

Dog Control Act Hearings Panel DETERMINATIONS

Date: Friday 12 September 2025
Time: 1:00 pm
Venue: Meeting Room 2.08, Level 2, Civic Offices,
53 Hereford Street, Christchurch

Present

Chairperson	Community Board Member Emma Norrish
Members	Councillor Mark Peters
	Community Board Member Tim Lindley

Meeting Advisor

Shweta Tripathi
Democratic Services Advisor
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Meeting Advisor

Simone Gordon
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Election of a Chair Te Whakatū Poumua

It was resolved on the motion of Councillor Mark Peters, seconded by Community Board Member Tim Lindley, that Community Board Member Emma Norrish be appointed Chairperson of the Hearings Panel for the hearings scheduled for this date.

The Christchurch City Council Hearings Panel convened on Friday 12 September 2025 to hear objections as follows under the Dog Control Act 1996, which were dealt with in this order:

1. First Hearing at 1.00pm - regarding dog named 'Onyx'

Hearing of an objection by **Liana Croft** of Christchurch, pursuant to s 33B of the Act, to classifications of her dog, 'Onyx', as menacing under s 33A(1)(b)(i) of the Act by Christchurch City Council Animal Management.

The Hearings Panel heard on this date the evidence and submissions (summarised in its decision) of the Objector, Animal Management Team, and the Complainant in regard the incident leading to the classification objected to, and at 1.18pm adjourned the hearing to deliberate its decision in this matter making a determination at 1.22pm, which is attached hereto and was confirmed as noted at its base.

Refer page 3 below for the determination.

2. Second Hearing at 2.00pm – hearing of objection of Adam Allison.

Hearing of an objection by **Adam Allison** of Christchurch, pursuant to s 26 of the Act, to disqualification from being an owner of a dog for a period of two years, imposed under s 25(1)(a) of the Act by Christchurch City Council Animal Management

The Hearings Panel heard on this date the evidence and submissions (summarised in its decision) of the Objector and Animal Management Team, and at 2.20pm adjourned the hearing to deliberate its decision in this matter making a determination at 2.25pm, which is attached hereto and was confirmed as noted at its base.

Refer page 12 below for the determination.

**BEFORE THE HEARINGS PANEL
OF THE CHRISTCHURCH CITY COUNCIL**

IN THE MATTER of the Dog Control Act 1996

AND

IN THE MATTER of an objection of **LIANA CROFT** of Christchurch to the classification by the Christchurch City Council Animal Management Team under Section 33A(1)(b)(i) of her one-year-old, male, blue and white coloured, Mastiff cross dog named '**Onyx**' as a menacing dog

Hearing: Meeting Room 2.08, Level 2, Civic Offices,
53 Hereford Street, Christchurch
12 September 2025 at 1.00pm

Panel: Community Board Member Emma Norrish – Chairperson
Community Board Member Tim Lindley
Councillor Mark Peters

Appearances
for the Objector: Liana Croft (Objector)

for the Animal Management Team: Ivan Trethowen (Principal Advisor Animal Management)
Christopher Todd (Animal Management Officer)

Determination: 2 October 2025

Hearings Advisor: Shweta Tripathi

**DETERMINATION OF THE HEARINGS PANEL
OF THE CHRISTCHURCH CITY COUNCIL**
(Dog Control Act 1996, section 33B)

The classification of Onyx as menacing is upheld.

REASONS OF THE HEARINGS PANEL

INTRODUCTION

[1] The hearing was held to consider an objection received from dog owner, Liana Croft ('the Objector'), to the classification by the Christchurch City Council Animal Management Team ('Animal Management') under section 33A(1)(b)(i) of the Dog Control Act 1996 ('the Act') of her:

- 1 year old, male, blue and white, Mastiff cross named Onyx;

as a 'menacing' dog – which classification creates special obligations imposed on the dog owner by, and described within, sections 33E-33F of the Act.

[2] Section 33A(1)(b)(i) of the Act, under which Onyx was classified, relates to a dog that a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife because of an observed or reported behaviour of the dog.

[3] Under section 33A(2) of the Act a territorial authority may classify such a dog as 'menacing', and following a report that Onyx had, on 23 May 2025, absconded from his house and attacked and killed a cat, the Manager Animal Services under his delegated authority from the territorial authority in which the Objector and her dogs reside did so classify Onyx as a 'menacing' dog by causing to be given to the Objector notice of the classifications and other prescribed matters, including her right to object to the classifications under section 33B of the Act.

[4] The Objector exercised her right to object to the classifications of Onyx as 'menacing' and in accordance with her right to be heard in support of his objection they were referred to the Hearings Panel of the Christchurch City Council as the body with the delegated authority to hear and determine the objection.

[5] The Hearings Panel on 12 September 2025 heard the Objector's evidence and submission and heard from Animal Management in relation to the incident leading to the classification of Onyx, having previously received a report from Lionel Bridger, Manager Animal Services, together with the evidence collected by the Investigating Animal Management Officer relating to the incident and classifications.

