

Agenda for a hearing of the Regulatory Subcommittee of Waikato District Council to be held in the Council Chambers, District Office, 15 Galileo Street, Ngaruawahia on **MONDAY 19 AUGUST 2019** commencing at **9.00am**.

Information and recommendations are included in the reports to assist the Board in the decision making process and may not constitute Council's decision or policy until considered by the Board.

I. HEARING

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GJ Ion
CHIEF EXECUTIVE

Open Meeting

To	Hearings Committee
From	Sue O'Gorman
	General Manager Customer Support
Date	13 August 2019
Prepared by	Brett Watene
Chief Executive Approved	Team Leader Animal Control
Reference #	Y
Report Title	DOGS1979/19, Animal ID: 34184, Person ID: 127654 Objection to Dangerous Classification by Stephanie Yearbury

I. EXECUTIVE SUMMARY

The purpose of this report is to outline the background and circumstances around a dangerous dog classification that was applied to a German Shepherd called ‘Scout’ which is registered to the property 233E Pinnacle Road, Bombay and the owners Stephanie and Jason Yearbury. The owners of Scout have objected to the dangerous classification and Council staff are recommending to the Hearings Committee that they consider rescinding the classification.

Section 31(1) of the Dog Control Act 1996 (“the Act”) allows for a territorial authority to impose a dangerous classification on a dog that may impose a threat to any person, stock, poultry, domestic animal or protected wildlife because of any observed or reported behaviour.

This classification was initially applied after consideration of evidence available at the time; subsequent review by the new Team Leader of Animal Control, who has an investigative background has shed a new perspective on the current details.

The effects of the classification are set out in Section 32 of the Act. Refer Appendix L for details. The Council received a written objection to the menacing classification from Stephanie Yearbury and this is attached in Appendix K.

2. RECOMMENDATION

THAT the report of the General Manager Customer Support be received;

AND THAT the Dangerous Classification of the German Shepherd called Scout, owned by Stephanie Yearbury, under Section 31 of the Dog Control Act 1996 is rescinded.

3. BACKGROUND

Stephanie and Jason Yearbury are the registered owners of the German Shepherd. Andrew and Belinda James are the registered owners of the Jack Russell.

It is alleged by Andrew James that he and partner Belinda were walking their Jack Russell on Pinnacle Hill Road, Bombay at about 8.20pm on the 26th January 2019.

The dog had no leash on and ran ahead to the adjacent property gate at 233E Pinnacle road, where a German Shepherd called 'Scout' was secured behind a gate and fully fenced property.

Andrew James states that the German Shepherd has put its nose through the gate and bitten the Jack Russell on the neck before pulling it through the gate.

The Jack Russell sustained injuries before the owner retrieved it. The German Shepherd was not aggressive towards Mr James as he entered the property to retrieve his dog.

The statement of Mr James is attached and Appendix A.

Neither party nor their dogs have any relevant history with the Council although the owners of the Jack Russell have submitted a statement of an alleged historical act of aggression by the German shepherd. However, this has not previously been reported to the Council.

The evidence of the scene, the injuries to the Jack Russell and the statement of Mr James appear conflicting, and it is considered on evidence that rescinding the German Shepard's menacing classification should be considered by the Committee.

4. OBJECTION TO CLASSIFICATION

4.1 OBJECTION

The objection to the classification was received from the German Shepherds owner, Stephanie Yearbury, within the 14 days of the owners receiving notice of the classification, in accordance with section 31(3) of the Act. Refer Appendix K.

4.2 OPTIONS

The Council has two options in considering the objection to the dangerous classification:

- Uphold the classification
- Rescind the classification

5. CONSIDERATION

There appear inconsistencies in the evidence, namely the Jack Russell's injuries do not appear consistent with Mr James' version of events. The dog attack was not witnessed which would explain assumptions being made. The conclusion presented in this report is based on the evidence and following observations:

1. The conflicting evidence of Mr James and the medical examination of his dog.
2. No penetration of the inner wall of the abdomen suggesting no violent force applied from Scout, the German Shepherd.
3. The German Shepherd was securely in her property indicating the owners had taken reasonable steps prior to the incident to keep their dog and passers-by safe.
4. The first act of aggression was the Jack Russell running uncontrolled to the gate.
5. No recorded aggressive history with the Council for the German Shepherd.
6. The good character references provided in support of the German Shepherd.
7. The steps taken by the Yearbury family post incident to reassure safety.

5.1 STEPS TAKEN TO PREVENT FURTHER SUCH INCIDENTS

The owners have re-secured their fencing and installed CCTV.

5.2 SUPPORT TO THE OBJECTION

The owners have produced letters of support as appended below.

6. DISCUSSION

The German Shepherd was securely in the property before the incident.

Mr James statement that his dog was grabbed by the neck conflicts with the medical examination as there is no injury to the neck area consistent with being bitten with enough force to be pulled violently through a gap in the steel gate. The gaps in the gate are relatively small.

The most significant finding in the medical examination is that no bites penetrated the inner wall which suggests that a dog this size has not bitten with any amount of force.

There is insufficient evidence over which dog was actually the aggressor in this incident although it appears the Jack Russell may have made the first aggressive move by running up to the gate uncontrolled by its owner.

The gate has close fitting components that would make it difficult for a larger dog to pull another dog through and there is no evidence the German Shepherd could have got out of the property and attacked the Jack Russell. The gaps in the gate appear too small for this.

No clear conclusion can be made as whether it was possible or not for the Jack Russell to be pulled through the gate in the manner described.

7. CONCLUSION

The evidence concludes that an attack has taken place however, this was not witnessed and the circumstances do not conclusively justify the classification.

8. ATTACHMENTS

- Appendix A - Witness Statement Andrew James
- Appendix B - Scene photographs
- Appendix C - Medical Report
- Appendix D - Statement and photographs of historical incident
- Appendix E - Letter of support dog behaviour Faulkner
- Appendix F - Letter of support Chaffe
- Appendix G - Letter of support Kirker
- Appendix H - Letter of support Parker
- Appendix IJ - Notice of Dangerous classification
- Appendix K - Appeal letter from Stephanie Yearbury
- Appendix L - Relevant Legislation

CRH Coas 1979/19.



Animal# 134184.
Owner# 127654.
Property# 302862.

ANI _____
ACO Rhys #12.

Witness Statement

REGISTERED

Doc. No. 2177780

My full name is:
Please PRINT all details

I live at:

Telephone:

Day: _____ Evening: _____

Mobile: 027 365 1545 E-mail: _____

I am making this statement to Waikato District Council as a complaint of an offence against the Dog Control Act 1996 or the Waikato District Council Dog Control Bylaw 2007.

I understand that I may be summoned to give evidence in Court.

The incident occurred on

26 January 2019. at about 2020 hrs
specify the date give the time of day am pm

The dog involved was a

Sealke whle German Shepherd
(Swiss Shepherd)

The dog is kept at

233 E Pinnacle Hill Road, Pokano.

description of dog – breed, colour, sex, size etc

give the address where the dog is kept

I know the dog is from this address because IT IS MY Neighbors
Dog and we have had issues with it on
Previous occasions.

A true account of the incident and the basis of my complaint is stated overleaf.
(Read information on back page first.)

INITIALS: AJ

This statement taken at 233B Pinnacle Hill Road Pokono in relation to a dog vs dog attack. At 2015 hours my partner Belinda was walking ahead of me by approximately ~~10-15~~ ^{*10-15} metres, we were heading ^{AS} to the private farmland across the private way where we are permitted to walk our dogs. We were unaware of the dogs presence at the gates until our dog Jack darted from my partners side towards the gates where we now observed the dog. Belinda called out to Jack who was off lead and he refused to return to her, I ran to try and prevent him from reaching the gate where the Swiss Shepherd was ~~now~~ barking ^{AS} at Jack. Jack approached the gate and was immediately grabbed by the dog through the lower scroll work of the gate construction the shepherd biting him around his ~~neck area~~ mid rift to facilitate pulling ^{AS} him through the gate. Once the shepherd has pulled Jack through the gate he has re-bitten him around the midrift and shaken him violently causing serious injury to his torso.

INITIALS: AJ

Bella and I have both been shouting and screaming at the sheep and she has released Jack and backed away. I have jumped the seven wire fence and went to the gate and retrieved Jack without incident. We have immediately returned home to assess his injuries before heading straight to the vet. I notified the dog owner immediately of the event.

I have read / been read the above statement. I have been told I can correct, alter or add anything I wish. This statement is true and I have made this statement of my own free will.

Given at 233B Pinnacle Hill this 30th
Road Reno. day of January 2019.

Signed: Gina

Witnessed by P.S. Heather
Animal Control Officer or
other WDC Officer (specify) ACO # 12

Information on completing a Witness Statement

Thank you for taking the time to complete a Witness Statement. It is important that you complete this form with as much detail as possible so that the Animal Control Officer (ACO) dealing with the case is well informed and can take the most appropriate enforcement action. Without this statement it is likely that the ACO will be unable to take any action with the owner of the dog or the dog itself. This statement is an important and necessary piece of evidence.

Please include in your statement -

- Your full details.
- The date and time of the incident.
- Where the dog lives and how you know this.

A detailed description of the dog(s) -

- Colour - (include any patches etc.).
- Size – small, medium, large.
- Gender (if known).
- If the dog was wearing a collar/tag.
- Length of coat – smooth, medium, longhaired.
- Breed - an option is to say what type of dog it is like if you are unsure of the exact breed.
- Body type – stocky, skinny, tall, short.
- Face shape - pointed or floppy ears, long or short nose, floppy jowls etc.
- Any other distinctive details you noticed.

