

9 October 2025

Petitions Committee

Parliamentary Petitions

Parliamentary.petitions@parliament.govt.nz

Tēnā koutou

Petition of Melinda McGregor on council guidelines and actions following a dog attack

This letter responds to your email of 12 September 2025 inviting Taituarā (Local Government Professionals Aotearoa (Taituarā)) to provide a written submission on the petition of:

Melinda McGregor (the petitioner) requesting *That the House of Representatives amend the Dog Control Act to require all councils to have clear guidelines to follow a dog attack, including responses to victims.*

Introduction

Taituarā thanks the Petitions Committee for the opportunity to respond to the petition by Melinda McGregor, which calls for amendments to the Dog Control Act to ensure councils have clear guidelines following dog attacks, including support for victims. We acknowledge the seriousness of dog attacks and their long-term impact on victims and families. The intent to improve public safety and victim support is commendable.

About Taituarā

Taituarā is Aotearoa New Zealand's leading membership network for professionals working in and for local government. We have just over 1,000 members, drawn from chief executives, managers, and staff across all seventy-eight local authorities. Taituarā strengthens the local government sector by using our members insight and experience to influence the policy debate.

Principal Partners



This submission was prepared in consultation with our Regulations and Bylaws Reference Group, which includes representatives from eight councils. Due to time constraints, wider member consultation was not possible.

Implementation and enforcement

Local councils are responsible for implementation and enforcement of the Dog Control Act 1996. Central government (Minister of Local Government and Department of Internal Affairs) is responsible for the legislative framework, administration of the Act (guidance, oversight, and national level data collection) policy oversight and setting legal boundaries. Councils cannot euthanise dogs without court orders due to dogs being legally considered property.

Each dog attack is investigated individually. Councils apply classifications such as “menacing” or “dangerous” (Ref: Appendix A) under the Act and may prosecute owners using the Solicitor-General’s guidelines. In serious cases, courts may issue destruction orders. In the case referenced by the petitioner, Waimakariri District Council followed legal and evidentiary standards. The dog was classified as dangerous, neutered promptly, and has not reoffended.

Dog bite scale

Taituarā does not support a mandatory national dog bite scale. While tools like the Dunbar scale may assist in behavioural assessments, they risk limiting enforcement options. Councils must consider broader factors such as history, compliance, and community risk. Prosecution may be warranted even in minor bite cases.

Our position on dog control

The current system is fit for purpose but could benefit from a wider review. We support wider consultation with the sector before any legislative changes. We do not support penalties for councils following dog attacks. We support DIA’s position that councils should set dog control bylaws in consultation with their communities. We note the upcoming report by the New Zealand Animal Law Association and welcome further discussion on balancing owner rights, community expectations, and public safety.

If the Committee wishes to hear from us, please contact my colleague Philip Shackleton email:
philip.shackleton@taituara.org.nz

Yours Sincerely



Raymond Horan

Chief Advisor

Taituarā

APPENDIX A

Dog control Act 1996 – Section 32

32 Effect of classification as dangerous dog

(1) If a dog is classified as a dangerous dog under [section 31](#), the owner of the dog—

(a) must ensure that, from a date not later than 1 month after the receipt of notice of classification, the dog is kept within a securely fenced portion of the owner's property that it is not necessary to enter to obtain access to at least 1 door of any dwelling on the property; and

(b) must not allow the dog to be at large or in any public place or in any private way, except when confined completely within a vehicle or cage, without being—

(i) muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and

(ii) controlled on a leash (except when in a dog exercise area specified in a bylaw made under [section 20\(1\)\(d\)](#)); and

(c) must produce to the territorial authority, within 1 month after the receipt of notice of classification, a certificate issued by a veterinarian certifying—

(i) that the dog is or has been neutered; or

(ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and

(d) must, if a certificate under paragraph (c)(ii) is produced to the territorial authority, produce to the territorial authority, within 1 month after the date specified in that certificate, a further certificate under paragraph (c)(i); and

(e) must, in respect of every registration year commencing after the date of receipt of the notice of classification, be liable for dog control fees for that dog at 150% of the level that would apply if the dog were not classified as a dangerous dog; and

(f) must not, without the written consent of the territorial authority in whose district the dog is to be kept, dispose of the dog to any other person.

(2) Every person who fails to comply with subsection (1) commits an offence and is liable on conviction to a fine not exceeding \$3,000.

(3) If a court convicts a person of an offence against subsection (2), the court must also make an order for the destruction of the dog unless satisfied that the circumstances of the offence were exceptional and do not warrant destruction of the dog.

(4) Every person who sells or otherwise transfers, or offers to sell or transfer, to any other person any dog known by that person to be classified as a dangerous dog without disclosing the fact of that

classification to that other person commits an offence and is liable on conviction to a fine not exceeding \$3,000.

(5) If a person fails to comply with subsection (1), a dog control officer or dog ranger may—

(a) seize and remove the dog from the person's possession; and

(b) retain custody of the dog until the territorial authority has reasonable grounds to believe that the person has demonstrated a willingness to comply with subsection (1).

(6) [Section 70](#) applies to a dog removed under subsection (5) as if it were removed under [section 56](#); and accordingly, section 70 applies with all necessary modifications.