[6] This report notifies the determination of the Hearings Panel that:

- the classification of the Objector's dog, Onyx, as 'menacing' is **upheld**;

and the reasons for its determination in accordance with section 33B(3) of the Act. The determination that the classification of Onyx is 'upheld' signifies that he remains and will continue to be classified 'menacing' and the relevant special obligations thus imposed by the Act in relation to 'menacing' dogs must be adhered to or the consequences for non-adherence set out in s33EC of the Act will apply.

BACKGROUND

[7] On 23 May 2025, the Council received a complaint from the Complainant alleging that on that day her cat 'Taz' was killed by a Mastiff cross named 'Onyx' who was found with the deceased cat in his mouth; and was aggressive to another dog, and the Complainant.

[8] When the Investigating Officer's statements and evidence collected were assessed by the Manager with the delegated authority to make the decision, Animal Management determined that Onyx may pose a threat and would be classified 'menacing' under section 33A(1)(b)(i) of the Dog Control Act (which relates to a dog that a territorial authority considers may pose a threat to any person, stock, poultry, domestic animal, or protected wildlife, because of (i) any observed or reported behaviour of the dog).

[9] The Council subsequently received from the Objector a formal objection to the classification of her dog, Onyx, as 'menacing'. The objection triggered the appointment of a Hearings Panel to hear the objection with delegated authority to uphold or rescind the classification after having regard, pursuant to Section 33B(2) of the Act, to:

- a) the evidence which formed the basis for the classification;
- b) the steps taken by the owner to prevent any threat to the safety of persons or animals;
- c) the matters relied on in support of the objection; and
- d) any other relevant matters.

The Hearings Panel had regard to these matters in reaching its determination as summarised in this report.

[10] The following report and assessment summarises a considerable volume of oral and written evidence and submissions presented to the Hearings Panel. It is not intended to be exhaustive in its scope or to present a transcript, but rather to summarise and identify what were considered to be the salient points.

THE HEARING

Submissions of the Animal Management Team

[11] The Principal Advisor Animal Management, Ivan Trethowen and Animal Management Officer, Christopher Todd, appeared at the Hearing to speak to the decision to classify Onyx as menacing, which was subject to the objection to be determined by the Hearings Panel. In their report they outlined the circumstances leading to the incident and the relevant section of the Dog Control Act, i.e. section 33 that stipulates a territorial authority may classify a dog as menacing.

[12] Mr Trethowen summarised for the Hearings Panel the facts on which the decision to classify the Objector's dog as 'menacing' was based referring to the report. Animal Management escalated the compliance, i.e. a warning was not appropriate in this instance. Classifying the dog menacing was the most appropriate action Animal Management submitted.

[13] Mr Trethowen responded to the questions of clarification from the Hearings Panel, regarding Onyx being unregistered and the effect desexing could have on Onyx. Mr Trethowen advised the Panel that desexing dogs has a positive impact on a dog's temperament in reducing aggressive behaviour, and that many owners will comply with this to prevent future attacks.

[14] The Panel sought clarification from Animal management regarding the dogs escaping the property after the incident. Animal Management clarified that the Objector failed to keep the dogs controlled and

confined and under s52a of the Act, and was given an infringement notice again on 27 May 2025, after the incident of 23 May 2025.

[15] The Investigating Officer had initially provided the following case summary of the incident leading to the classification:

Summary:

On 23 May 2025 a complaint was received for a dog that had attacked a cat. Previous to this an impound ticket 1367881 had come through for two dogs that had been contained on a property. The dog Waihora was collected from this impound. The dog attack happened around the corner of the property and the complainant, and her partner were on the street. They chased the dog known now to be Onyx up a neighbouring driveway of [redacted]. Onyx was found with the cat named Taz in his mouth. Both the dogs were impounded as the owners were unreachable. The deceased cat was sighted, and photos were taken of the driveway and the deceased cat where the incident occurred. The owner of the dogs contacted AMO early morning of 24 May and was advised of the incident. The dog owner stated that she was at a funeral and was away from the property and the dogs were staying at [redacted]. She was surprised that they had gotten out of the property and killed the cat. The dog owner refused to meet in person for the statement and was sent an online form on 24 May 2025 in an attempt to get the statement. Complainant and her partner (also the witness) gave statements on 24 May 2025. On 29 May 2025, AMO visited the property in the attempt to get a statement of the dog owner, but no one was home at the property and both the dogs were inside. On 5 June 2025, the online form for the statement was resent to the dog owner and till date has not been received.

Mitigating Circumstances:

Both dogs are entire and have no previous history with CCC apart from one wandering in November 2024. Waihora was not seen with the cat in her mouth but was seen near the cat.

Aggravating Circumstances:

Onyx was caught with the deceased cat in its mouth. Both dogs are entire (not neutered). The dogs were observed wandering again just four days following the initial incident. The dog owner won't provide a statement.

Officer Recommendation:

To classify Onyx as menacing (MED).

Onyx to be de-sexed.

To issue infringements under s52a with respect to both Waihora and Onyx for wandering.