Also, in your account of the incident include -

- The location of the incident.
- How the incident came about.
- How you came to be in contact with the dog - When and how did you first notice it? Where was the dog?
- The dog's behaviour – Was it growling, barking, lunging, attempting to bite?
- If it bit you – Where? When? What your injuries are. Have you had treatment for the injury?
- Was the owner of the dog or anyone else present? If so, what action did they take regarding the incident?
- Was anything said by anyone?
- What action you took - What did you do during and after the incident?
- Where did you last see the dog? Did it run off? If so, in what direction?
- How did the incident come to a conclusion?

It is important that you initial or sign each page of the statement, and date it.

If you have any questions please contact
an Animal Control Officer at the Waikato District Council, (07) 824-8633.

REGISTERED

Doc. No. 2177809

10

CRM Dogs 1979/19.

In the matter of

s.57 of the Dog Control Act 1996

Between

Andrew Lewis James of 233B Pinnacle Hill Road,
Bombay
(Plaintiff)

And

Stephanie Nicole Yearbury of 233E Pinnacle Hill
Road, Bombay
(Respondent)

Affirmation of Andrew Lewis James

Filed by: (Rhys Sean Heatley))

Animal# 134184.
Owner# 127654.
Property# 302862.

I Andrew Lewis James, of 233B Pinnacle Hill Road, Bombay do solemnly and sincerely swear / affirm the following:

1. I am employed by Fonterra as a Maintenance Fitter.
2. 26 January 2019 I witnessed a dog attack injuring my dog.
3. Attached is my Witness Statement provided to Waikato District Council. This is Exhibit 1
4. Based on the aggression this dog has displayed I believe this dog constitutes a threat to public safety.
5. This statement made by me is true and correct to the best of my knowledge and belief.
6. I am aware that I commit an offence of perjury and am liable of a term of imprisonment if I know the contents of this affidavit are false.

Signed: James

Date: 14/02/19

Affirmed at Takanini this 14 day of February 2019
Auckland

Before me: N. Smith



Mr Ngatai A. Smith JP
45 Longford Park Drive
Takanini 2112
Auckland, N.Z.
Ph: (09) 299 7429



District Office
15 Galileo Street
Private Bag 544
Ngaruawahia 3742

Hunty Area Office 142 Main Street 0800 492 452
Raglan Area Office 7 Bow Street 07 825 8129
Tuakau Area Office 2 Dominion Road 0800 492 452

Telephone (all hours) 07 824 8633
Call Free 0800 492 452
Fax 07 824 8091

Email: publicenquiries@waicd.govt.nz
www.waikatodistrict.govt.nz

To: The Chief Executive
Waikato District Council
Private Bag 544
Ngaruawahia 3742

Request for Official or Personal Information

Local Government Official Information and Meetings Act 1987
Privacy Act 1993

APPLICANT

Full Name: ANDREW JAMES
 Address: 233B PINNACLE HILL RD, BOMBAY R.D.1.
 Postal Address (if different):
 Email Address: andrew.james3@fastnet.net.nz
 Telephone No.: (day) Telephone No.: 0277067014 (mobile)

This request is **URGENT** / **NOT URGENT** (Delete which is not applicable)

The matter is urgent because there is a hearing coming up regarding a vicious attack on our dog. The neighbour concerned has apparently made counter-allegations against our dog Jack. We need to know what these involve.

(continue overleaf if necessary)

I understand that this information will be forthcoming as soon as reasonably practicable except as provided by section 14 of the Local Government Official Information and Meetings Act (extension of time limits), and that the Council may make a charge for supplying this information.

NOTE: A deposit of the total sum payable may be required. If the information requested is available it will be released on payment of the total charge.

Signed:

Date:

27/03/19

INFORMATION REQUESTED

Stephanie and Jason Tealbury's dog Scout attacked our dog Jack. We laid a complaint with animal control. They have apparently made counter-allegation ~~#101~~ against our dog including a letter from a neighbour stating our dog attack their chicken. We

(continue overleaf if necessary)

but not limited to 13

Continued from overleaf would like a copy of their counter-claims including the letter from the neighbour and character references they have regarding their dog and anything that concerns our dogs behaviour or statement. We feel that as they have copies of what we provided to animal control that this is only fair.

INFORMATION RECEIVED: Signed: *JLH* Date: 27-03-19

FOR OFFICE USE ONLY

Application received by:	Officer's name
On:	Date: _____ Time: _____
Application referred for action to:	Officer's name
Availability of information:	Available / Not available (Delete one)
Fee payable for supply of information?	Deposit: \$ _____ Full fee: \$ _____
Information available and released by:	Manager's signature
On:	Date: _____

OR Referred to	Legal Council / Privacy Officer										
Decision:	<table border="0"><tr><td>1 Release information</td><td><input type="checkbox"/></td></tr><tr><td>2 Do not release for the following reasons</td><td><input type="checkbox"/> (See section 17)</td></tr><tr><td colspan="2">_____</td></tr><tr><td colspan="2">_____</td></tr><tr><td>3 Give notice in writing neither confirming nor denying the existence or non-existence of the information (See section 8)</td><td><input type="checkbox"/></td></tr></table>	1 Release information	<input type="checkbox"/>	2 Do not release for the following reasons	<input type="checkbox"/> (See section 17)	_____		_____		3 Give notice in writing neither confirming nor denying the existence or non-existence of the information (See section 8)	<input type="checkbox"/>
1 Release information	<input type="checkbox"/>										
2 Do not release for the following reasons	<input type="checkbox"/> (See section 17)										

3 Give notice in writing neither confirming nor denying the existence or non-existence of the information (See section 8)	<input type="checkbox"/>										
Signed:	Legal Counsel / Privacy Officer										

Applicant notified and appeal right explained:	Date: _____
Total fee paid (if applicable)	\$ _____
Signed:	Legal Counsel / Privacy Officer

Dorothy Derecourt

From: Kristen Harty
Sent: Thursday, 28 March 2019 9:52 a.m.
To: Dorothy Derecourt
Subject: FW: Request for Official or Personal Information

New hardcopy LGOIMA – ADM0294/19
ECM# 2210767

From: Kristen Harty
Sent: Thursday, 28 March 2019 9:49 a.m.
To: 'andrew.james@fonterra.com'
Subject: Request for Official or Personal Information

Dear Andrew

RE: REQUEST FOR INFORMATION UNDER THE LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987

We acknowledge receipt of your information request dated March 28, 2019. We will consider your request and will contact you again in the near future.

If you require any further information regarding your request please contact Christine Pidduck, Legal Counsel, telephone 07 824 5846 or Christine.Pidduck@waidc.govt.nz.

Yours faithfully,

Kristen Harty

Records and Information Officer

Waikato District Council

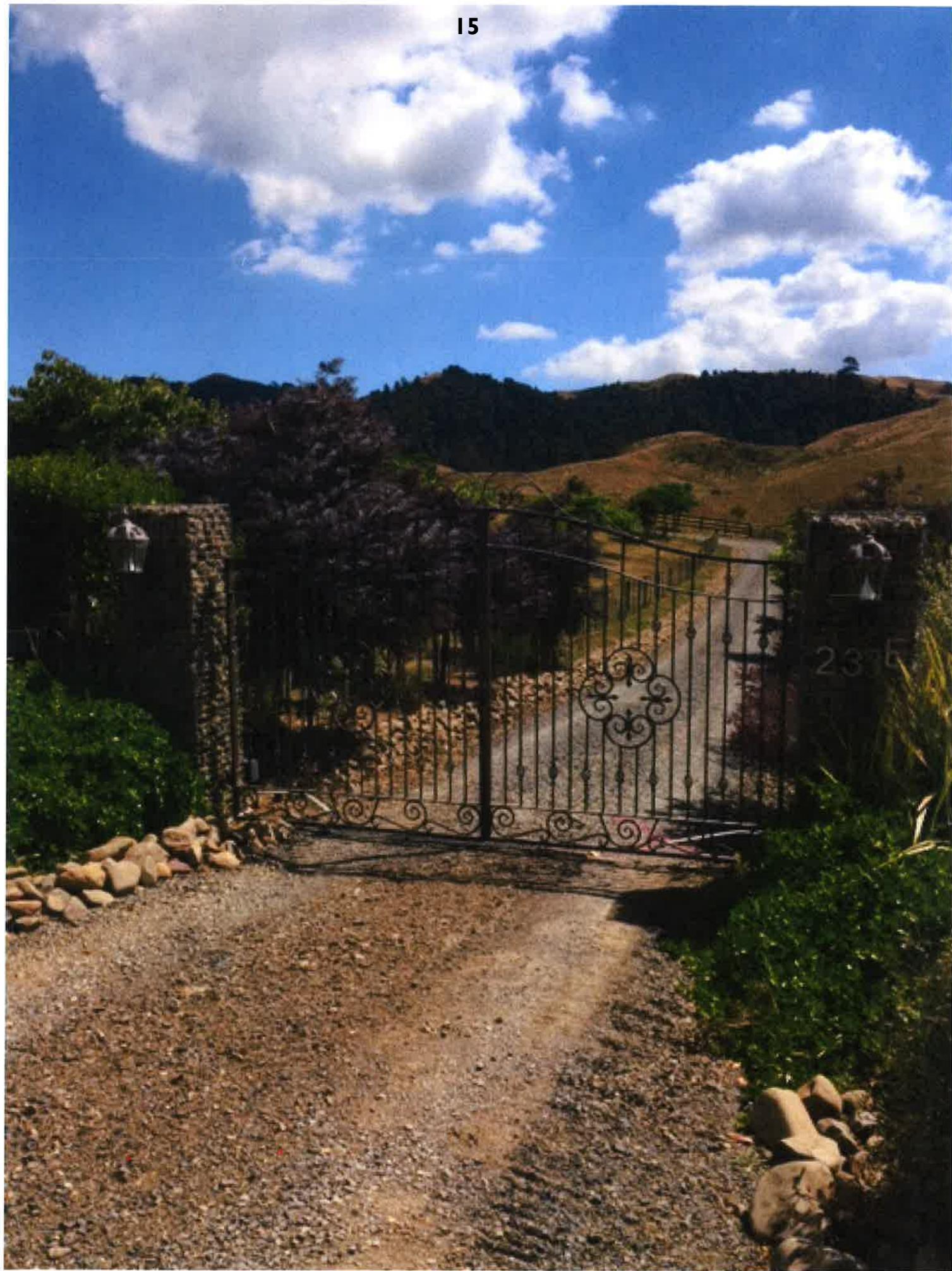
■ P 07 824 8633 ■ F 07 824 8091 ■ Call Free 0800 492 452 ■ DDI ■ M

