

## **Dog Control Act Hearings Panel DETERMINATIONS**

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**Date:** Thursday 4 December 2025  
**Time:** 2:00 pm  
**Venue:** Camellia Chambers, Civic Offices  
53 Hereford Street, Christchurch

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**Present**

Chairperson	Councillor Kelly Barber
Members	Councillor Mark Peters
	Community Board Member Tim Lindley

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**Meeting Advisor**

Shweta Tripathi  
Democratic Services Advisor  
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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 Councillor Kelly Barber be appointed Chairperson of the Hearings Panel for the hearings scheduled for this date.

The Christchurch City Council Hearings Panel convened on Thursday 4 December 2025 to hear objections as follows under the Dog Control Act 1996, which were dealt with in this order:

### **1. First Hearing at 2.00 pm – hearing of objection of Mau Eletise Muliaga**

Hearing of an objection by **Mau Eletise Muliaga** of Christchurch, pursuant to s 26 of the Act, to disqualification from being an owner of a dog for a period of one year and six months, 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 2.17 pm adjourned the hearing to deliberate its decision in this matter making a determination at 2.21 pm, which is attached hereto and was confirmed as noted at its base.

Refer page 3 below for the determination.

### **2. Second Hearing at 3.02 pm – regarding dog named ‘Pablo’**

Hearing of an objection by **Te Manawa Kiriana Coker** of Christchurch, pursuant to s 31B(3) of the Act, to classifications of her dog, ‘Pablo’, as dangerous under s31(1)(b) 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 classifications objected to, and at 3.24 pm adjourned the hearing to deliberate its decision in this matter making a determination at 3.28 pm, which is attached hereto and was confirmed as noted at its base.

Refer page 11 below for the determination.

### **3. Third Hearing at 4.05 pm – regarding dog named ‘Jahmelo’**

Hearing of an objection by **Darryl Harris** of Christchurch, pursuant to s 33B of the Act, to classifications of his dog, ‘Jahmelo’, as dangerous 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 classifications objected to, and at 4.15 pm adjourned the hearing to deliberate its decision in this matter making a determination at 4.23 pm, which is attached hereto and was confirmed as noted at its base.

Refer page 19 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 **MAU ELETISE MULIAGA** of Christchurch to her 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 one year and six months

Hearing: Camellia Chambers, Level 2, Civic Offices  
53 Hereford Street  
4 December 2025 at 2.00pm

Panel: Councillor Kelly Barber – Chairperson  
Councillor Mark Peters  
Community Board Member Tim Lindley

Appearances  
for the Objector: Mau Eletise Muliaga (Objector)

for the Animal Management Team: Ivan Trethowen (Acting Manager Animal Services)

Determination: 17 December 2025

Hearings Advisors: Shweta Tripathi

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

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**The disqualification of the Objector from being an owner of a dog for one year and six months to  
expire on 1 December 2026 is upheld**

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## **REASONS OF THE HEARINGS PANEL**

### **INTRODUCTION**

[1] The hearing was held to consider an objection received from dog owner, Ms Mau Eletise Muliaga ('the Objector'), to her disqualification by the Christchurch City Council Acting Manager Animal Services, Ivan Trethowen, from being an owner of a dog for one year and six months 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 16 March 2023 and 6 October 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 her on 14 October 2025 notice of disqualification (for a period of one year and six months from 1 June 2025) and other prescribed matters, including their right to object to the disqualification under Section 26 of the Act.

[4] The Objector exercised her right to object to the disqualification and in accordance with her right to be heard in support of her objection she 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 4 December 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 one year and six months 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 one year and six months 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 her 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 term 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 one year and six months. 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, Acting Manager Animal Services, appeared at the hearing, 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 three 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 one year and six months from 1 June 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 Mau Eletise Muliaga was disqualified from owning a dog in terms of section 25(1)(a) of the Dog Control Act 1996 for a period of one year and six months from 01/06/2025 to 01/12/2026. This was a result of Ms Muliaga 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**

*Mau Eletise Muliaga [Address withheld]*

**Dog details**

3 year(s) old neutered female Black and White Siberian Husky called Bella that is unregistered for the 2025/2026 year.