To issue warning under s57 to Onyx.

MTTD license is required.

Principal Advisor Recommendation:

After the review, I believe that the offending dog Onyx, one year old entire male Mastiff cross was seen off the property and up the driveway of [redacted] with the deceased cat in its mouth. A second dog Waihora, was not seen to be involved in the attack on the cat, is an entire 2-year-old female Mastiff cross American Staffordshire Terrier, was also off its property. Onyx and Waihora were found wandering on three separate occasions and infringements were issued for the dogs being found wandering on 27 May 2025, just 4 days after the attack on the cat. I believe the dogs had escaped due to the gate not being locked properly by the children coming and going from the house (as mentioned in the incident report). Onyx is a young entire male dog. We suggest the owners have the dog neutered. I believe this would help calm the dog, making him easier to handle and potentially less likely to wander and to accost another domestic animal or person in the street. I also believe that it is necessary to classify the dog as menacing. This will require the dog to be neutered. Section 33A(b)(i) of the Act.

Evidence of the Owner of the cat that was attacked ('the Complainant')

[16] The Complainant had provided the following statement to the Investigating Officer:

"At approximately 18:04 on the 23/5/2025 I was driving into my driveway of [redacted]. I saw the brown and white dog opposite the stairs of the house on the driveway and then I saw it walk towards the left corner of the garage. I then saw the offending dog with its head down with something in its mouth. The blue and white spotty dog. The offending dog then attacked the brown and white dog and then I started freaking out. I then went to open my car door, and the brown and white dog then came towards my car, so I shut the door, and it jumped up at the car and then I went to call my partner who was reversing in the driveway behind me. I then saw the brown and white dog go back towards the offending dog and then the offending dog attacked the brown and white dog again. The offending dog has its head down the while time with the cat in its mouth. My partner then picked up the phone when I called him up the phone and then the dogs had taken off down the driveway then. I then got out of the car and went and grabbed my cat. The cat was still warm, so it was very fresh."

[17] The Complainant attended the Hearing and appeared visibly distressed while recounting the incident and the loss of her cat. She expressed concern that, without appropriate action, a similar incident could occur again.

[18] The Complainant informed the Panel that witnessing their deceased cat in the dog's mouth was an extremely traumatic experience. She also stated that the incident might not have taken place if the dog was neutered.

The Objector

Evidence and Submissions of the Objector

[19] The Objector had not provided any statement to the Investigating Officer.

[20] At the Hearing, the Objector informed the Panel that they were not present at their property on the day of the incident due to attending a funeral. They extended their sincere apologies to the Complainant and expressed a willingness to offer koha as a gesture of remorse.

[21] The Objector informed the Panel that they had intended to register Onyx, but due to unforeseen circumstances, the process was delayed.

[22] The Objector stated that their dogs are usually monitored around the clock. They expressed regret that, while they were away attending a funeral, the individual caring for the property did not secure the gate properly due to the latch malfunction, which has since been resolved.

[23] The Objector informed the Panel that Onyx is cared for by their children and is not considered an aggressive dog. Prior to joining their family, Onyx was raised in a rural environment and was not accustomed to other domestic animals. The Objector also acknowledged they were unaware that Onyx could jump over the gate but confirmed that this issue has since been addressed. They noted that Onyx's behaviour reflects typical traits of a country-raised dog but accepted full responsibility for the incident and assured the Panel that steps have been taken to prevent any recurrence.

Final Remarks from the Objector

[24] The Objector reiterated their sincere apologies to the Complainant and acknowledged the distress caused by the incident. They stated that the event was unfortunate and occurred while they were away from the property, attending a funeral. As such, they are appealing the classification of Onyx as a menacing dog. The Objector reaffirmed their remorse and expressed a willingness to offer koha to the Complainant as a gesture of goodwill.

[25] The Objector informed the Panel that all concerns regarding the dog's confinement and security at the property have been addressed, with preventative measures now in place to mitigate the risk of future incidents. They further advised that Onyx was purchased for a significant sum with the intention of breeding and expressed that neutering the dog would result in a financial loss for their family.

Reply by Animal Management

[26] The Panel sought further clarification from Animal Management whether the standing offer for Onyx to be desexed still remained, and if this could circumvent having Onyx classed as menacing. Mr Trethowen noted that the classification is not designed to be punitive in nature but rather to protect the public and ensure an attack does not happen again.

[27] The Panel sought clarification from Animal Management regarding the dogs being found wandering again just four days after the incident on 23 May 2025. Animal Management advised that, according to their records, the gate had been left open on 27 May 2025, which allowed the dogs to escape.

[28] The Panel inquired as to the consequences for Onyx if the classification was rescinded and there was another incident. Mr Trethowen noted that in the event of another incident the classification could be more

serious. Additionally, Animal Management noted that in the interest of safety and the prevention of further incidents it would be advisable to uphold the classification.

Close of Hearing

[29] The Hearings Panel considered that it had all the information it needed to have regard to under section 33B(2) of the Act after considering the evidence, information and submissions available to it.