Private Bag 544, Ngaruawahia 3742

www.waikatodistrict.govt.nz ■ Like us on Facebook



Please consider the environment before printing this e-mail

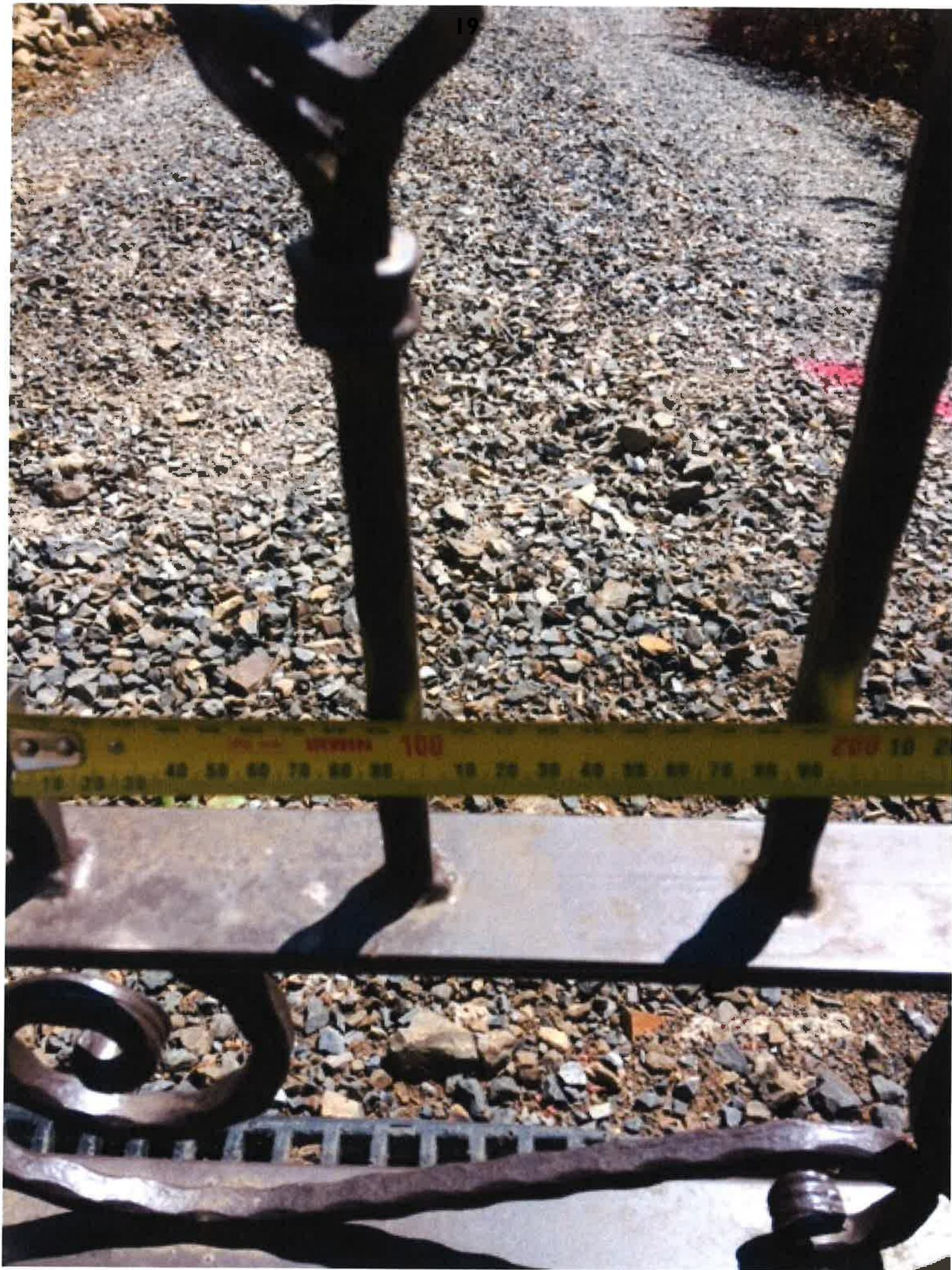




Yearbury's side fence
Andrew Jones had to climb to retrieve "Jack"

