

GUIDELINES FOR AFFILIATES WHEN DEALING WITH AGGRESSIVE DOGS
--

Due to the increased awareness of the general public to dog attacks there has been a necessity for Dogs Tasmania to implement Regulations to attempt to overcome the incidence of dog attacks at shows.

We are all aware that on a showground where a large number of dogs gather there will always be incidents of dogs being aggressive toward one another especially in the terrier, guarding and hunting breeds. However, this natural tendency of dogs to fight must not be used as an excuse for an overly aggressive temperament or a dog which continually or without reason attacks. This type of animal must be reported and steps taken to improve its behaviour.

1. Ensure that a clear two metres pathway is kept around all rings.
2. Have a designated assembly area for each ring and only allow the breed being judged into that area.
3. If possible, when setting up your rings, have separate entry and exits. If not possible ensure that the Stewards control the gateway so only one class is trying to use it at a time.
4. Ensure that dogs if they are tethered have a responsible person with them at all times
5. Ensure the exhibitors do not exercise dogs on retractable leads or off lead while the show is in progress.

All these measures are common sense but if Committees implement them the number of incidents will decrease considerably.

AN ATTACK OCCURS AND IS REPORTED

If an incident occurs at a fixture and is reported (in writing or using Form A), the Regulations require your Committee, as soon as possible after the report to conduct an investigation. The inquiry must be held irrespective of whether any relevant party has left the grounds.

Immediately the owner, handler or person having the care and control of the dog is advised that an aggressive dog inquiry is to be held (Form B), they should immediately ensure that the dog concerned is placed in a secure situation such that any aggressive behaviour does not interfere with any other person or dog.

Prior to the inquiry commencing, the Committee shall obtain from all relevant persons and witnesses still on the showground, a written statement of what occurred in the incident. The statements of the two principal parties must be made available to each other so they may prepare to question the other's statement during the inquiry.

The Committee must consist of three Officials excluding officiating Judges and must not include the Dogs Tasmania Representative. At an Agricultural show the Show Committee shall consist of three of the persons nominated as the Dog Section Committee.

From among its three Members, the Committee shall elect one of its members to be Chairman.

CONDUCT OF INQUIRY

Apart from the Committee, the complainant and owner or handler of the dog complained of must be permitted to be in attendance at all times excepting during deliberation of the Committee's decision.

Other witnesses should only be present when called to present their evidence.

The Chairman shall introduce all parties at the investigation and in particular the members of the Committee. The Chairman shall initiate the investigation with the following statement:

"This investigation is to examine an alleged incident that the dog "....." acted aggressively in that it
....."

The inquiry must look at all evidence relating to the incident but only to that incident, comments like "he's been having a go at everything all weekend" or "he's always like that" are not relevant, and must not be allowed. The person making the report must give evidence as should all witnesses, where possible in writing. The owner or person responsible for the dog must be permitted to be in attendance at all times and must be allowed to question witnesses, make statements, and generally defend his dog.

DECISION

He/she must be excused while the Committee deliberates its decision. The Committee must take into account any provocation which occurred. If a person teases or torments the dog, or acts cruelly towards it, it would be seen as provocation. Equally if a dog were to attack, or enter an area that a second dog would normally be expected to defend, this could also be seen as provocation; which must be considered in each case before a dog is declared aggressive. Similarly, if another dog attacks or threatens the dog, his owners, or the owners property this

would also constitute provocation, and the dog would not automatically be declared aggressive.

However, these type of actions are not to be allowed in the judging ring or an assembly area. If a dog is to be exhibited it is expected to be adequately trained and calm enough to stand in a class and be handled by the judge without aggressiveness.

Once the Committee has heard all the available evidence it must make a judgement as to whether the dog was aggressive or not. The principal parties must be advised of the decision forthwith and the reasons for that decision.

Upon completion of an inquiry, the Aggressive Dog Incident Report (Form C) must be completed and signed by the owner or person in charge of the dog who is to be provided with a copy of that form at the time.