[30] The Hearings Panel adjourned the hearing and deliberated its decision.

PANEL DELIBERATIONS

The evidence which formed the basis for the classification

[31] The evidence which formed the basis for the classification was in the Panel's view not in any doubt with regard to it supporting the assessment that Onyx had attacked and killed Complainant's cat, Taz.

[32] The Panel considered that the incident resulted from the person-in-charge failing to properly contain and keep Onyx under effective control on their property.

[33] Classification as menacing is not intended to be punitive, and the statutory requirement for it is not high; only that it is assessed that the dogs may pose a threat, based on observed or reported behaviour. The Panel having carefully looked at the evidence did consider it more likely than not that Onyx does pose some risk of escaping and attacking someone based on the evidence around the reported behaviour.

[34] The Panel expressed a lack of confidence in the Objector's ability to adequately contain her dog and prevent future incidents. Consequently, they considered there to be a risk that Onyx may again wander from the property and potentially attack or kill another domestic animal.

[35] The Panel considered that the incident resulted from a lapse in responsibility on the person-in-charge's part to maintain effective control of Onyx, which may be accepted as a mistake, not to be punished, but neither allowing the Panel to neglect the object of the Dog Control Act and obligation to consider the wider community. The Panel can only look at the preventative tool of classification the Act puts in front of it, imperfect as it may be.

[36] The Hearings Panel, having regard to the evidence which formed the basis for the classification of Onyx as 'menacing', considered that it was sufficient to form the basis for the Animal Management Team's classification of the dog, recognising that it would proceed to consider the Objector's evidence and her submissions in support of her objection to the classification.

Steps taken to prevent any threat to the safety of persons or animals

[37] The Hearings Panel thus considered the Objector's evidence and submissions in regard to the steps taken to prevent any further threat. The Panel was of the view that the Objector had not taken sufficient measures to keep the dogs from wandering out. The Panel perceived a continuing risk that a similar incident could happen again.

[38] Having considered the information provided by the Objector, the Panel still felt that Onyx would pose a threat to other domestic animals and the public. The Panel had regard to the objects and provisions of the Act, the nature of the attack and the resulting demise of the Complainant's cat, and the need to address the threat.

[39] In light of these various considerations speaking to the fact that Onyx is a potential threat, the Hearings Panel considered that the steps taken by the Objector, were not sufficient in all the circumstances of this case to persuade it to rescind the classifications of Onyx. The Panel perceived a continuing risk that this could not be entirely eliminated, given that future incidents could occur, and it is unfair that potential victims of such bear that risk.

Matters relied on in support of the objection

[40] The Panel expressed concern over the Objector's inability to keep the dogs securely confined, noting that they were found wandering just four days after the initial incident.

[41] Classifications are not intended to remedy or punish but are to prevent risk. The Panel still perceived risk in this case. It is unfortunate to add a label of 'menacing' but the intent is not to stigmatise, and it is simply the arbitrary manner of reference the Act adopted to signal the employment of the preventative tool that is classification.

[42] The Hearings Panel had regard to the matters relied on in support of the objection and appreciated her taking the time to appear at the Hearing.

[43] However, the Hearings Panel was mindful of the potential relevance of these determinations to the safety of the wider public and was not persuaded Onyx no longer had the propensity to attack and kill another domestic animal in unpredictable circumstances. The Hearings Panel regarded that the nature and result of the attack justified upholding the 'menacing' classifications of Onyx.

Other relevant matters

[44] The Hearings Panel had regard to the evidence as a whole and considered that it had all the information it needed to have regard to under section 33B(2) of the Act. The Hearings Panel noted that every objection to a menacing dog classification is considered on its own merits and having regard to the circumstances particular to the case. The Hearings Panel, having regard to all relevant matters, considered that upholding Onyx's classification as menacing would be justified by the evidence and submissions and would align with the objects of the Act.

RESULT

[45] Having considered the objection of the Objector to the classification of her dog, Onyx, as a 'menacing' dog, together with the evidence and submissions collated by the Animal Management Team and from those who appeared before the Hearings Panel, and having regard to the matters contained within the Dog Control Act 1996 and referred to in section 33B(2) of the Act, it is determined that:

- The classification of the Objector's male, blue and white Mastiff Cross, Onyx as a 'menacing' dog be upheld for the reasons indicated herein and for the reason that the Hearings Panel considers because of the reported incident that Onyx may pose a threat to one or other of the types of sentient being the Act has designs to ensure are not injured, endangered or caused distress.

Hearing adjourned at 1.22 pm.

**BEFORE THE HEARINGS PANEL
OF THE CHRISTCHURCH CITY COUNCIL**

IN THE MATTER of the Dog Control Act 1996

AND

IN THE MATTER of an objection of **ADAM ALLISON** of Christchurch to his disqualification by the Christchurch City Council Animal Management Team under Section 25(1)(a) from being an owner of a dog for a period of two years.