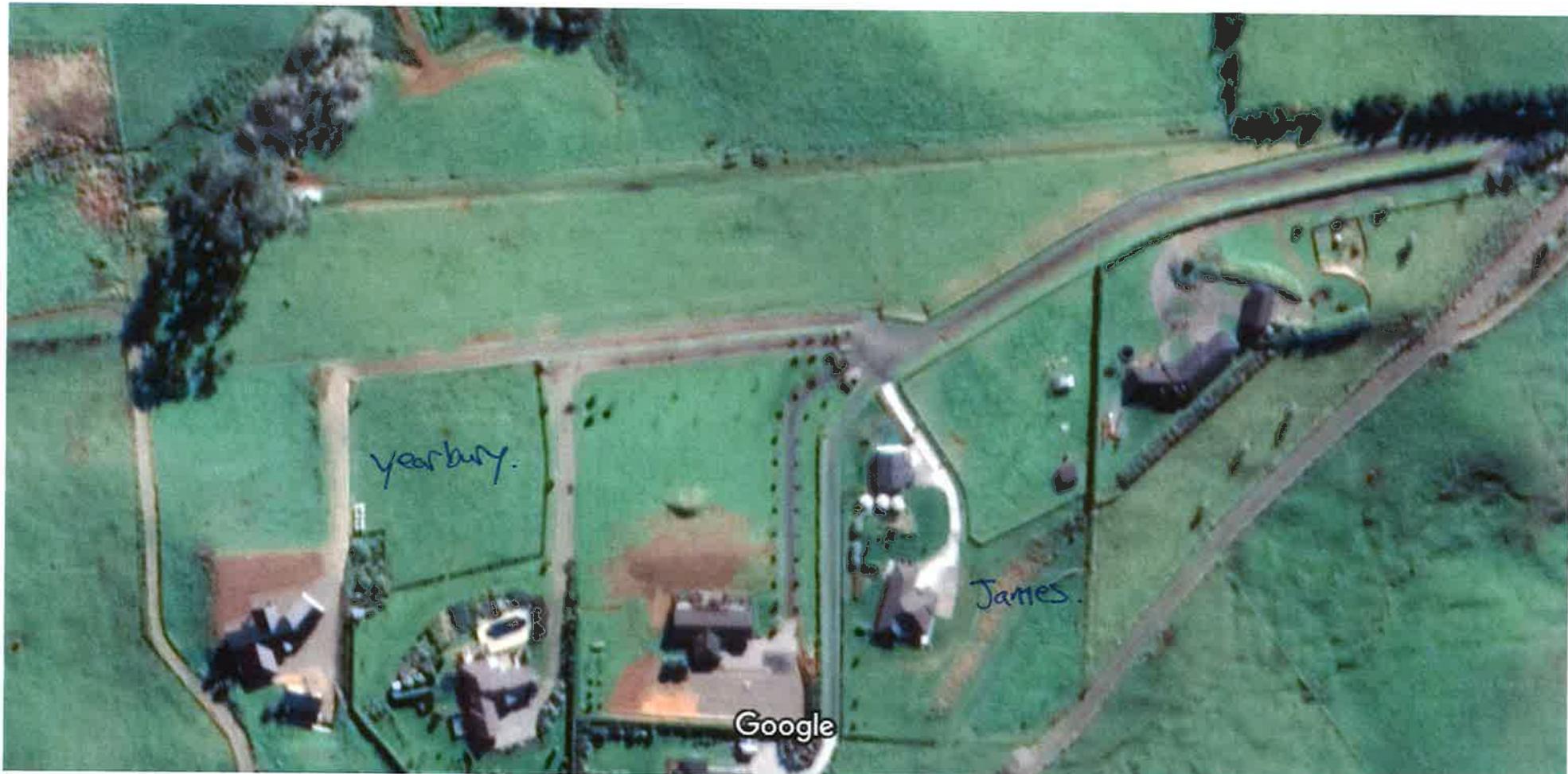








Google Maps 233 Pinnacle Hill Rd

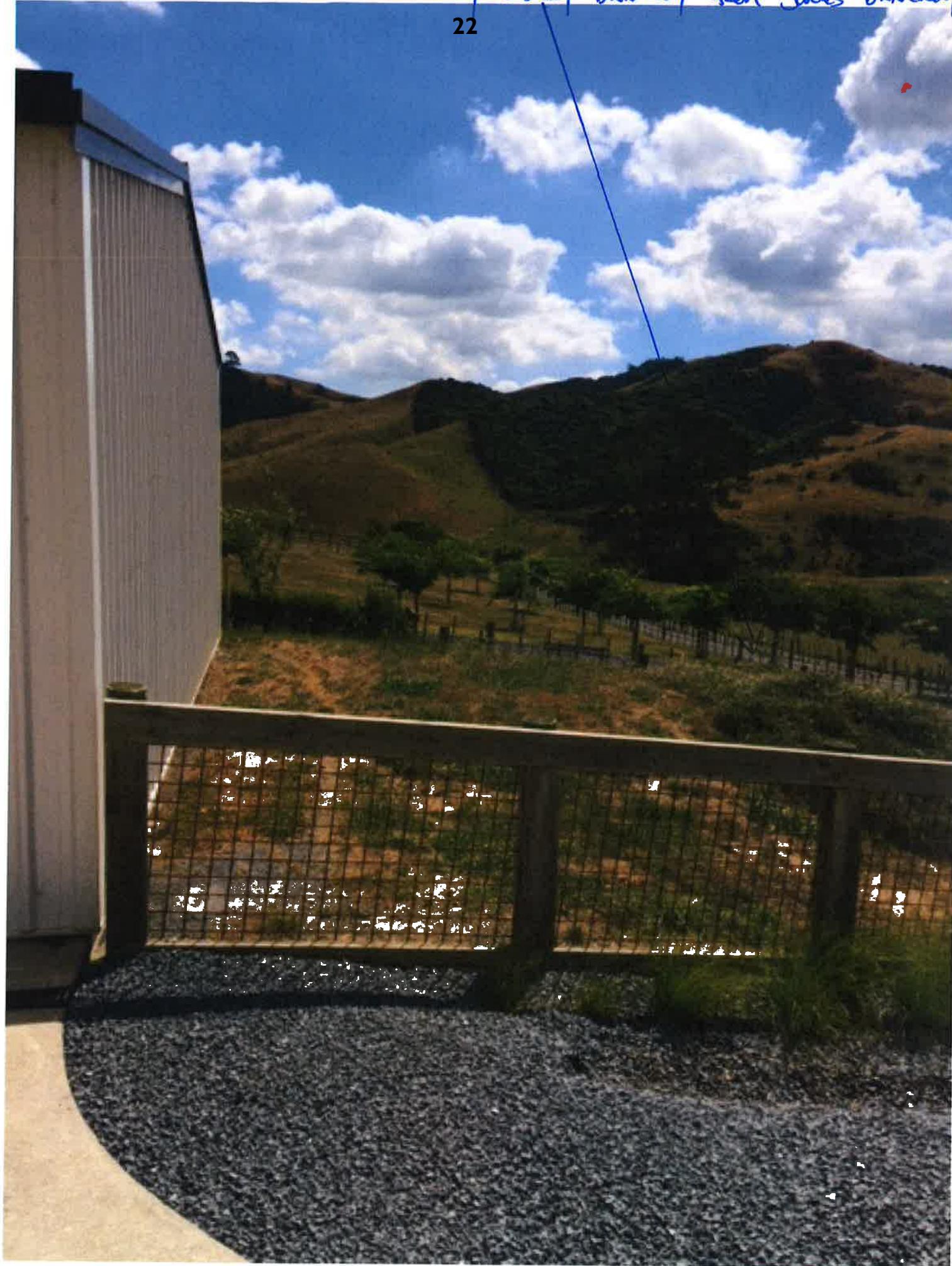


Imagery ©2019 CNES / Airbus, DigitalGlobe, Waikato District Council, Map data ©2019 Google, MapData Sciences Pty Ltd, PSMA

20 m

Yearbury driveway from Jones driveway

22







Animal# 134184.
Owner# 127654.
Property# 302 862

REGISTERED
Doc. No. 2177844

CRM Dogs 1979/19.

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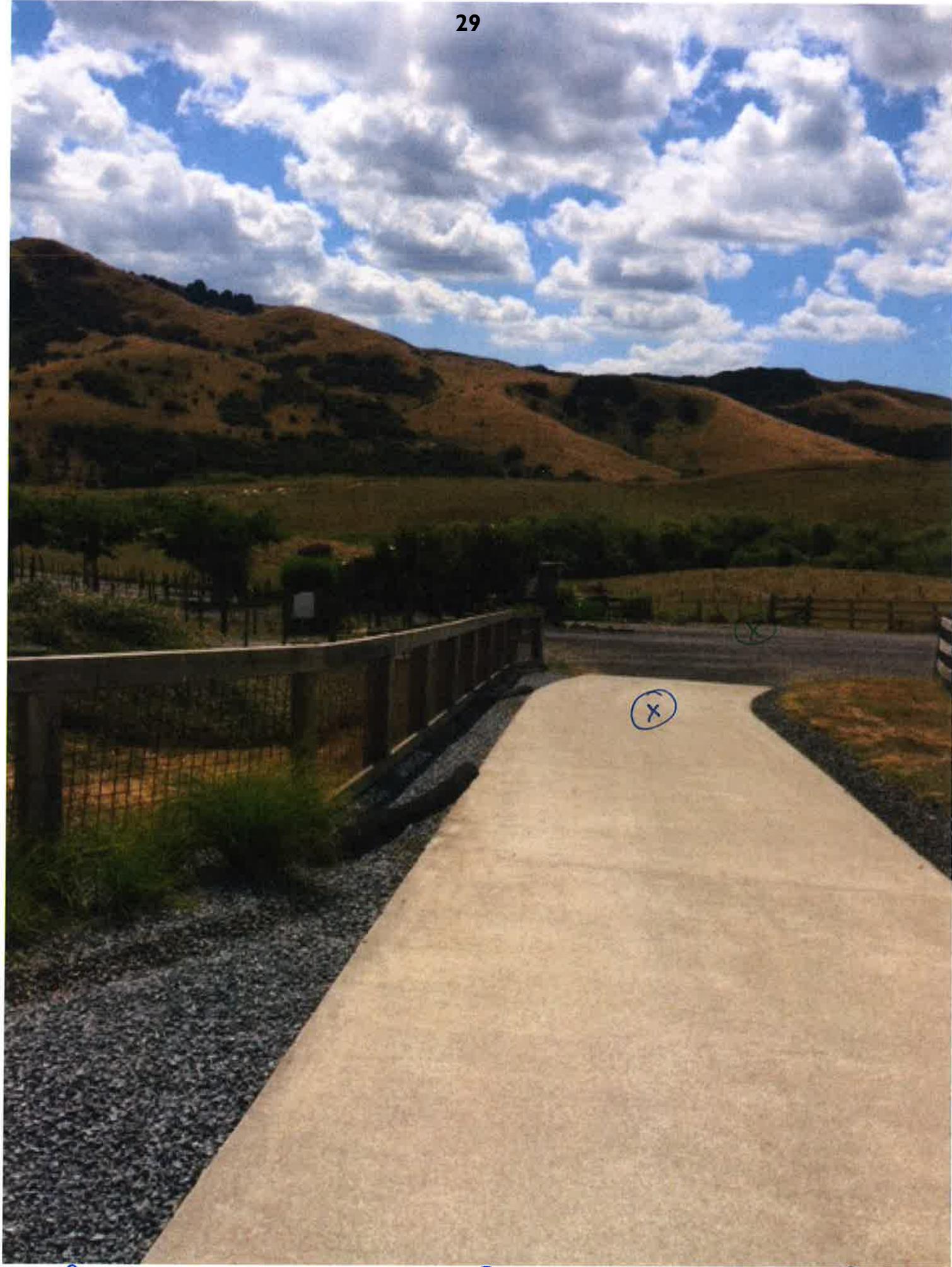


Defendant's Driveway.

Andrew James Standing Allocated here When Attack occurred.



Victims Driveway.
Viewed from Towing Circle.



View from victim's Driveway.
⑧ Approx position of Belinda Jones
when Attack occurs.

⑧ Andrew Jones standing almost
here when attack occurred.
15m from Scene of attack.