**Circumstances leading to the classification**

[11] The dog owner was previously classified as a probationary owner for the period of 14 November 2023 to 12 March 2025. Since the period of probationary has lapsed a further 3 infringements have been issued. The dog owner has been issued a total of 8 infringements of which 6 disqualify her from owning a dog. The officers have provided a significant amount of education to ensure that the dog is contained as 6 infringements relate to her not keeping the dog contained and 2 relate to her failing to register the dog. At the time of writing the report the dog remains unregistered.

**Reason for decision**

In terms of Section 25(1)(a) the owner must be disqualified from owning a dog for a period of time.

[12] In addressing the Panel, Mr Trethowen advised that the dog owner has been issued 3 infringements since 1 June 2025 and the dog remains unregistered even at the time of the hearing.

[13] The glossary below outlines the timeline of events and interactions Ms Muliaga has had with Animal Management since March 2023, culminating in her being disqualified as an owner of a dog.

Date	Offence	Notes	Enforcement Action
16/03/2023	Dog Control Act Section 69	Notification of impounded dog	Warning
29/03/2023	Dog Control Act Section 52A	Failure to keep dog controlled or confined	Infringed
27/04/2023	Warning issued that due to 2 infringements received in 24 -months period, they were at risk of being disqualified		Warning
09/10/2023	Final notice issued that dog must be registered by 17 October 2023		
30/10/2023	Dog Control Act Section 52A	Failure to keep dog controlled or confined	Infringed
30/10/2023	Dog Control Act Section 42	Failure to register dog	Infringed
01/11/2023	Dog Control Act Section 52A	Failure to keep dog controlled or confined	Infringed
14/11/2023	Dog Control Act Section 52A	Failure to keep dog controlled or confined	Infringed
23/02/2024	Dog Control Act Section 52A	Failure to keep dog controlled or confined	Infringed
<b>12/03/2024</b>	<b>Dog Control Act Section 21</b>	<b>Classified as probationary owner 14/11/2023 to 12/03/2025</b>	
21/02/2025	Dog Control Act Section 52A	Failure to keep dog controlled or confined	Warning
01/06/2025	Dog Control Act Section 52A	Failure to keep dog controlled or confined	Infringed

Date	Offence	Notes	Enforcement Action
15/09/2025	Final notice issued that the dog must be registered by 29 September 2025		
15/09/2025	Dog Control Act Section 52A	Failure to keep dog controlled or confined	Infringed
06/10/2025	Dog Control Act Section 42	Failure to register dog	Infringed
<b>14/10/2025</b>	<b>Dog Control Act Section 25(1)(a)</b>	<b>Disqualified from owning any dog 01/06/2025 – 01/12/2026</b>	

[14] The Hearings Panel, having received the report of the Acting Manager Animal Management and noted the decision to disqualify the Objector from being an owner of a dog for one year and six months, 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**

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

[16] The Objector explained that she is the sole income earner in her household and works extended shifts. As a result of these work commitments and limited time at home, she did not receive any infringement notices or correspondence from Christchurch City Council Animal Management.

[17] The Panel asked the Objector what steps she had taken to ensure the dog does not escape in the future. In response, the Objector stated that she has taken significant measures to ensure Bella is kept under control. These measures include increasing family vigilance, potentially engaging a person to supervise the dog, ensuring timely collection of mail, confining the dog to a fully fenced backyard, and modifying the front fence to be dig-proof to prevent the dog from escaping.

#### **Final Remarks from the Objector**

[18] The Objector informed the Panel that she is making every effort to contain and control the dog and expressed that she does not wish to relinquish ownership of the animal.

[19] The Panel asked the Objector whether the dog had been registered. The Objector responded that it had not, explaining that she had not yet attended to this requirement.

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

#### **Reply by Animal Management**

[21] In response to the Panel, the Acting Manager Animal Services clarified that the infringement was issued due to a lack of control, rather than any aggressive or problematic behaviour by the dog. It was further noted that, in such cases, the dog's history is taken into account and confirmed that there have been no reports of the dog wandering in the past month.

[22] 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. The Animal Management responded that they would have still proceeded with disqualification due to lack of compliance and highlighted that Bella remains unregistered.