Hearing: Meeting Room 2.08, Level 2, Civic Offices
53 Hereford Street
12 September 2025 at 2.00pm

Panel: Community Board Member Emma Norrish – Chairperson
Community Board Member Tim Lindley
Councillor Mark Peters

Appearances
for the Objector: Adam Allison (Objector)

for the Animal Management Team: Ivan Trethowen (Principal Advisor Animal Services)
Christopher Todd (Animal Management Officer)

Determination: 2 October 2025

Hearings Advisor: Simone Gordon

**DETERMINATION OF THE HEARINGS PANEL
OF THE CHRISTCHURCH CITY COUNCIL**
(Dog Control Act 1996, section 26)

**The disqualification of the Objector from being an owner of a dog for two years to expire on 11
February 2027 is upheld**

REASONS OF THE HEARINGS PANEL

INTRODUCTION

[1] The hearing was held to consider an objection received from dog owner, Mr Adam Leonard Allison ('the Objector') to his disqualification by the Christchurch City Council Manager Animal Services, Lionel Bridger, from being an owner of a dog for two years under section 25(1)(a) of the Dog Control Act 1996 ('the Act'). The disqualification has effects described within section 28 of the Act and is in force throughout New Zealand further to section 29 of the Act.

[2] Section 25(1)(a) of the Act, under which the Objector was disqualified, relates to a person who commits three or more infringement offences (not relating to a single incident or occasion) within a continuous period of 24 months. Under section 25 of the Act a territorial authority must disqualify such a person from being an owner of a dog unless the territorial authority is satisfied that the circumstances of the offences are such that: (a) disqualification is not warranted; or (b) the territorial authority will instead classify the person as a probationary owner under section 21 of the Act.

[3] Upon discovering that the Objector had been issued with three or more infringement notices within a 24 month period (encompassing 27 July 2023 and 13 June 2025) the Manager Animal Services under his delegated authority disqualified the Objector from owning a dog, having determined that disqualification was warranted and that classification as a probationary owner was not appropriate by causing to be given to him on 26 June 2025 notice of disqualification (for a period of two years from 11 February 2025) and other prescribed matters, including his right to object to the disqualification under section 26 of the Act.

[4] The Objector exercised his right to object to the disqualification and in accordance with his right to be heard in support of his objection he was referred to the Hearings Panel of the Christchurch City Council as the body with the delegated authority to hear and determine the objection. The Hearings Panel on 12 September 2025 heard the Objector's evidence and submissions, and also heard from Animal Management staff, having received a report from the latter relating to the infringement offences, the Manager's decision to disqualify the Objector from being an owner of a dog for two years from the date of the last offence within the 24 month period, and the Objector's objection to that decision.

[5] This determination of the Hearings Panel that the disqualification of the Objector from being an owner of a dog for a period of two years is **UPHELD** and sets out the reasons for the Hearings Panel's decision in accordance with section 26(4) of the Act. The Objector has a right to appeal this decision under section 27 of the Act, which states that:

(1) Any person who has lodged an objection under section 26 and is dissatisfied with the decision of the territorial authority may, within 14 days of the date on which notice of that decision is, under section 26(4), given to that person, appeal to the District Court against that decision.

(2) The District Court, in hearing the appeal, shall consider the matters specified in section 26(3) and any submission by the territorial authority in support of its decision, and may uphold the determination, bring forward the date of termination, or immediately terminate the disqualification.

LEGAL CONTEXT

[6] The Hearings Panel has the delegated authority to hear and determine the Objector's objection to his disqualification and, further to section 26(4) of the Act, may uphold, bring forward the date of termination, or immediately terminate the disqualification, after having regard, pursuant to section 26(3) of the Act, to:

- (a) the circumstances and nature of the offence or offences in respect of which the person was disqualified; and
- (b) the competency of the person objecting in terms of responsible dog ownership; and
- (c) any steps taken by the owner to prevent further offences; and
- (d) the matters advanced in support of the objection; and
- (e) any other relevant matters.

[7] The Hearings Panel had regard to these matters in reaching its determination to uphold the disqualification for a period of two years. Under section 25(3) of the Act, disqualification continues in force for a period specified by the territorial authority not exceeding five years from the date of the third infringement offence or offences (as the case may be) in respect of which the person is disqualified.

[8] The following summarises a considerable volume of oral and written evidence and submissions presented to the Hearings Panel. It is not intended to be exhaustive in its scope or to present a transcript, but rather to summarise and identify what were considered to be the salient points.

THE HEARING

Submissions of the Animal Management Team

[9] Ivan Trethowen, Principal Advisor Animal Management, appeared at the hearing on behalf of Lionel Bridger, Manager – Animal Services, to speak to the decision to disqualify the Objector from being a dog owner, which was the subject of the objection before the Hearings Panel. In his report he outlined the circumstances leading to the disqualification and the relevant section of the Dog Control Act, i.e. section 25 that stipulates a person must be disqualified from owning a dog if they commit 3 or more infringement offences (not from a single incident) within 24 months.