Rhys Heatley

From: Andrew James (Engineer) <Andrew.James3@fonterra.com>
Sent: Tuesday, 19 February 2019 9:25 p.m.
To: Rhys Heatley
Subject: Fwd: MAHVC record for Jack with xrays attached
Attachments: JAMES_JACK_53270_MEDIUM (10-14 CM)-ABDOMEN LAT-27_01_2019-9_35_58 A.M.-495.JPG; JAMES_JACK_53270_MEDIUM (10-14 CM)-ABDOMEN VD-27_01_2019-9_36_00 A.M.-601.JPG; JAMES_JACK_53270_MEDIUM (10-14 CM)-THORAX LAT-27_01_2019-9_35_59 A.M.-930.JPG; JAMES_JACK_53270_MEDIUM (10-14 CM)-THORAX DV-27_01_2019-9_35_59 A.M.-244.JPG

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From: puke@vetcentre.co.nz <puke@vetcentre.co.nz>
Sent: Tuesday, February 19, 2019 7:26:11 PM
To: Andrew James (Engineer)
Subject: MAHVC record for Jack with xrays attached

Client Name: A James
Patient Name: Jack
Breed: Jack Russell Terrier
Age: 12 years and 6 months old
Sex: M

Clinical Record Date: 29 JAN 19 10:15
Vet: Olivia Polwart
Clinical Notes: HISTORY NOTES ATTACHED FROM MAHVC

" Jack" james, MAHVC notes Sat evening
Consult Manukau After Hours Veterinary Clinic [Consult@nightvet.co.nz]
Sent: Sunday, 27 January 2019 9:38 a.m.
To:
puke
Attachments:
James_Jack_53270_Medium (~1.JPG? (517 KB?); James_Jack_53270_Medium (~2.JPG? (516 KB?);
James_Jack_53270_Medium (~3.JPG? (492 KB?); James_Jack_53270_Medium (~4.JPG? (396 KB?))
Manukau After Hours Veterinary Clinic Date Printed 27 JAN 19
15 Jack Conway Avenue
Manukau, Auckland
(09) 277-8383

ReporClinical Record

Name Jack Owner Mr James
Colour White & Brown Code JAMES23
Microchip Address 233b Pinnacle Hill Road
Breed Jack Russell Terrier Bombay
DOB 6 NOV 05 SexM (Neuter) AUCKLAND
Optimal Weight 0.00 Phone
Mobile 0273 651545
Clinical Notes:

Date: 26 JAN 19 21:09
Vet: MA

Weight 8.20 Temperature 38.7 Scores: B3 Dental

Desc: dog attack

HISTORY

Attacked by a larger dog tonight and dragged under the fence.
Wounds on R lat thorax/abdomen and 2 small puncture marks below L eye and r side chin.

Has been well despite his advancing age, has been EDDU normally. Not on any medications currently.

EXAMINATION

large deep tear with pocket and skin bruising R lateral thorax and abdomen/ caudal edge of rib cage, one dorsally and larger one ventrally with additional puncture marks. Unclear if thorax and/or abdomen may have been penetrated but wound certainly look deep and nasty with moderate blood drip on arrival.

Able to ambulate, stressed and panting.

Limbs not injured.

(H/R 132
Resp 40
MM injected red
CRT rapid 1 sec
Body Score (3 /5)
Temp 38.7

ASSESSMENT

dog attack, shock. Old age. Possible thoracic and/or abdominal penetration.

PLAN

(admit to stabilise, radiograph and surgically treat.
SAP/CBC bloods below- very high ALKP but rest unremarkable.

10 pm R cephalic IV line, methadone 0.25 ml IV, Cefazolin 22 mg/kg slow IV, start LRS at 41 ml/h(10:10 p[m])

11:15 pm TPR
temp 38
HR 92
RR 48
deep pink gums rapid CRT < 1 sec.QAR and seems comfortable.

12:30 am very settled in cage.

1:30 am TPR
temp 38
HR 112
RR 32
pink gums CRT < 2 sec. U-F-. QAR, respiratory effort improved

2 am Methadone 0.25 ml IV

3:50 am Domitor 0.08 ml IV, sedated sufficiently to radiograph.

Lat and VD thorax and abdomen show no broken ribs, intact diaphragm and no obvious thorax or abdominal penetration/wall integrity break down.

4 am Reverse Antisedan 008 ml IM

Animal# 134184
Owner# 127654
Property# 302862

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Rhys Heatley

From: Andrew James (Engineer) <Andrew.James3@fonterra.com>
Sent: Tuesday, 19 February 2019 9:25 p.m.
To: Rhys Heatley
Subject: Fwd: MAHVC report/Jack's attack

REGISTERED

Doc. No. 2181159

Hi Rhys,

There are 2 x emails from Melissa the vet who operated on Jack, 1st is a report and the 2nd is clinical notes and xrays.

Regards

Andrew James

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From: puke@vetcentre.co.nz <puke@vetcentre.co.nz>

Sent: Tuesday, February 19, 2019 7:42:25 PM

To: Andrew James (Engineer)

Subject: MAHVC report/Jack's attack

The Vet Centre, Pukekohe

Dr Melissa Alley BVSC MACVS PGCertSc, veterinarian

Regarding:

Jack, elderly Jack Russel terrier, owned by Andrew Hill of 233B Pinnacle Hill Rd, RD 1 Bombay

TO WHOM IT MAY CONCERN,

Jack was viciously attacked by another dog while on his regular walk with his owner on Saturday 26th January.

He presented to Manukau After Hours Vet Clinic where I was the duty vet at the time.

On arrival, Jack was in severe shock, with deep multiple wounds to his chest and abdomen, bleeding, panting and in a great deal of pain.

The concern was that Jack's belly and chest might have been penetrated as it could not be established immediately if there was a serious internal organ damage present as well as external. If so, the injuries were likely to be fatal.

As a result of this very serious attack, Jack needed medical stabilisation, surgery and extensive postoperative care. While he was lucky to have slowly recovered from his ordeal, the incident has caused him considerable pain and suffering and caused his owner considerable financial, emotional and time cost.

The nature and extent of Jack's injuries was very serious and there was a strong possibility at the time that Jack may not survive the whole process.

The clinical notes are available for your perusal should you need them.

Please don't hesitate to get in touch should you need any further details .

Kind regards,

Dr Melissa Alley
The Vet Centre

Pukekohe

11 Edinburgh St

09-238-6897

4 am TPR
 Temp 37.1
 HR 68
 RR 24
 pink gums CRT 3 sec (Domitor effect). Fluid warbner on.

4:15 am- 6 am GA and surgery
 Surgery time 63 min

Alfaxan 2 ml slow IV,. ET tube 6.00 gge soft cuffed.

repeat cefazolin 22 mg/kg intraoperatively
 Iso/02

IVFT LRS at 60 ml/h through GA.

Clip, clean and flush large tears R lat thorax/abdomen. Dorsalwound and larger ventral wound actually communicate with another area of SC damage cranial to more ventral wound.

Large amount of SC fat and fascia ripped and moderately hair contaminated. Obliquus torn but abdominal wall not penetrated.

Debride damaged skin and SC tissues as much as possible, flush , close in 3 layers PGCL 3/0 cimble cont after inserting Penrose drain.

Close skin nylon 3/0 simple cruciate pattern.

Methadone 0.25 ml IV on extubation, Metacam SC soon after.

Really good stable GA and recovery smooth, reduce LRS to 20 ml/h once extubated.

5:35 am Metronidazole 15 mg/kg slow IV
 5:55 am Clav injection 0.5 ml SC

5:55 am TPR
 temp 36.4
 HR 116
 RR 24
 pink gums CRT < 2 sec. Extubated.

6 am moved back into recovery cage

6:05 am 0.25 ml Methadone IV
 0.32 ml Meloxicam SC inj

Cover wound with Primapore.

Transient panting after methadone, but settled some time later.
 Offer food and water, licked some but not really eating (note stomach was full of food incl bone on radiographs so likely not hungry).

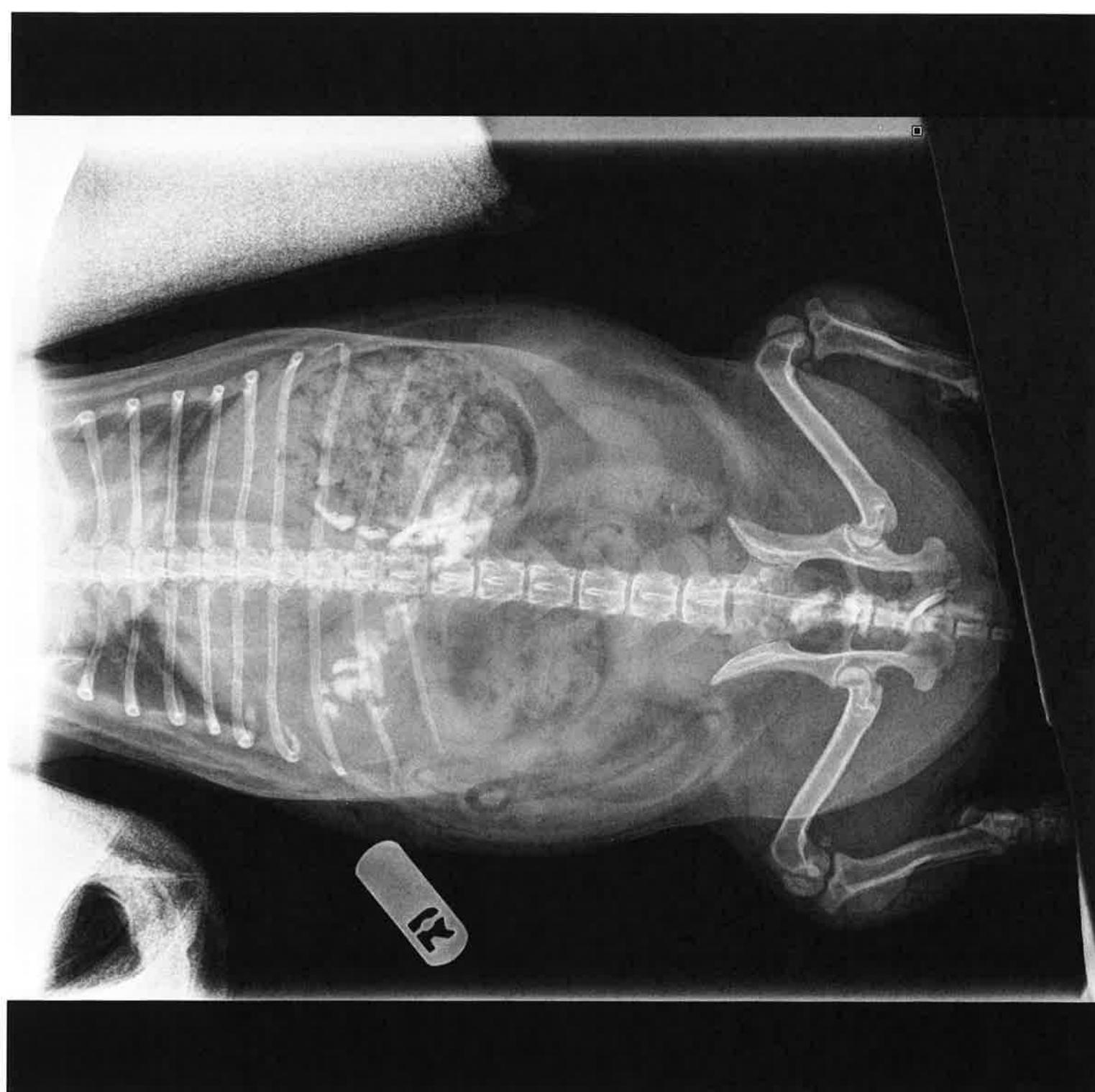
Phoned Andrew. Jack neds to stay with us for several more hours, until well and recovered enough to be discharged.