IF DOG FOUND AGGRESSIVE

- i. the owner, exhibitor or handler responsible for the dog, shall ensure that the dog is retained in the same secure situation in which it was placed for the duration of the inquiry and until such time as it is ultimately removed from the showground.
- ii. the dog shall ipso facto be suspended for a period of three months and for such further period until the Dogs Tasmania Council have made their decision in accordance with 41.8 During that period the dog shall not be allowed to enter or remain upon any showground.
- iii. If for any reason the Dogs Tasmania Council has not finally dealt with the matter within the 3 month period of suspension referred to above, the owner of the dog may make written application to the Dogs Tasmania Council for the removal of the suspension.

IF DOG NOT FOUND AGGRESSIVE

Although there is no immediate action taken against a dog following a finding by the Committee that the dog was not aggressive, the matter is not finalised until such time as the Dogs Tasmania Council review the case in accordance with Regulation 41.8 and make the determination required.

CLUB RESPONSIBILITIES FOLLOWING INQUIRY

Within 5 working days a report must be submitted to Dogs Tasmania, together with a copy of all written statements, the Minutes of the Committee Inquiry (Form D), the Aggressive Dog Incident Report Form (Form C) also Forms A, B and E, catalogue pages and any other relevant documents.

<p><u>PLEASE REFER TO CHECK LIST PAGES 7- 9 TO ENSURE THE CORRECT PROCEDURE HAS BEEN FOLLOWED</u></p>
--

AGGRESSIVE DOG REGULATIONS

41. Duty to Report. It shall be the duty of any Judge, Steward, Club or Show Official officiating at any TCA Inc sanctioned fixture, or any other witness to report to the Event Manager or other person responsible for the organisation of the fixture any incident which comes to his/her attention where any exhibit displays canine aggression towards any person or any other animal to such an extent as to constitute a danger to any person or any other dog or the efficient conduct of the fixture. Such report shall be made within one hour of the alleged canine aggression taking place unless the complainant is physically unable to make the complaint. A report under this Regulation is not considered to be a complaint in accordance with Regulation 96.

41.1 It is the obligation of each owner, exhibitor and handler at a fixture to take all such steps as may be necessary to ensure that any dog under that person's care or control or for which that person is responsible does not behave in an aggressive manner.

41.2 It is the obligation of any person at a fixture who observes a dog behaving in an aggressive manner to report the incident in writing to the Event Manager or a member of the Committee as soon as possible after the incident.

41.3.1 Upon receipt of a report of an incident involving aggressive behaviour by a dog, the Committee shall meet to consider the matter as soon as possible on that day after all available relevant statements have been obtained in writing from the complainant, the owner, handler or person having the care and control of the dog complained of at the event and any witnesses. Such meeting must be conducted by the Committee notwithstanding the non-availability of any party to the inquiry.

41.3.2 The owner, handler or person having the care and control of the dog at the event shall identify that dog to the Committee. For the purposes of this clause "identify" means provide appropriate information including the Dogs Tasmania registered name and number.

41.3.3 The complainant and the owner or handler of the dog complained of must be permitted to be in attendance throughout the inquiry excepting when the Committee are deliberating their decision.

41.3.4 During the conduct of the inquiry, the dog complained of must be held in a secure situation such that any aggressive behaviour would not interfere with any other person or dog.

41.4 In reaching their decision, if the Committee is satisfied that the incident comprised or included the dog attacking, or attempting to attack, any person or dog at the fixture or has demonstrated any other serious aggressive behaviour, the Committee shall declare the dog to be an aggressive dog, provided the Committee conducting the investigation believes that no justified provocation for the incident occurred.