[10] Mr Trethowen summarised for the Hearings Panel the circumstances on which his decision to disqualify the Objector from being an owner of a dog for a period of two years from 11 February 2025 was based by presenting his report and referring to the evidence attached thereto. Mr Trethowen's report in the following extracts accordingly presents Animal Management's summary of the facts and disqualification decision.

Introduction

The dog owner Adam Leonard Allison was disqualified from owning a dog in terms of section 25(1)(a) of the Dog Control Act 1996 for a period of 2 years from 11/2/2025 to 11/2/2027. This was a result of Mr Allison receiving 3 or more infringements for breaches of the Dog Control Act within a 24 month period. Section 25(1) states that the Territorial Authority MUST disqualify a person from being the owner of a dog if they receive 3 or more infringements for separate incidents within 24 months.

Dog owner details

Adam Leonard Allison [Address withheld]

Dog details

4 year old neutered Thai Ridgeback called Blue that is classified as Menacing by Deed in terms of section 33A(1)(b).

Circumstances leading to the classification

Mr Allison has been issued a total of 12 infringements within the last 24 months. 10 of the infringements have been sent to the Ministry of Justice for collection. Mr Allison was sent a warning notification on 12/8/2024 stating that should he receive any further infringements he may be made a probationary owner or be disqualified from owning a dog. On 3/3/2025 he has been made a Probationary owner after receiving a further 4 infringements for a period of 1 year from 11/2/2025 to 11/2/2026 during the period of probation a further 2 infringements have been issues.

Reason for decision

The 10 infringements issued relate to breach of section 52A, failing to keep a dog controlled or confined. Two infringements relate to breach of section 42 failing to register a dog. Further warnings have been issued for breach of the effects of a menacing dog classification, dogs attacking persons or animals and control of dogs on a road (breach of the bylaw).

[11] In addressing the Panel, Mr Trethowen advised that the classification of the dog owned by Mr Allison has since been changed from ‘menacing’ to ‘dangerous’, following a further incident. This occurred in August 2025, when the dog escaped the property and attacked another dog, causing injury. The dangerous classification has not been appealed.

[12] The glossary below outlines the timeline of events and interactions Mr Allison has had with Animal Management since April 2022, culminating in him being disqualified as an owner of a dog.

Date	Offence	Notes	Enforcement action
3/4/2022	Dog Control Act 42(1)	Notice to register dog within 1 month	Warning
28/6/2023	Dog Control Act – 52A, 20(5) and Dog Control Bylaw clause 5(1)	Animal Services investigated a complaint that Blue escaped property and rushed a person walking	Warning
25/7/2023	Dog Control Act 33A (1)(b)(i)	Dog (Blue) classified as menacing	
2/08/2023	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
4/10/2023	Dog Control Act Section 57 Dogs attacking persons or animals	Dog (Blue) attacked another dog on the front boundary of Mr Allison’s property with the other dog subsequently needing vet treatment.	Warning

17/10/2023	Dog Control Act Section 52A Infringement	Failure to keep controlled dog confined	Infringed
21/10/2023	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
22/10/2023	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
9/5/2024	Dog Control Act Section 69	Dog (Blue) was impounded Christchurch City Council Animal Management Team	
26/6/2024	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
26/6/2024	Final notice issued to register dog (Blue)	Animal Management advised Mr Allison that Blue needed to be registered by 10/8/2024	Warning
12/8/2024	Dog Control Act Section 25	Owner warned they risk becoming a probationary or disqualified dog owner if further infringements incurred.	Warning
9/10/2024	Dog Control Act Section 42	Dog (Blue) remained unregistered following warning	Infringed
23/10/2024	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
9/12/2024	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
11/02/2025	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
3/3/2025	Dog Control Act Section 21	Mr Allison classified as probationary dog owner from 11/2/2025 – 11/2/2027	
5/6/2025	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
13/6/2025	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
26/6/2025	Dog Control Act Section 25(1)(a)	Mr Allison classified as disqualified dog owner from 11/2/2025 – 11/2/2027	
12/8/2025	Dog Control Act Section 52A	Failure to keep controlled dog confined	Infringed
25/8/2025	Dog Control Act Section 31(1)(b)	Dog (Blue) classified as Dangerous	

[13] The Hearings Panel, having received the report of the Principal Advisor Animal Management and noted the decision to disqualify the Objector from being an owner of a dog for two years, kept an open-mind in proceeding to hear the Objector's objection to the disqualification decision. The Panel forms its own view, after hearing from an objector, of whether ongoing disqualification is warranted, and whether it is warranted for the period imposed by Animal Management or a shorter period, having regard to the matters set out in section 26(3) of the Act.

The Objector

Evidence and Submissions of the Objector

[14] When initially raising his objection in writing, the Objector stated the following:

"I am writing to appeal the decision to ban me from owning a dog, following recent issues involving my dog, Blue.