Over to Emma who will dispense go home medications.
 Warn Andrew areas of skin and/or subc fat may become necrotic over next few days, and Jack may require addtional surgery as this is the nature of extensive dog attack wounds.

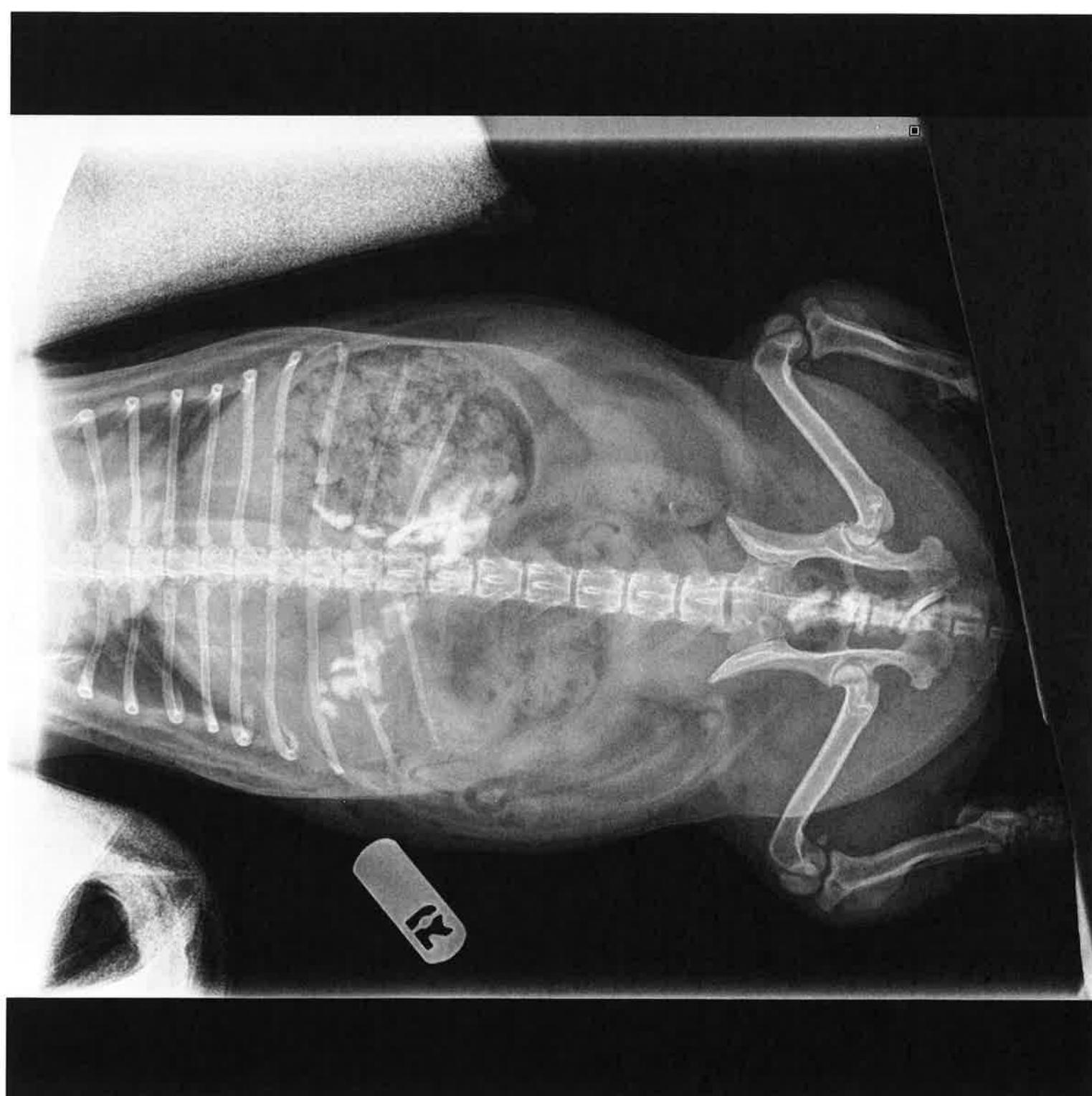
RV Puke Vets Tuesday for drain removal, stiches 14 days to remove.

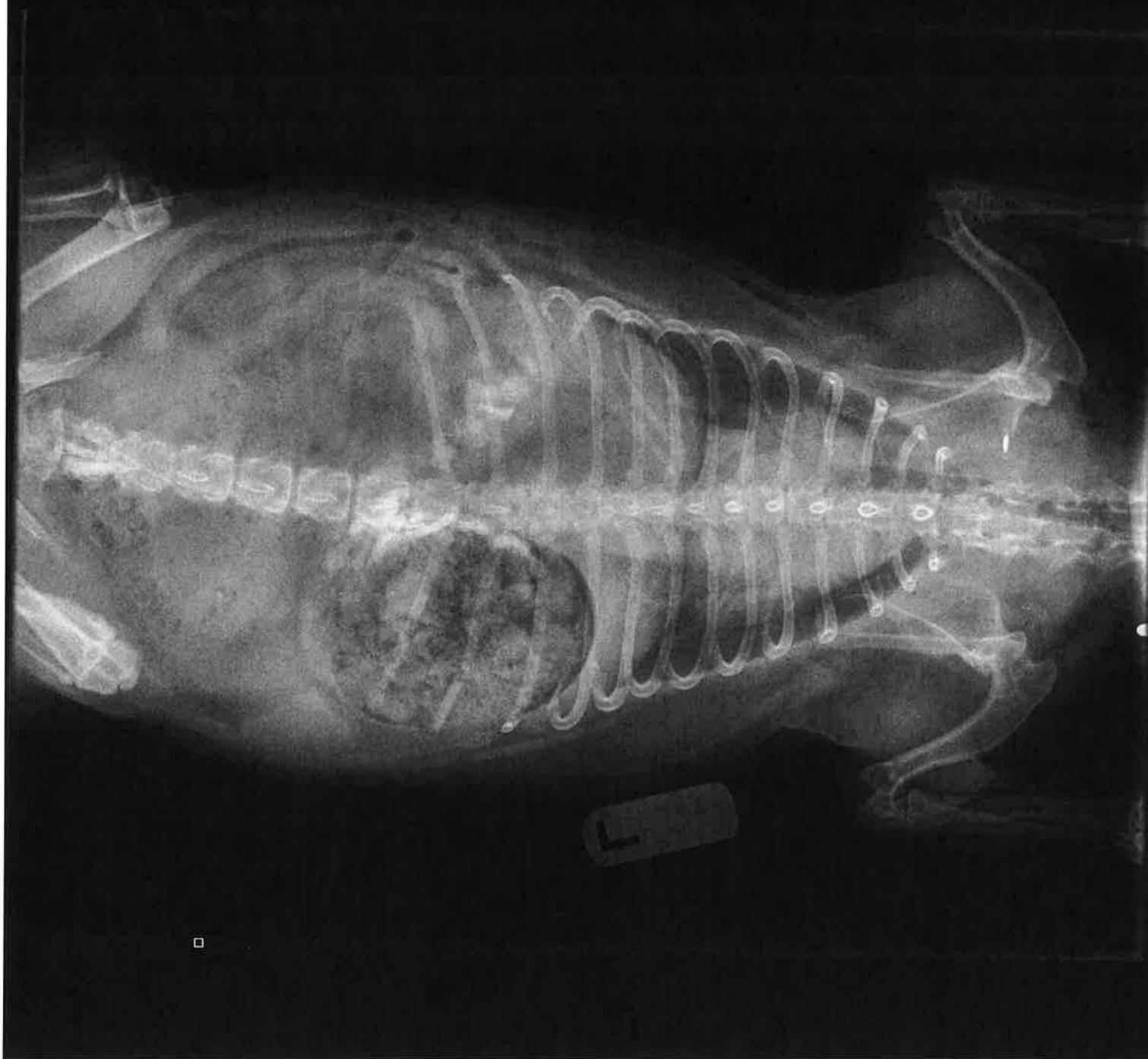












30 May 2019

Attention: **Brett Watene – Waikato District Council**

Legal Team – Waikato District Council

RE: SCOUT (YEARBURY) DANGEROUS DOG CLASSIFICATION REVIEW

Please find attached the following information with regards to the dangerous dog classification review for Stephanie Yearbury's dog Scout (following the attack on my dog Jack (James)):

- A Covering letter
- B My comments regarding Stephanie Yearbury's letter appealing the classification
- C My comments regarding testimonies submitted by neighbours etc

Evidence regarding earlier attack on my other dog Phoebe:

- D Report by my partner Belinda regarding the attack on Phoebe
- E Map of where the attack took place
- F Photo of Phoebe following surgery
- G Phone log showing time of phone calls to Jason Yearbury and Vet
- H Vet bill – Phoebe

Other – to support comments made in A to C above

- I Photo of Jack (on his bed) post-surgery
- J Photo of Jack (showing bandages and drain)
- K Photo of Jack (showing extent of stitches)
- L Photo of gate (where Jack was hauled through)
- M Email from Rasmussens regarding Yearbury dogs killing their chickens
- N Text conversation between Stephanie Yearbury and Belinda regarding dogs killing chickens
- O Testimony from Mark & Brigitte Rose
- P Email from Brookdale Kennels regarding my dogs' behaviour
- Q Text message from Jason Yearbury regarding barking deterrent device on his gates.