### **Close of Hearing**

[23] 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.

[24] 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**

[25] The report of the Principal Advisor Animal Management indicates that the Objector was disqualified in respect of the infringement offences committed between 16 March 2023 and 14 October 2025 which her Offence Index shows to be:

- 16 March 2023 – Section 69, impounded dog notification.
- 29 March 2023 – Section 52A Infringement – Failure to keep dog controlled or confined.
- 30 October 2023 – Section 52A Infringement – Failure to keep dog controlled or confined.
- 30 October 2023 – Section 42 Infringement – Failure to register dog.
- 1 November 2023 – Section 52A Infringement – Failure to keep dog controlled or confined.
- 14 November 2023 – Section 52A Infringement – Failure to keep dog controlled or confined.
- 23 February 2024 - Section 52A Infringement – Failure to keep dog controlled or confined.
- 21 February 2025 - Section 52A Infringement – Failure to keep dog controlled or confined.
- 1 June 2025 - Section 52A Infringement – Failure to keep dog controlled or confined.
- 15 September 2025 - Section 52A Infringement – Failure to keep dog controlled or confined.
- 6 October 2025 - Section 52A Infringement – Failure to keep dog controlled or confined.

[26] 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 her dog under effective control.

[27] 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 16 March 2023 and 14 October 2025.

[28] 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 one year and six months' disqualification was proportional to this.



[29] The Panel considered that the Objector had historically been negligent or too slow to take proper steps to prevent further offences, and she had not been serious enough in her steps for owning a dog such as Bella, so it was warranted that it be upheld that she be disqualified from owning a dog for one year and six months, and not for a lesser period.

[30] 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 control of the dog. 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**

[31] The matters advanced in support of the objection have been largely already considered above. The Act stipulates a person must be disqualified from owning a dog if they commit three or more infringement offences (not from a single incident) within 24 months. It is evident that the Objector has failed preventing committing more than three infringement offences in a 24-month period.

[32] The Panel acknowledged that the Objector had made some efforts to improve the situation and better contain Bella. However, due to the ongoing pattern of incidents and the fact that Bella is not registered, the Panel was not persuaded to lift the Objector's disqualification from dog ownership. Indeed, the Objector has failed in her obligation in relation to her dog as set out in Section 5(1)(i) to "*to comply with the requirements of the [the] Act and of all regulations and bylaws made under [the] Act*".

[33] 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 one year and six months disqualification period. The Panel considered one year and six months 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 she choose to own a dog again as soon as she can.

### **Other relevant matters**

[34] 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**

[35] Having considered the objection of the Objector to her disqualification from being the owner of a dog for a period of one year and six months, 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 one year and six months to expire on 1 December 2026 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.

[36] The Hearings Panel considered bringing forward the date of termination, or immediately terminating the disqualification, but decided against these options, determining that one year and six months' disqualification from 1 June 2025 to 1 December 2026 is warranted for the reasons outlined. The Objector has a right of appeal to the District Court under Section 27 of the Act.

[37] 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 2.21 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 **TE MANAWA KIRIANA COKER** of Christchurch to the classification by the Christchurch City Council Animal Management Team under Section 31(1)(b) of her two-year-old, male, black and white coloured, American Bulldog named 'Pablo' as a dangerous dog

Hearing: Camellia Chambers, Level 2, Civic Offices  
53 Hereford Street  
4 December 2025 at 3.00pm

Panel: Councillor Kelly Barber – Chairperson  
Councillor Mark Peters  
Community Board Member Tim Lindley

Appearances  
for the Objector: Te Manawa Kiriana Coker (Objector) joined via audio/visual link.

for the Animal Management Team: Ivan Trethowen (Acting Manager Animal Services)

Determination: 17 December 2025

Hearings Advisors: Shweta Tripathi

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

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**The classification of Pablo as dangerous is upheld.**

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## **REASONS OF THE HEARINGS PANEL**

### **INTRODUCTION**

[1] The hearing was held to consider an objection received from dog owner, Te Manawa Kiriana Coker ('the Objector'), to the classification by the Christchurch City Council Animal Management Team ('Animal Management') under Section 31(1)(b) of the Dog Control Act 1996 ('the Act') of her:

- 2-year-old, male, black and white American Bulldog breed dog named Pablo;

as a 'dangerous' dog – which classification creates special obligations imposed on the dog owner by, and described within, Sections 31-33 of the Act.