First and foremost, I want to acknowledge that Blue has gotten out in the past. I fully understand the seriousness of this and the responsibility that comes with pet ownership. I have never taken this lightly and have always responded quickly to any concerns or requests from Council. When asked to create a second fence to divide the property and keep the dogs away from the street, we complied fully. I have also recently reinforced the last section of the rear fence with trellis to prevent any further escapes, and I continue to make improvements as funds allow.

Blue is a loved family member and my daughters are extremely distressed by the possibility of having to rehome him. He brings joy, companionship and a sense of comfort to our household and we are all deeply affected by this situation.

While I take full responsibility for what has happened, I would also like to mention that one couple on the street has made things particularly difficult by persistently emailing and making allegations – even as far as accusing the Christchurch City Council and New Brighton Police of corruption due to my sister [redacted] looking after Blue in my absence over the past eight months. I understand that people have the right to express concern, but I also feel that some of the complaints have become personal and are not reflective of Blue's true nature or the steps I have taken to comply with the requirements.

Please know that I am committed to being a responsible dog owner. I will continue to secure my property, and I am more than willing to work with the Council on any additional steps needed to ensure Blue remains safe and contained. My family and I are asking for a chance to continue having Blue in our lives.

Thank you for taking the time to consider this appeal. I am open to inspection, or any other measure that could help resolve this matter in good faith.

I'll get a video of the fence line when the weather clears up and have attached a video [information relating to video redacted].

[15] At the hearing, the Objector indicated that he has made considerable efforts to keep Blue under control, including erecting trellis and following advice from Animal Management on better securing the dog within his property.

[16] The Objector spoke about how receiving the notice letter from Animal Management advising of his disqualification was distressing for both himself and his children. He found the wording around the requirement to dispose of the dog particularly confronting.

[17] The Panel asked the Objector what further steps he could take to ensure his dog does not carry out any future attacks. In response, the Objector explained that he has added additional trellis to the fence line, created a dog run at the rear of the property, installed an electric cattle fence, and fitted spring hinge locks on the gates to prevent human error. One of the dog's recent escapes occurred when the Objector's

flatmate accidentally left a gate open. The Objector acknowledged that he could not guarantee with complete certainty that Blue would not attack again, unless the dog was chained at all times.

Final Remarks from the Objector

[18] The Objector stated to the Panel that he is doing his best to try contain and control the dog, and that he does not want to have the dog euthanised.

[19] The Panel asked the Objector whether the dog had been registered. The Objector responded that it had not, as he felt registration was unnecessary given his disqualification and the possibility that he may have to surrender the dog. He noted, however, that if the Panel were to rescind the disqualification, he would proceed with registering the dog.

[20] The Panel thanked the Objector for their appearance at the hearing.

Reply by Animal Management

[21] In response to the Objector's address to the Panel, Animal Management advised that 'disposal' of the dog did not necessarily mean euthanasia. Rather, it meant that the dog could no longer remain in the Objector's care. There are other options, such as the dog being rehomed or stay with family for the period of the owner's disqualification.

[22] The Panel asked Animal Management what the ideal outcome would be for Blue. Animal Management responded that rehoming Blue would be the best outcome. However, they noted that the matter was not solely about Blue, but rather about assessing the suitability of the owner.

[23] The Panel noted that in disqualification cases, Animal Management has no discretion, and disqualification is mandatory when an owner has received three or more infringements within a 24-month period. The Panel asked Animal Management whether, if they did have discretion, they would still have disqualified the Objector from dog ownership. Animal Management responded that they would have still proceeded with disqualification due to the continued lack of compliance, and highlighted that Blue remains unregistered.

Close of Hearing

[24] The Hearings Panel considered that it had all the information it needed to have regard to under section 33B(2) of the Act after considering the evidence, information and submissions available to it.

[25] The Hearings Panel adjourned the hearing and deliberated its decision.

PANEL DELIBERATIONS

The circumstances and nature of the offence or offences in respect of which the person was disqualified

[26] The report of the Principal Advisor Animal Management indicates that the Objector was disqualified in respect of the infringement offences committed between 27 July 2023 and 26 June 2025, which his Offence Index shows to be:

- 27 July 2023 – Section 33A, menacing classification.
- 4 October 2023 - Section 57, dogs attacking persons or animals.
- 17 October 2023 - Section 52A Infringement, failure to keep controlled dog confined.
- 21 October 2023 –Section 52A Infringement, failure to keep controlled dog confined.
- 22 October 2023 –Section 52A Infringement, failure to keep controlled dog confined.
- 26 June 2024 –Section 52A Infringement, failure to keep controlled dog confined.
- 9 October 2024 – Section 42 Infringement, dog not registered.
- 23 October 2024 –Section 52A Infringement, failure to keep controlled dog confined.
- 9 December 2024 –Section 52A Infringement, failure to keep controlled dog confined.
- 11 February 2025 –Section 52A Infringement, failure to keep controlled dog confined.
- 5 June 2025 –Section 52A Infringement, failure to keep controlled dog confined.
- 13 June 2025 - Section 52A Infringement, failure to keep controlled dog confined.

[27] The nature of these offences speaks to a repeated failure within a 24 month period to comply with the effects of dog classification, and a failure of the Objector to keep his dog under effective control.