I would appreciate this information being taken in account as part of the review hearing.

Regards



Andrew James

22 May 2019

Attention: Waikato District Council Animal Control Team

Re: Scout (Yearbury) Dangerous Dog Classification Review

Stephanie Yearbury has made various allegations against both myself and my dogs in order to draw attention away from the frenzied and ferocious attack by her dog Scout on my elderly arthritic dog Jack. The fact that Scout attacked Jack is not in dispute, yet she is trying to make out that I have lied and that my dogs were the aggressors and not the victims. Not only has she done this but she has made a concerted effort to discredit me and my dogs with neighbours, yet has never mentioned to them her own dogs' misdemeanours – especially the prior vicious attack on my other dog Phoebe. This has left them with a very one-sided view of events, where neighbours not knowing the full story think I have reported the 2nd vicious attack on my dogs completely out of spite. In some cases, reading the testimonies that neighbours have supplied it is quite clear that their sole source of "information" has been Stephanie Yearbury. It is also quite revealing that she had not supplied testimonies from neighbours that have had issues with her dogs or with Stephanie Yearbury herself.

Where my dogs have caused issues in the past (historic – all 3 to 4 years ago – 1 dog killing 2 chickens, 1 dog nipping a small child who came onto my section unaccompanied), I took ownership of the situation and immediately put measures in place to ensure that my dogs did not reoffend as I do not want them to be causing issues. I have always tried to do the right thing even if I occasionally do get it wrong (like considering the impact it would have on Stephanie Yearbury's daughter when deciding not to report the attack on Phoebe). None of my neighbours needed to report me to Animal Control (nor I did not try to stop them) for me to do the right thing. The fact that at least 3 years have now elapsed with no re-offending by either of my dogs, is testimony to the fact that my measures are working. Incidentally Stephanie Yearbury's dogs have also killed 3 chickens for which I do have evidence. Only, just like the prior attack on my dog Phoebe she chooses to keep this from Council.

After the 1st attack on Phoebe, I was given assurances from the Yearburys which (in hindsight it is clear) they had no intention of following through with. It is for this reason that I was left with no option but to report the 2nd attack on my dog Jack. The Yearburys tried to stop me reporting it and then even after I reported it, tried to get me to withdraw my complaint over their potential fencing requirements (even trying to bribe me over the vet bills). Their attitude has been nothing short of disgusting – no real concern shown for my dogs or the safety of other small dogs. They are only concerned with their dog's freedom and it remaining untarnished by a "classification".

I feel it is only appropriate and fair that I am given the opportunity to respond to the letter submitted by Stephanie Yearbury to Animal Control and also to the testimonies submitted by neighbours and the boarding kennel operator.

Please review the following comments that I have submitted in response to these letters.

Kind Regards

Andrew James.

Monday 7 August 2017

The Yearbury's dog Scout (233E Pinnacle Hill Road) attacked our dog Phoebe (James) (233B Pinnacle Hill Road) on the afternoon of 7 August 2017. This attack occurred well within our property.

I had just let our 2 dogs, Phoebe and Jack, out of their dog enclosure and was unaware that the neighbour's dog, Scout, had entered our property. Phoebe and Scout were barking and snarling at each other. Phoebe was then attacked. She was momentarily picked up by Scout and shaken. I was shrieking at Scout, who then dropped Phoebe. When I followed Scout off our property onto the shared driveway, there was no sign of anyone being with Scout and the automatic gates to the Yearbury's property were closed.

Jack had followed us down onto the shared driveway. I went to pick him up (as I didn't want him attacked too) which is when I saw the Yearbury's daughter Kya waving in the distance. She must have been up near the neighbour's driveway (233A Pinnacle Hill Road) at the time of the attack and not been in sight of her dog. She said that she had assumed that Scout was in the farmer's paddock (directly to the north of our section). I gave Phoebe a quick check but could not see any injuries. Kya then took Scout back to 233E.

Subsequently, I noticed blood in Phoebe's coat – on her side and back. I rang Andrew to tell him Phoebe had been attacked and that she had a couple of injuries. When Andrew got home he checked Phoebe over and found 2 deep puncture wounds. He rang Jason Yearbury to advise him of the attack and that he'd take Phoebe to the vet in the morning to be checked over. Jason told Andrew that his children were only supposed to walk their dogs if they were on leads.

Tuesday 8 August 2017

Andrew took Phoebe to the vet. They kept Phoebe in as they were concerned about the wound on her back. Phoebe was operated on to clean the wounds and to check what damage had been caused. The bite on her back had gone through to her spine (fortunately no further) and was very close to (but had missed) her kidneys. We picked Phoebe up that evening. She had stitches across her back and a drain in.

Thursday 10 August 2017

Phoebe returned to the vet to have the drain removed.

Andrew rang Jason Yearbury to give him an update on the initial vet visit. As part of the conversation Jason reiterated that his kids had been told that they were to walk the dogs on leads if off their property.

Friday 18 August 2017

Phoebe back to vet to have the stitches removed.



A handwritten signature in blue ink, likely belonging to the author or a witness, is positioned at the bottom right. To its right, the date '25/8' is written in blue ink.

Tuesday 22 August 2017

I was walking back from our chicken coop to let Phoebe and Jack out of the dog enclosure when I saw Scout running off-lead along the shared driveway (in front of our section heading towards the Yearbury's). The Yearbury's son (Ryker) then followed on his bike peddling quickly to try to catch up with Scout. This situation has left me feeling extremely uncomfortable. I had absolutely no idea that Scout and Ryker were on the shared driveway. Ryker was on his bike and did not have control of Scout. If I had been a minute earlier in letting Phoebe and Jack out of their enclosure, we could very well have had a repeat of the situation that occurred 2 weeks ago.

Thursday 24 August 2017

As I returned home in my car, Kya was walking up the Yearbury's driveway with Chief (the Yearbury's other dog, who was on-lead) and Scout was following behind Kya (off-lead). I went inside for a few minutes, then came back outside. At this point, Kya was on the shared driveway with her dogs (about in line with our chicken coop). Chief was still on-lead and Scout was roaming off-lead. As I headed over to clean our chicken coop, Kya waved to me. She then called Scout to her and put her on-lead. When she returned from her walk both dogs were on-lead

B. Bragg. 25/08/17
H. 25/08/17

Tuesday 12 September 2017

I was changing the chicken's water when Ryker came out the Yearbury's driveway on his bicycle with Scout. Scout was not on a lead. I stood there watching them. Ryker would have seen me but made no effort to put Scout on a lead. This was about 4.50pm.

About an hour later I put the chicken's back in their coop and then went and let Phoebe and Jack out their dog enclosure. As they were running up the driveway, I heard someone calling Scout. I looked over my shoulder. Kya was walking on the driveway with Scout off the lead. She must have seen that I had just let Phoebe & Jack out, so was calling Scout to her. Scout did not enter the property and Phoebe & Jack weren't aware that Scout was there.

So much for the reassurances we were given that if Scout was being walked on the shared driveway that the kids would have her on a lead.

B. Dugg
13/9/17

STEPHANIE YEARBURY'S LETTER

Paragraph 1:

"... vehemently defending the good nature of our dog"

A good-natured dog would not be instigating attacks on small defenceless dogs. It would not be going onto other people's sections and attacking their dogs, it would not be hauling small dogs onto its own section to attack.

Paragraph 2:

"The witness statement is clearly not a thorough account to events and is lacking in facts"

My witness statement is a thorough account of what happened. It is not lacking in facts. What facts are missing?

"... BOTH his Jack Russell dogs ran to our gate barking ..."

I have never stated that both my dogs ran to the gates barking. I said I was walking both my dogs and Jack ran to the gate in response to Scout barking and leaping at the gates to get their attention. Phoebe never approached the gates which is why my statement does not mention Phoebe.

"From both 'witness' vantage points there is no way for them to determine what their dogs were doing as they were 'darting' to our gate"

Jack ran to the gate, not both dogs. The path from our driveway to the farmer's paddock goes in a straight line directly past the Yearbury's gates, so of course we had a clear view of them. We both clearly saw what happened. Jack is small. The gates are wide enough to drive cars through with plenty of room to spare. The only way we would not have had a clear view of what happened to Jack at the gates, would be if we were both standing directly behind Jack when he was grabbed and yanked through. That is not the case. We were both in different locations, neither standing directly behind Jack. We both know what we saw and we have given an honest account of what we saw.