[2] Section 31(1)(b) of the Act, under which Pablo 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 31(1)(b) of the Act a territorial authority may classify such a dog as 'dangerous', and following a report that Pablo had, on 9 June 2025, attacked and killed a cat, the Manager of Animal Management under his delegated authority from the territorial authority in which the Objector and her dogs reside did so classify Pablo as a 'dangerous' 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 31(3) of the Act.

[4] The Objector exercised her right to object to the classifications of Pablo as 'dangerous' and in accordance with her right to be heard in support of her 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 4 December 2025 heard the Objector's evidence and submissions and also heard from Animal Management in relation to the incident leading to the classification of Pablo, having previously received a report from Ivan Trethowen, Acting 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, Pablo, as 'dangerous' is **upheld**;

and the reasons for its determination in accordance with Section 31(1)(b) of the Act. The determination that the classification of Pablo is 'upheld' signifies that he remains and will continue to be classified 'dangerous' and the relevant special obligations thus imposed by the Act in relation to 'dangerous' dogs must be adhered to or the consequences for non-adherence set out in s 33EC of the Act will apply.

### **BACKGROUND**

[7] On 9 June 2025, the Council received a complaint from the Complainant regarding an incident that occurred on her property. The Complainant reported that while sitting in her lounge, she heard a noise in

her driveway. Upon looking outside, she observed two dogs – a large black and white Bull breed and another similar breed, tan in colour – on her property attacking her cat. The Complainant stated that she shouted through the window, causing the dogs to stop the attack and leave the property, wandering down the street. She then ran outside to locate her cat and saw both dogs returning towards her. The Complainant yelled at the dogs again, after which they fled into Arran Crescent.

[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 Pablo may pose a threat and would be classified 'dangerous' under Section 31(1)(b) 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, Pablo, as 'dangerous'. 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 Acting Manager Animal Services appeared at the hearing to speak to the decision to classify Pablo as dangerous, which was subject to the objection to be determined by the Hearings Panel. In his report he outlined the circumstances leading to the incident and the relevant section of the Dog Control Act, i.e. Section 31 that stipulates a territorial authority may classify a dog as dangerous.

[12] Mr Trethowen summarised for the Hearings Panel the facts on which the decision to classify the Objector's dog as 'dangerous' was based referring to the report. Animal Management escalated the compliance, i.e. a warning was not appropriate in this instance. Mr Trethowen provided a briefing on the situation and confirmed that the dog named Pablo is neutered and registered. It was noted that both the dogs (Pablo and Hazel) have a history of previous complaints. The Complainant presented photographs of the dogs, which matched descriptions of Pablo and Hazel. The Investigating Officer verified that security

camera footage confirmed the presence of Pablo and Hazel during the incident. It was further noted that there have been prior dealings with these dogs, including instances where they were impounded.

[13] Animal Management advised the Hearings Panel that both dogs were classified as dangerous, noting that it is highly unusual for one dog to attack while the other remains passive. It was further reported that both dog owners were formally notified of the classification; however, only the Objector provided a response. The owner of Hazel did not submit a statement and could not be contacted.

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

**Summary:**

*On 09/06/2025 at around 1200hrs the complainant was in her lounge and hearing a noise in her driveway, looked out to see a large black and white bull breed and a similar breed tan in colour [dog] on her property attacking her cat. Complainant screamed through the window and the dogs stopped attacking and left the property wandering out of the street. Complainant ran outside to find her cat and saw both dogs returning towards her, so she yelled at them again and they ran off into the Arran Crescent. 1202hrs security camera footage from [address redacted] shows the offending dogs passing on the opposite footpath after entering Arran Crescent from Smith Street and going to Staffa Street. Then at 1204hours going back in the direction of Smith Street along the footpath outside [address redacted]. Complainant posted on social media about the attack on 09/06/2025 and was sent photos of two dogs (Pablo and Hazel) involve in a similar incident from two months prior. Complainant states she is 95% sure it is the same dogs. Dog owner Keenan Ramiha Jaye Sullivan states he was at home with both the dogs getting up at 1100hrs and not leaving the property.*