- 41.5** As soon as possible after reaching its decision, the Committee shall, advise the person who appears to be responsible for the care and control of the dog, either that the dog has been declared aggressive or that it has not been declared aggressive and provide them with a copy of the Aggressive Dog Incident Report form after it is signed by that person.
- 41.6** Forthwith upon the Committee declaring a dog to be an aggressive dog:
- 41.6.1** The owner, exhibitor or handler responsible for the dog, shall ensure that the dog is retained in the same secure situation in which it was placed for the duration of the inquiry and until such time as it is ultimately removed from the ground.
- 41.6.2** The dog shall ipso facto be suspended for a period of three (3) months and for such further period until the TCA Inc Council have made their decision in accordance with 41.8. During that period the dog shall not be allowed to enter or remain upon any ground where a TCA Inc sanctioned fixture is taking place.
- 41.7** Following completion of an aggressive dog inquiry, the Committee shall within 5 working days provide Dogs Tasmania with a full written report of the incident and of the Committee's decision. Such report shall include a copy of all written statements concerning the incident, the Minutes of the Committee Meeting, the Incident Report form referred to in 41.5 above, relevant catalogue pages and any other related documents.
- 41.8** Within 3 calendar months of receipt of the report referred to in 41.7 the TCA Inc Council shall consider the report and if satisfied that the dog is likely to constitute a danger to persons, other dogs or property at any fixture, may for such period as the TCA Inc Council consider appropriate:
- 41.8.1** suspend or disqualify or otherwise debar the dog from being an exhibit,
 - 41.8.2** impose conditions in relation to the exhibition of that dog at a Fixture,
 - 41.8.3** direct that the dog is not to be bred with,
 - 41.8.4** transfer the dog within the register, or
 - 41.8.5** cancel the registration of the dog.
 - 41.8.6** impose a requirement that the dog undertake a temperament test and impose any such conditions relating thereto. Should the TCA Inc Council make a determination that the dog is not likely to constitute a danger as described above, the TCA Inc Council may resolve to immediately end any suspension that was imposed in accordance with 41.6.2.
- 41.9** If for any reason the TCA Inc Council has not finally dealt with the matter within the 3 month period referred to in 41.8 the owner of the dog may make written application to the TCA Inc Council for the removal of the suspension referred to

in 41.6.2.

Upon receipt of such application, the TCA Inc Council shall either:

41.9.1 grant the application, or

41.9.2 reach a decision in relation to the matter but if such decision is not reached within a period of one month from the date of such application, the application shall be deemed to have been granted.

41.10 Subject to 41.11, no person shall have any claim upon or recourse against any member of the Committee or any other person as a consequence of any action taken purportedly pursuant to the foregoing provisions of this regulation.

41.11 It shall be the responsibility of the affiliate concerned to ensure that the Committee complies with the requirements of these Regulations. If the Committee fails in any respect to comply with the procedures and requirements of these regulations, the TCA Inc's Council may impose on the affiliate a fine of no less than 25 penalty units (but not exceeding 50 penalty units), and/or withhold approval for the next activity conducted by that affiliate.

41.12 For the purpose of this Regulation 'fixture' includes any TCA Inc sanctioned event or other activity in which a member participates with a registered dog. The Committee for the purposes of this regulation shall comprise the most appropriate three persons from amongst the organisers.

41.13 This Regulation shall have effect commencing 1 hour prior to the commencement of a fixture and continue for 30 minutes after the conclusion of the fixture.

41.14 The Dogs Tasmania Representative shall attend and observe any inquiry held at a recognised fixture in relation to an Aggressive Dog Incident for the purposes of reporting only. The Representative should not be asked for advice by any party to the inquiry.

AGGRESSIVE DOG CHECK LIST

INCIDENT

An attack occurs and is reported

ACTION

Owner or person in charge of alleged aggressive dog required to immediately place the dog in a secure situation.

Obtain available written statements from the complainant, the owner or handler of the dog complained of, and any witnesses **(Forms A & B must be completed and returned to the TCA Inc Office)**.

Convene an Inquiry Committee as soon as possible consisting of three Officials excluding officiating judges, or, if at an Agricultural Show, three of the persons nominated as being the Dog Section officials.

The Inquiry Committee is to elect a Chairman from among its number.

The Dogs Tasmania Representative must observe, but must not otherwise participate in the Inquiry.

