog.

**Mr ONDARCHIE** — I have one follow-up. I am going to ask you exactly the same question that I asked Bill. This Calgary model that we think will evolve, potentially, to be the new Victorian model is going to take some time. What do we do between now and then to protect our children?

**Ms WATSON** — Okay. We have already lost 10 years.

**Mr ONDARCHIE** — And I accept that, but we have to do something.

**Ms WATSON** — All right. My thing is that when there is an incident there should be a proper report given to the media to release. As Bill said, he handled all the media. You do not see in any of the media reports of dog bite incidents what happened and how it could have been prevented. You only see sensationalistic aspects of the incident. So you do not see any education going on. We need education. We need people — parents need to know not to leave a child unsupervised with any dog — and they do it. There has been a fair bit of education about that, but it has not sunk into many.



**Mr ONDARCHIE** — And that is part of Bill’s model that he was talking about.

**Ms WATSON** — Yes.

**Mr ONDARCHIE** — So what do we do in the meantime, while we are waiting for this to get to everyone?

**Ms WATSON** — We start educating people instantly when there is a serious incident anywhere that a proper standard and a proper investigation is done as to why that incident happened and a media release is issued with potential reasons why it may have happened. That way other parents may understand, ‘Oh, I won’t do that because my child might get hurt’. But unless there is education and a lot of education, people will just repeat the same old thing.

**Mr FINN** — My understanding, Ms Watson, is that in the case of Ayen Chol, she was not left alone with a dog. In fact she was, I understand, playing in her front yard when a dog entered the property of her family and actually chased her into the house. What could we have done to have prevented that from occurring?

**Ms WATSON** — What I said about the roller door: if that roller door had not activated — —

**Mr FINN** — We cannot blame the roller door, I do not think. My dog is a great little dog, and we have a roller door. Our roller door has not malfunctioned, I am very pleased to say — touch wood. If it did, though, and the dog got out, I would not anticipate that that dog would go next door and kill their child.

**Ms WATSON** — No.

**Mr FINN** — I mean, that is something where I think you cannot point and say, ‘The roller door wasn’t working properly’. If you have got a dog there that has the potential to kill somebody, then we have got a real problem here, don’t you think?

**Ms WATSON** — We have many dogs, I guess, out there that may have the potential, because many dogs out there have never been socialised with children. A dog that has never seen a child in its entire life is not familiar with a child running around screaming. They sound different to adults, they appear different to adults, and it is a foreign creature to a dog that has never met a child. There are many dogs out there. When I got some puppies years ago I made a point of socialising them with little children.

**Mr FINN** — So are you saying that each of those dogs that has not been socialised with little children are a danger?

**Ms WATSON** — Potentially, if a child is left unsupervised with them.

**Mr FINN** — Or even if they happen to be walking down the street and see a child in that child’s front yard?

**Ms WATSON** — They are not supposed to be off lead.

**Mr FINN** — But in this situation the dog was off lead, and I have seen dogs off lead on many occasions.

**Ms WATSON** — Yes, so have I.

**Mr FINN** — What we are trying to do here is to prevent another tragedy, and I have to say with the greatest of respect that we are not coming up with a lot of answers here at the moment.

**Mr BRUCE** — If I could take a step back, in my legislation you are required to keep your dog on your property, with secure fencing. If it leaves the property, it must be on leash, even if you are walking from the house to the street where you parked your car. The only time it could be off leash off your property is in an off-leash area, and under that the legislature requires that you have similar control of that dog that you would have if it was on your leash — so very strict rules on the behaviour.

Again, if I was dealing with a situation where — and because of registration I would know — you have any dog and not adequate fencing in your yard, then you would be receiving an order to get that dog into a secure six-sided kennel or get that fence up today and get that dog secured on the property.

**Mr FINN** — I think that is very good legislation — it certainly sounds that way — but we have a situation here where the dog got out and committed an act which took the life of a child. You can say, ‘Yes, the dog shouldn’t have got out’. That is fair enough. I cannot argue with that. But the fact is that the dog did get out, and what we need to do is have some sort of process, some sort of situation, whereby we can be relatively sure that dogs will not do that again.

Kids should be able to play in their front yard without fear of being attacked by dogs. Kids should not be killed in front of their mother in their kitchen by a dog that just happened to be roaming by. This is the issue that we are facing. This is a particularly serious issue. I do not want to point the finger at faulty equipment or anything like that. I really think we have got a problem with perhaps breeds of dogs that are bred for a purpose, even if it is going back in their genes, which makes them particularly dangerous. Do you think there are some dogs that are naturally more dangerous than others?

**Mr BRUCE** — They are some more powerful; there is no question of that, as there are people that are more powerful than others. With the pit bull, for example, I have got a lot of experience with them. I have met nice ones, and I have met bad ones. But if you go to the genetics of the pit bull, it was bred as a fighting dog. A human being could walk between two fighting pit bulls to push them apart, and they were actually specifically bred not to harm a person. And people have taken that — you can actually train any dog to be aggressive.

I should make something very clear because, when we talk about the triggers that made this happen, we are not looking for an excuse for the dog; we are looking to understand what were the things that came into play to make this happen: why this dog did that when 200 same-breed dogs would have done nothing; why this one, why did he do that; what was the owner doing; how was the dog trained; why did the owner not have proper fencing around his property to keep that dog in, knowing he had a large powerful dog? That is what we are looking for.

The realities in life are a balance of probabilities and study of incidents and probabilities. You cannot legislate against everything. At some point there is always going to be something happen, and what we try to do is minimise that by early indicators of when we see trouble coming and intervene before it happens.

**The CHAIR** — Looking at the time, unless there are any desperate final questions, we might conclude there. Thank you, Mr Bruce, for travelling quite a significant distance to come to our hearing today. We certainly very much appreciate it. Thank you, Ms Watson, as well for your evidence today. I will just remind you that a copy of the transcript will be provided to you in the next couple of weeks for your proofreading. Thank you.

**Committee adjourned.**