**Mitigating Circumstances:**

*Nil*

**Aggravating Circumstances:**

*Multiple previous complaints of wandering.*

*Both dogs classified MED.*

*Dog owner claims dog was at home at the time despite video footage.*

**Officer Recommendation:**

*The more communicative of the dog owner (Kiriana Coker) admits multiple comings and goings from the property with no real responsibility taken to keep the dogs contained explaining how they continue to escape/ offend. Therefore, a classification of both dogs as Dangerous is recommended as the containment requirement will mean the dogs are to be in a separate secure area. Infringe under 52a dogs, probationary ownership to be looked into with prior infringement count.*

**Principal Advisor Recommendation:**

*Case reviewed. Noted. There is an escalating risk with the 2 dogs Pablo and Hazel, also neither owner is making any attempt to keep the dogs contained, lack of compliance is shown by both dog owners. Complainant has made a sworn affidavit regarding the behaviour/ threat of both dogs.*

*Agree with AMO's recommendations. Make both dogs dangerous, both owners to receive an infringement for 52A (Control own property).*

### **Evidence of the Complainant**

[15] The Complainant had provided the following affidavit to the Investigating Officer:

*"I was inside my house at [address redacted], when I heard a scuffle in my driveway. I looked out of the window and saw a tan bull breed and a black and white bull breed in my driveway, both dogs were viciously attacking my cat on my property. The tan coloured dog had my cat in its mouth when I first saw them but then both of them were acting together. I screamed and banged on the window the dogs briefly stopped attacking my cat then just slowly walked out the driveway. I was scared that the dogs might come back and attack me, but I ran outside to save my cat. My cat was badly injured and limped away, and I initially could not find him. I went back inside to call my husband and saw my cat out on the road under a car. I went out to get him and as I did I saw the two attacking dogs coming back towards me and my cat. Fearful that the dog would attack me or get my cat again I yelled at them and they slowly turned and walked off in the other direction. I later identified the two attacking dogs from photos posted on my local neighbourhood social media page."*

[16] The Complainant attended the Hearing and appeared visibly distressed while recounting the incident and the loss of her cat. She expressed concern that a similar incident occurred with another cat owner approximately three weeks after the initial event.

### **The Objector**

#### **Evidence and Submissions of the Objector**

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

[15] At the Hearing, the Objector informed the Panel that she was not present at her property on the day of the incident. She advised that her son was at home and confirmed that, based on his usual mid-morning to lunchtime routine, he was awake and observed that the dogs were present at the property during that time.

[16] The Objector informed the Panel that measures have been taken to reinforce the property, including installing locks on the gates, further securing the fencing, and placing a sign on the main gate stating, "Don't leave the gate open." She also advised that both dogs have been desexed. She noted that both the lock and the gate sign were installed following the incidents.

### **Final Remarks from the Objector**

[17] The Objector asserted that there is no evidence confirming that her dog, Pablo, killed the cat. She referred to the Complainant's statement, which indicated that the tan dog was observed with the cat in its mouth. The Objector further stated that Hazel, the tan dog, appeared to take the lead during the incident.

[18] The Objector informed the Panel that the dogs did not typically escape the property; however, when gates were left open, they were able to leave. She stated that this was primarily due to outsiders leaving

the gate open. Since the incident, a sign has been installed on the main gate advising visitors to keep the gate closed due to dogs being on the property.

[19] In response to the Hearing Panel's question regarding the tan dog having the cat in its mouth, the Objector stated that this suggests Pablo did not kill the cat. Furthermore, the Objector clarified that, as Hazel was not her dog, she could not lodge an objection for Hazel's classification.

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

### **Reply by Animal Management**

[21] In response to the Panel's inquiry about the implications of the dangerous dog classification, Mr Trethowen explained that, once classified, the owner must ensure the dogs are kept within a securely fenced area that does not provide direct access to the house door. The dogs must never be at large or in any public or private way unless confined within a vehicle or cage. When in public, they must be muzzled and on a leash at all times. Additionally, the dogs are required to be neutered and cannot be sold or given away without the prior written consent of the territorial authority. The classification must also be disclosed to any prospective new owner.