<p>Conduct of Inquiry</p>	<ol style="list-style-type: none"> 1. Apart from the Committee, the two principal parties must be permitted to be in attendance at all times excepting during deliberation of the Committee's decision. <p>Other witnesses should only be present when called to present their evidence.</p> <ol style="list-style-type: none"> 2. Chairman to make opening statement per the Guidelines. 3. The two principal parties must be given the opportunity to question each other and any witnesses during the inquiry.
<p>Decision</p>	<p>Upon completion of the presentation of evidence, the Committee will deliberate its decision and either find the dog aggressive or not aggressive after taking into consideration any provocation which may have occurred. (Form C & D (Minutes of Meeting must be completed and returned to the TCA Inc)).</p> <p>Upon that decision being made, the two principal parties shall be called back into the room to be informed of the decision and given the reasons for that decision.</p> <p>Irrespective of whether the dog was declared aggressive or not aggressive, the Aggressive Dog Incident Report form must be completed and signed by the owner or person in charge of the dog who is to be provided with a copy of that form at the time (Form E must be completed and returned to the TCA Inc Office).</p>

<p>If Dog Found Aggressive</p>	<ol style="list-style-type: none"> 1. the owner, exhibitor or handler responsible for the dog, shall ensure that the dog is retained in the same secure situation in which it was placed for the duration of the inquiry and until such time as it is ultimately removed from the showground 2. the dog shall ipso facto be suspended for a period of three months and for such further period until the Dogs Tasmania Council have made their decision in accordance with 41.8. During that period the dog shall not be allowed to enter or remain upon any ground where a TCA Inc sactioned fixture is being held .
<p>If Dog Found Not Aggressive</p>	<p>Although there is no immediate action taken against a dog following a finding by the Committee that the dog was not aggressive, the matter is not finalised until such time as the Dogs Tasmania Council review the case in accordance with Regulation 41.8 and make the determination required.</p>
<p>Club Responsibilities Following Inquiry</p>	<p>Within 5 working days a report must be submitted to Dogs Tasmania, together with a copy of all written statements, the Minutes of the Committee Inquiry, the Aggressive Dog Incident Report Forms (A, B, C D & E), catalogue pages and any other related documents.</p>

FORM A

Aggressive Dog Complaint form

Name of Dog: _____

registration number: _____ catalogue no : _____

has shown aggression to a dog/person (Please circle whichever is applicable) at

the _____ fixture _____
(Name of Affiliate)

on _____ at _____
(Date of Fixture) (Location)

Time _____

Signed _____ (Complainant)

Signed _____ (Committee Representative)

FORM B

Owner/Handler Aggressive Dog Advice form

_____ the Owner/Handler of the
(Name of Owner/Handler of dog)
dog: _____

registration number: _____ catalogue no : _____

which has been reported by a person attending the _____ fixture
(Name of Affiliate)
on _____ at _____
(Date of Fixture) (Location)
Time _____

Signed _____ (Complainant)

Signed _____ (Committee Representative)

Dogs Tasmania's Dog Incident Report
--

A dog incident is an incident involving a dog or dogs where disruption to the conduct of a fixture occurs and/or the safety of other dogs or people is put at risk. An incident includes uncontrollable dogs, and dog aggression towards other dogs or towards people.

This checklist must be completed by the committee conducting the fixture and forwarded to Dogs Tasmania within 5 working days of the incident.

Name of the Affiliate _____

Type of Fixture _____

Date Time of Incident _____

Time Incident reported _____

To whom reported _____

Signature _____

The offending dog/dogs has/have been secured [crate or trailer] in accordance with Regulation 41.3.4

Yes/ No (Please circle)

[time & initial] _____ Signature _____ (TCA Inc Official Representative)

All parties involved in the incident were advised to remain at the venue until further advised by a committee member.

Members/ agents accepted/ declined to attend meeting.