[28] The terms of section 25(1)(a) of the Act indicate that the trigger for disqualification under that subsection is three or more infringement offences within a 24 month period; this speaks to an intent that historic offences are not a primary consideration for disqualification from owning a dog. Repeated infringement offences within a short period are the target of the subsection. The Panel is directed by the Act to have regard to the circumstances and nature of the offences in respect of which the person was disqualified; those offences in this case were those committed between 27 July 2023 and 26 June 2025 .

[29] The Objector gave voice to appropriate responsibility for relevant incidents. However, the repeated offences spoke to too slow an uptake of responsibility to proactively comply and exercise effective dog control, so the Panel considered that the two years' disqualification was proportional to this.

Any steps taken by the owner to prevent further offences

[30] The Panel considered that the Objector had historically been too slow and reluctant to take proper steps to prevent further offences, and he had not been serious enough in his steps for owning a dog such as Blue, so it was warranted that it be upheld that he be disqualified from owning a dog for two years, and not for a lesser period.

[31] It is a most serious matter to own a dog one knows to pose a threat to other domestic animals and not to take the serious steps that would reasonably be taken to eliminate the threat. Such a dog owner is fully culpable when their dog then endangers another. In the absence of demonstration of serious steps

having been taken that would have been more effective, concerns may reasonably arise regarding any dog owner who does not take adequate steps to ensure the safety of other animals and their owners to properly protect them from endangerment. The physical and emotional damage dog attacks cause must be centre of mind, and some disqualification of a repeat offender is an appropriate bridge to restoring trust in a dog owner and an appropriate break in ownership to allow them to reflect on whether they are actually prepared for the obligations of dog ownership.

Matters relied on in support of the objection

[32] The matters advanced in support of the objection have been largely already considered above. The Act does not just protect persons from endangerment by dogs; it also protects stock, poultry, domestic animals and protected wildlife, and it is evident that the Objector owns a dog that has endangered such, and he has failed to prevent committing more than three infringement offences in a 24 month period.

[33] The Panel acknowledged that the Objector had made some efforts to improve the situation and better contain Blue. However, due to the ongoing pattern of incidents and the fact that Blue is now classified as a ‘dangerous’ dog, the Panel was not persuaded to lift the Objector’s disqualification from dog ownership. Indeed the Objector has failed in his obligation in relation to his dog as set out in section 5(1)(g) of the Act to: *“take all reasonable steps to ensure that the dog does not injure, endanger, or cause distress to any stock, poultry, domestic animal, or protected wildlife”*, and in section 5(1)(i) to *“to comply with the requirements of [the] Act and of all regulations and bylaws made under [the] Act”*.

[34] In its final assessment of all relevant matters, the Panel having heard the Objector’s objection determined that the intent of the disqualification provision in the Act and the object of the Act were appropriately served, and the Objector justly treated, by upholding a two year disqualification period. The Panel considered two years fair to public safety and necessary to impose the proper gravity of this matter, and the importance of the legal obligations of dog owners, on the Objector. It would also seem to allow appropriate time for the Objector to prepare and embrace his responsibilities should he choose to own a dog again as soon as he can.

Other relevant matters

[35] The Hearings Panel had regard to the evidence as a whole and considered that it had all the information it needed to have regard to under section 26(3) of the Act. The Hearings Panel noted that every objection to a disqualification is considered on its own merits and having regard to the circumstances particular to the case. The Hearings Panel, having regard to all relevant matters, considered that upholding, and not bringing forward the termination of, the disqualification is justified in this case by the evidence and submissions and aligns with the objects of the Act.

RESULT

[36] Having considered the objection of the Objector to his disqualification from being the owner of a dog for a period of two years, together with the evidence and submissions collated by Animal Management, and having regard to the matters contained within the Dog Control Act 1996 and referred to in section 26(3) of the Act, it is determined that:

- The disqualification of the Objector from being the owner of a dog for a period of two years to expire on 11 February 2027 is **upheld** for the reasons indicated herein and for the reason that the Hearings Panel consider that the number and frequency of infringement offences the Objector committed warranted his disqualification for two years in light of the object of the Act to ensure persons and other relevant animals are not injured, endangered or caused distress, and the obligation of the Objector as dog owner to take all reasonable steps to ensure this.

[37] The Hearings Panel considered bringing forward the date of termination, or immediately terminating the disqualification, but decided against these options, determining that two years' disqualification from 11 February 2025 to 11 February 2027 is warranted for the reasons outlined. The Objector has a right of appeal to the District Court under section 27 of the Act.

[38] Additionally, section 26(2) of the Act implies that the Objector may object to their disqualification again to the Hearings Panel under section 26 provided that no such objection shall be lodged within 12 months of the hearing of any previous objection to the disqualification such as this is.

Hearing concluded at 2.25pm.

CONFIRMED THIS 2nd DAY OF OCTOBER 2025.

COMMUNITY BOARD MEMBER EMMA NORRISH
CHAIRPERSON