[22] Mr Trethowen informed the Panel that both dogs had been classified as dangerous and noted that it would be highly unusual for one dog to remain passive if the other was attacking.

### **Close of Hearing**

[23] 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.

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

## **PANEL DELIBERATIONS**

### **The evidence which formed the basis for the classification**

[25] The evidence which formed the basis for the classifications was not in the Panel's view in any real doubt with regard to it supporting the assessment that Pablo had attacked and killed the Complainant's cat, Gizmo.

[26] Classification as dangerous 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, which in this case was not in contention.

[27] 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 Pablo may again wander from the property and potentially attack or kill another domestic animal.

[28] The Panel considered that the incident resulted from a lapse in responsibility on the person-in-charge's part to maintain effective control of Pablo, 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.

[29] Thus the Hearings Panel, having regard to the evidence which formed the basis for the classification of Pablo as 'dangerous', 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 their submissions in support of the objection to the classification.

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

[30] The Hearings Panel thus considered the Objector's evidence and submissions in regard to the steps taken in terms of controlling the dogs, however, the repeated similar incidents spoke to too slow an uptake of responsibility to proactively comply and exercise effective dog control. 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.

[31] Having considered the steps taken by the Objector, the Panel still felt Pablo may pose a threat. The Panel noted with substantial concern that Pablo had been involved in previous incidents of similar nature and that both dogs were implicated in another similar incident approximately three weeks after the initial incident. In reaching its decision, the Panel had regard to the objects and provisions of the Dog Control Act, the nature and severity of the attack, the resulting loss to the Complainant, and the need to address the ongoing threat posed by the dogs.

[32] In light of these various considerations speaking to the fact that Pablo is a potential threat, the Hearings Panel considered that the steps taken by the Objector, though responsible, were not sufficient in all the circumstances of this case to persuade it to rescind the classifications of Pablo.

### **Matters relied on in support of the objection**

[33] The Panel expressed concern over the Objector's inability to keep the dogs securely confined, noting that another similar incident happened just three weeks after the incident under consideration.

[34] Classifications are not intended to remedy or punish but are to prevent risk. The Panel still perceived some risk in this case. It is unfortunate to add a label of 'dangerous' 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.

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

[36] However, the Hearings Panel was mindful of the potential relevance of these determinations to the safety of the wider public and was not persuaded Pablo is 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 'dangerous' classifications of Pablo.

### **Other relevant matters**

[37] 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 dangerous 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, and not rescinding, the classifications of Pablo would be justified by the evidence and submissions and would align with the objects of the Act.

### **RESULT**

[38] Having considered the objection of the Objector to the classifications of their dog, Pablo, as a 'dangerous' 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 two-year-old, male, black and white coloured, American Bulldog named '**Pablo**' as a 'dangerous' dog be **upheld** for the reasons indicated herein and for the reason that the Hearings Panel considers because of the reported incident that Pablo 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.

**Meeting concluded at 3.28 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 **DARRYL HARRIS** of Christchurch to the classification by the Christchurch City Council Animal Management Team under Section 33A(1)(b)(i) of his seven-year-old, male, black and tan coloured, Rottweiler dog named 'Jahmelo' as a menacing dog

Hearing: Camellia Chambers, Level 2, Civic Offices  
53 Hereford Street  
4 December 2025 at 4.05pm

Panel: Councillor Kelly Barber – Chairperson  
Councillor Mark Peters  
Community Board Member Tim Lindley

Appearances  
for the Objector: The Objector was duly notified of the hearing but did not attend.

for the Animal Management Team: Ivan Trethowen (Acting Manager Animal Services)

Determination: 17 December 2025

Hearings Advisors: Shweta Tripathi

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

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**The classification of Jahmelo as menacing is upheld.**

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## **REASONS OF THE HEARINGS PANEL**

### **INTRODUCTION**

[1] The hearing was held to consider an objection received from dog owner, Darryl Harris ('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 his:

- seven-year-old, male, black and tan, Rottweiler named Jahmelo;

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 Jahmelo 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 Jahmelo had, on 23 February 2025, escaped from his house and attacked and killed a kitten, the Manager Animal Services under his delegated authority from the territorial authority in which the Objector and his dogs reside did so classify Jahmelo as a 'menacing' dog by causing to be given to the Objector notice of the classifications and other prescribed matters, including his right to object to the classifications under Section 33B of the Act.

