

Subject: Classification of Dogs as Menacing – Allanah Rumble and Peggy McGlashan

Prepared By: Kelly Frandi (Animal Control Officer)

Meeting Date: 4 May 2010

Report to HEARINGS Committee for decision

SUMMARY

On 19 February 2010 animal Control staff received a complaint from Mrs Eileen Callaghan of 55 Grant Road.

On 18 February 2010 between 1400-1500hrs two dogs attacked and injured Mrs Callaghan's Bichon which required treatment by a vet costing \$303.80. One of the attacking dogs belongs to Allanah Rumble and the other to Peggy McGlashan (Allanah's mother).

The dogs were seized and impounded from 105 Whitaker Street on 19 February 2010 and were held in the Pound until Monday 22 February until statements from both parties were obtained. On receipt of the statements it was decided that the Rumble/McGlashan dogs would be classified as menacing under Section 33A of the dog Control Act 1996.

Both owners – Allanah Rumble and Peggy McGlashan made various verbal, written submissions appealing the classification.

Animal Control's position on this incident is that the two dogs were not under control and made an attack on Eileen Callaghan's dog which required classification as menacing.

RECOMMENDATIONS

That the Committee

1. receives the report
2. agrees to confirm the issuing of the Notice of Classification of Dog as Menacing Dog under Section 33A, Dog Control Act 1996 and to dismiss Allanah Rumble and Peggy McGlashan's objection to the menacing dog classification.

Authorised for distribution by:

Kelly Frandi
Animal Control Officer

Hans van Kregten
Environment and Planning Manager

1. BACKGROUND

On 19 February 2010 the animal control officer received a complaint from the Callaghans concerning the incident at 55 Grant Road. The officer knew of Allanah Rumble's dogs at 105 Whitaker Street from a previous complaint about two dogs rushing out from this address at a passing dog on 12 November 2009.

The animal control officer went to 105 Whitaker Street and spoke to the owners, seized the two dogs which is standard procedure in a case like this. Police assistance was required after Mr Badsar (who is Ms Rumble's partner) had removed the dogs from the officer's truck. Not bites were observed on 'Tobe'.

The two attacking dogs had knocked over Mrs Callaghan as she attempted to keep her dog 'Billie' away from the attacking dogs.

The assessments of 'Tobe's' individual nature is not relevant to the incident at Grant Road, as two dogs attacking together is a completely different situation (pack instinct) from that of an individual dog.

It should be noted that Allanah has not changed the registration of her dogs to Gisborne District Council from Napier or complied with Multiple Dog Bylaws since at least November 2009.

Mr Badsar has been in contact with the Callaghans advising that he is refusing to pay 'Billie's' vet bills (see section 63 Dog Control Act 1996) unless the complaint was withdrawn. The Callaghans found Mr Badsar's manner to be intimidating.

APPENDICES

Section 33A – Dog Control Act 1996

Section 63 – Dog Control Act 1996