[please circle whichever applicable]

[time & initial] _____ Signature _____ (TCA Inc Official Representative)

Identification of dogs involved [**Registered name and registration number**]

[1] **Name** _____

Registration Number _____

[2]

Name. _____

Registration Number _____

Identification of members in charge of the dog(s) at the time

[name and membership number]

[1] _____

[2] _____

Brief description of the incident as reported:

Statements from owners / handlers and witnesses have been obtained and are attached.

A hearing into the incident was conducted

commencing at _____

Note: The hearing must afford all parties involved in the incident the opportunity to be heard.

In point form describe outcomes of the hearing:

The minutes of the hearing are attached.

As a result of the hearing the committee has determined that the dog:

[name and registration number]

has been found **GUILTY** or **NOT GUILTY**. **[please circle whichever applicable]**

I [name and membership number]

the owner /handler of the dog named above, acknowledge that the dog has been found **[Please circle] _GUILTY or NOT GUILTY** and that I understand the conditions applying to that finding acknowledge that I have been given the opportunity to be heard in relation to the incident and that I may appeal the finding provided that the appeal is lodged in writing with the Dogs Tasmania's Executive Officer within seven (7) days of this date.

_____ [Signature]

Signatures and Names of Committee members conducting the hearing.

_____ (Name) _____ (Signature)

_____ (Name) _____ (Signature)

_____ (Name) _____ (Signature)

_____ (Name) _____ (Signature)

Minutes of an Aggressive Dog Incident Inquiry

Name of Affiliate: _____

Date of Meeting: / / Time meeting commenced: _____ am/pm

Grounds: _____

Type of Show or Trial: _____

Present: _____ (Investigating Committee)

_____ (Investigating Committee)

_____ (Investigating Committee)

_____ (Official Representative)

_____ (Complainant)

_____ (Owner of dog)

_____ (Handler of dog)

_____ (Membership number of handler)

_____ (Witness/es when called)

Name of Dog complained of: _____

Registration Number: _____ Catalogue No: _____

Description of incident: _____

Guilty/ Not Guilty (Please indicate)

The Committee then asked all the parties to leave the room whilst they deliberated their decision.

Not aggressive (please circle if applicable) In the case of the dog being found to be not aggressive the complainant and the owner and handler or owner/handler of the dog called back into the room to advise them of their decision, and to complete and sign the Aggressive Dog Incident Report Form and to advise the owner of the dog no further action will be taken.

Meeting closed at _____ am/pm

Minute Secretary: _____
(Signature)

Official Representative: _____
(Signature)

FORM E

Owner/Handler Aggressive Dog outcome report

_____ the Owner/Handler of the
(Name of Owner/Handler of dog)
dog: _____

registration number: _____ catalogue no : _____

which was reported by a person attending the _____ fixture
(Name of Affiliate)
on _____ at _____
(Date of Fixture) (Location)
Time _____

Owner/handler must be given the opportunity to attend the hearing in accordance with Regulation **41.3.1**.

41.3.1 Upon receipt of a report of an incident involving aggressive behaviour by a dog, the Committee shall meet to consider the matter as soon as possible on that day after all available relevant statements have been obtained in writing from the complainant, the owner, handler or person having the care and control of the dog complained of at the event and any witnesses. Such meeting must be conducted by the Committee notwithstanding the non-availability of any party to the inquiry.

If Guilty

- The dog must remain secure for the balance of the day (Reg 41.6.1) it may not be taken to any TCA Inc sanctioned event until advised by the TCA Inc in writing (Reg 41.6.2)
- The owner/handler has the right of appeal under TCA Inc (Reg 75).
- Club to send all information to the TCA Inc, including minutes, written statements, aggressive dog declaration report to the TCA Inc within five (5) working days.
- TCA Inc Representative to sign minutes.

If Not Guilty

- parties advised of the decision.
- all information will be sent to the TCA Inc, including minutes, written statements.
- TCA Inc Representative to sign minutes.

If an Affiliate fails to comply with the requirements of the TCA Inc Regulations they may be fined (Reg 41.11)

Signed _____ (Complainant)

Signed _____ (Committee Representative)