[4] The Objector exercised his right to object to the classifications of Jahmelo as 'menacing' and in accordance with his 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 4 December 2025 considered the Objector's evidence and submission and heard from Animal Management in relation to the incident leading to the classification of Jahmelo, having previously received a report from Ivan Trethowen, Acting 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, Jahmelo, 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 Jahmelo 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 s 33EC of the Act will apply.

### **BACKGROUND**

[7] On 23 February 2025, the Council received a complaint from the Complainant alleging that on that day her kitten 'Midget' was killed by a Rottweiler named 'Jahmelo' who was seen with the deceased kitten in his mouth.

[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 Jahmelo 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 his dog, Jahmelo, 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 Acting Manager Animal Services, Ivan Trethowen, appeared at the Hearing to speak to the decision to classify Jahmelo as ‘menacing’, which was subject to the objection to be determined by the Hearings Panel. In his report he 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 informed the Hearings Panel, that Jahmelo is unregistered and has not been neutered.

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

#### **Summary:**

*Dog owner Darryl Jules Harris was at home with both of his dogs in separate areas of his property due to the female (Roxy) being on heat. Mr Harris heard barking and looked out in his back yard where he noticed Jahmelo had chewed his way out of his enclosure and was trying to get in at Roxy. Mr Harris went outside, and secured Roxy in his vehicle and then went back to repair the wire that Jahmelo had chewed through. While distracted, he states Jahmelo jumped his front gate without him seeing and when he noticed Jahmelo gone he called out and the dog appeared from the footpath outside. Mr Harris states that he reviewed his security camera footage and saw that Jahmelo had jumped the gate, ran around his car a few times trying to get at Roxy then ran off towards Redgrave Street before returning when he called him.*

*Sharleen Anne Kinley states she heard a cat make a squealing noise outside her window, she went immediately to her window and witnessed Jahmelo in her backyard with her kitten in its mouth. She yelled “the dogs got my cat”, her and her partner Adam ran out towards the backyard, he opened the side rear gate and this allowed the dog to escape. Adam chased the dog and it left the property.*

Complainant went back into the rear yard and found the kitten with crush injuries and blood coming out of his mouth and was already dead. The kitten was buried in their backyard soon after. Dog Control Officer KM attended and advised Mr Harris of the incident with the kitten. At that point he reviewed his security camera footage and saw that Jahmelo had jumped the gate, ran around the car a few times trying to get at Roxy then ran off towards Redgrave Street before returning when Mr Harris called him.

**Mitigating Circumstances:**

Jahmelo is normally kept in a secure area, jumping the gate to access the female on heat.  
Mr Harris has accepted the attack occurred and has been cooperative. Kitten was 2 months old so very easily injured/ killed due to size difference.  
Mr Harris has repaired confinement area and has material to raise the height of the gate.  
Mr Harris has offered to replace the kitten.

**Aggravating Circumstances:**

Dog is unregistered.  
Mr Harris did not take reasonable steps to secure Jahmelo while he was repairing the confinement area.

**Officer Recommendation:**

It is likely that due to the fact the kitten was killed the only course of action could be classification of menacing. Also an infringement s52a however, the dog owner has shown a willingness to repair and secure the property so this could be taken into consideration.

**Principal Advisor Recommendation:**

This dog has killed another animal and must be classified as menacing in accordance with Section 33A(1)(b)(i) of the Dog Control Act 1996. Any infringement is at the discretion of the Officer, you should take into account the history and attitude of the owner. I would say that this was an unfortunate series of events that led to the attack. As such I re-consider issuing a notice under Section 53.

**Evidence of the Owner of the Cat that was attacked ('the Complainant')**

- [15] The Complainant had provided the following statement to the Investigating Officer:  
"At approximately 12.30 on the 23/02/2025 I was in my room at [address redacted], and I heard a cat make a squealing noise outside my window. I went immediately to my window and witnessed the above described dog in my backyard with my kitten in its mouth. I yelled 'the dog's got my cat' my partner Adam and I ran out towards the backyard. Once out there, I opened the side rear gate and this allowed the dog to escape as Adam was chasing the dog off. It left the property. We both went back into the rear yard and found our kitten with crush injuries and blood coming out of his mouth. He had passed away. Adam has buried the kitten in the garden. I called Council to report the attack. It had to have jumped into my rear yard as there is no other way it could have entered as the only gate in to the backyard was closed. Action needs to be taken as I'm very concerned for my other cats that are on the property, and as the dog has offended in the past. I witnessed this dog once before with another cat in its mouth ran past my property."
- [16] The Complainant did not appear at the scheduled hearing.

**The Objector**

**Evidence and Submissions of the Objector**

- [17] The Objector had provided the following statement to the Investigating Officer:

*“At approximately 12.30 on the 23/02/2025, I was at my house in [address redacted] and had my female named Roxy (who is currently on heat) in a separate area at the side of the property. I noticed Jahmelo had escaped from his confinement area at the rear of my property and was trying to get into Roxy’s area. I immediately went outside and put Roxy into my car so she was safe from Jahmelo and began repairing the wire on Jahmelo’s confinement area. I was distracted by this and at one point turned around to find that Jahmelo had gone. I called out to him and started walking towards the gate and Jahmelo came running back up the driveway. I then secured him in the area at the back. Approximately an hour later an Animal Control Officer came to my house and informed me that Jahmelo had killed a cat. I told her that he had escaped earlier but was now secure. I then reviewed my security camera footage and saw that Jahmelo had jumped the gate, ran around my car a few times trying to get at Roxy then ran off towards Redgrave Street before returning when I called him.*”

[18] The Objector did not appear at the scheduled hearing.

### **Reply by Animal Management**

[19] Animal Management advised that the hearing, originally scheduled for 26 May 2025, was postponed at the Objector’s request. Attempts to reschedule the hearing for 12 September 2025 were unsuccessful as the Objector could not be reached. Furthermore, the Objector did not respond to any communications regarding the hearing set for 4 December 2025.

[20] Additionally, the 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**

[21] 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.

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

## **PANEL DELIBERATIONS**

### **The evidence which formed the basis for the classification**

[23] 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 Jahmelo had attacked and killed Complainant’s kitten, Midget.

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

[25] 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 Jahmelo does pose some risk of escaping and attacking someone based on the evidence around the reported behaviour.

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

[27] The Panel considered that the incident resulted from a lapse in responsibility on the person-in-charge’s part to maintain effective control of Jahmelo, 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.

[28] The Hearings Panel, having regard to the evidence which formed the basis for the classification of Jahmelo 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 his submissions in support of his objection to the classification.

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

[29] 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 dog from wandering out. The Panel perceived a continuing risk that a similar incident could happen again.

[30] Having considered the information provided by the Objector, the Panel still felt that Jahmelo 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.

[31] In light of these various considerations speaking to the fact that Jahmelo 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 Jahmelo. 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**

[32] The Panel expressed concern regarding the Objector’s failure to securely confine the dog, noting that the dog had been observed wandering on several occasions and, on one occasion, was seen carrying another cat in its mouth.

[33] 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.

[34] The Hearings Panel noted that the Objector was uncontactable and did not attend the hearing.

[35] The Hearings Panel was mindful of the potential relevance of these determinations to the safety of the wider public and was not persuaded Jahmelo 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 Jahmelo.

### **Other relevant matters**

[36] 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 Jahmelo’s classification as menacing would be justified by the evidence and submissions and would align with the objects of the Act.

## **RESULT**



[37] Having considered the objection of the Objector to the classification of his dog, Jahmelo, as a 'menacing' dog, together with the evidence and submissions collated by the Animal Management Team, 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, black and tan Rottweiler, Jahmelo 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 Jahmelo 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 4.23 pm.**

**CONFIRMED THIS 17<sup>th</sup> DAY OF DECEMBER 2025.**

**COUNCILLOR KELLY BARBER**  
**CHAIRPERSON**