"There were clear modifications made to the witness statements altering their story... it is just simply not a reliable account of actual events that took place."

At no time have I altered what I have told Animal Control. Rhys, the Animal Control Officer hand-wrote my statement. It is in his hand-writing, not mine. He then read back to me what he had written. Where he had misunderstood what I had explained to him or had got events out of sequence, he then corrected the hand-written statement accordingly. Once I was happy with it I then signed it. This can be verified with Rhys. I have never been given a copy of the statement I made.

How can Stephanie Yearbury say it is not a reliable account of actual events when she was nowhere to be seen? How can she even offer up a comment about a savage attack that she was not witness to it?

- "Jack ... (as well as his aggressive sibling) came onto our private property and rushed our dog..."

His sibling is not aggressive. She did not enter their property. Jack is not aggressive. He has never shown any aggression towards another animal. Jack did not enter thier property. He merely ran to the gates in response to Scout barking and leaping at the gates in an effort to get his attention. Jack did not even stick his muzzle through the gates (refer photo of Jack

lying on his bed less than 24 hours after the attack. No injuries to his muzzle or head which there would have been if he had done so, as that would have been where Scout would have bitten down on him). Scout swooped low (which she would not have needed to do if Jack had stuck his muzzle through) and Jack was grabbed and hauled through the gates against his free will. Jack did not rush their dog. How could he have when Scout had hold of him from the moment Jack reached the gates?

"....He was off leash on public property and then entered our private property. Scout never left our property..."

He was off leash on the shared driveway. All of us, including the Yearburys and the farmer who owns the land (that our access easements are over), were of the understanding that the shared driveway was treated the same way as his paddocks and cattle races in that we had his permission to have our dogs off leash on it. The shared driveway is not public property as ownership does not vest with Council. Stephanie Yearbury is well aware of this difference as she recently contested the farmer's subdivision plans. Rhys has informed us that from the Animal Control point of view the shared driveway is treated the same as a public road. We are now all better educated.

Jack did not enter their private property. He was hauled onto their property against his free will. Incidentally, this is the same "public property" that Scout was roaming unaccompanied on prior to entering our private property and viciously attacking Phoebe (Phoebe, "the aggressive sibling" (if you were to believe Stephanie Yearbury) at no time touched Scout, nor did Jack). It is also the same "public property" that Scout was off leash on, on numerous occasions following the attack on Phoebe despite repeated assurances from Jason Yearbury that Scout would only be walked on her leash from then on.

"... (Doesn't prior case evidence allow an animal to protect its property if another animal comes onto that property especially in an aggressive and threatening manner)?

Neither of my dogs entered the property in an aggressive and threatening manner. The only dog acting in an aggressive and threatening manner was Scout.

When Scout came onto our property, poor Phoebe in response to Scout's aggressiveness towards her, was doing her best to warn Scout off by growling and baring her teeth. Yet, at no time did Phoebe so much as touch Scout, nor did Jack. Belinda was yelling at Scout to get away from Phoebe, yet Scout ignored her. Scout then picked Phoebe up and started shaking her. Only when Belinda started screaming did the attack end. The subsequent unprovoked attack on Jack was even more frenzied. It was quite clear from the ferociousness of this attack that Scout intended to kill. It is not my dogs that are behaving in an aggressive and threatening manner. How can Stephanie Yearbury possibly think that this aggressive, out of control behaviour by her dog is defendable?

(Incidentally Jack was present when Phoebe was attacked but was not involved. He has never shown any aggression towards other dogs even when they have come onto his own territory - which is surely where he would show aggression towards other dogs if he was that way inclined).

"We are adamant that our dog was acting in self-defence due to the volatile situation and just protecting her property and younger sibling"

Scout was not acting in self-defence. Scout was the instigator. Volatile situation? Scout's frenzied and ferocious attack on Jack was the only "volatility" we witnessed.

Scout came onto our private property and was aggressive towards Phoebe prior to attacking her. How does that fit in with Stephanie Yearbury's view that her dog only acts in self-defence to "protect her property and younger sibling"?

We believe Scout's attack on Phoebe was a territorial attack (even though it happened on our property). We have an ongoing issue with Scout rushing down to the gates to bark at us as we move around our own section (even if we are walking away from and not towards her). When we are returning from our walks along the shared driveway Scout will be sitting up by the Yearbury's house and the split second we come into view (3 properties away), she charges down to the gates to bark. We think that she treats anything she can see from her section as being "her territory".

I have mentioned this issue to Jason Yearbury on numerous occasions. Why don't they just keep their dog away from the gates? If they had taken my concerns seriously, the attack on Jack could not have happened. I would not tell them that there is an issue with their dog continually running down to the gates to bark at us, if there was not an issue. Since the attack on Jack (and the modification to their gates), Scout continues to run down to the gates if she sees us. This territorial behaviour has still not been addressed.

"Neither Andrew or Belinda's position on the driveway wouldn't have given a clear view of Jack's (OR PHOEBE'S) mouth and Andrew was too far away to see. We believe Jack and/or Phoebe would have had a go to try and attack/bite first for her to react the way she did – we stand firm that she is otherwise a tolerant and kind dog"

Why does Stephanie Yearbury continue to try to bring Phoebe into this attack? She was not involved which is why my statement does not mention her. Why am I continually having to refute comments that have nothing to do with my statement?

Does Stephanie Yearbury actually know where Jack was standing in relation to us when the attack happened? It is not our position on the driveway, but our position on the driveway in relation to where Jack was at the moment of the attack that determines whether we had a clear view of what happened or not. And we both had a clear view of what happened. Jack's did not stick his muzzle through the gates. If he had, Scout would have bitten or clamped down on his muzzle or head and there would have been significant injuries to support this (refer photo of Jack lying on his mattress less than 24 hours after the attack). Belinda has told me that she was watching his muzzle intently as she was concerned that if he put it through the gates that he might merely be bitten – not for a moment even contemplating the horrifying attack that occurred.

My view was side-on, and yes, from further away, but unimpeded and quite clear. I did not see Jack put his muzzle through the gates.

Jack has never shown aggression towards any other dog. He merely responded to Scout's barking and leaping. He had only just reached the gates when he was hauled through – no time to "try and attack/bite first" even if he was a dog that was that way inclined (which he is not). Phoebe was not involved.

"We have numerous accounts from our neighbours stating the issues they have had with Andrew's and Belinda's dogs and the fact the Scout gets along fine with their dogs and kids."

I will respond to each of their accounts when I get to their testimonies.

Where are the testimonies from the neighbours who have had issues with the Yearbury's dogs killing their chickens? No doubt Stephanie wants this kept from Animal Control. (Please refer to the email we have submitted from the Rasmussens regarding the killing of their 2 chickens and the copy of the text conversation between Stephanie Yearbury and Belinda where Stephanie Yearbury has admitted her dogs were out and killed Giovana Reay's chicken).

Regarding the neighbours who have provided testimonies why have none of them mentioned the issues that their other neighbours have had around the Yearbury's dogs? Maybe because the neighbours who have had issues, are, like us, decent people who don't go around the neighbourhood discrediting the Yearbury's over chicken and dog attacks that are nothing to do with the other neighbours.

All the issues around my dogs are historic (3-4 years ago) and were dealt with in a prompt and responsible manner and at the end of the day are actually nothing to do with Stephanie Yearbury and the complaint I made over the second vicious attack on my dogs.

Multiple people recounting the same incidents does not mean the incidents occurred multiple times.

One neighbour has seen fit to comment on events that occurred well before he moved in. Yet, he hasn't been able to recount a single issue he has personally had with my dogs. It is clear his sole source of information has been Stephanie Yearbury (she may as well have written her own testimony). I wonder why he has remained strangely silent on the Yearbury's dogs killing chickens and the one major (other) incident that has actually occurred since he has moved here – the attack on Phoebe.

Where is the testimony from the former neighbour who actually lived here at the time of the earlier incidences? (refer testimony from Brigitte Rose)

Stephanie Yearbury has been quite selective about what she has revealed to Animal Control regarding her own dogs and also as regards whom she has sought testimonies from.

Paragraph 3:

"The letter from their vet (that wasn't even the treating vet at the time at the after-hours clinic – was opinion based and was clearly unprofessional). I feel it should have no weight bearing on this case and that the clinical notes provide the unbiased facts. The injuries were NOT as serious as originally suspected"

Dr Melissa Alley is our local vet and was the duty vet at the after-hours clinic on the evening of Jack's attack. This is clearly stated in her letter. She is the vet that operated on Jack at the after-hours clinic, so is the treating vet. It is standard practice for the after-hours clinic to forward their notes to the local vet the animal is under the care of.

The Vet's report is "*clearly unprofessional*". Really? Surely the Vet is the most qualified person to provide an opinion as to the extent of an animal's injuries. Stephanie Yearbury is unqualified to offer such an opinion.

"The injuries were NOT as serious as originally suspected". This does nothing to lessen the ferociousness of the attack. Jack's injuries were still serious, so why is Stephanie Yearbury trying to down-play them? Jack had a lot of tissue and muscle removed because of the damage sustained by Scout's extremely savage attack on him. The Vet did not know the extent of the damage until she operated. She was extremely concerned given Jack's age and the severe shock that he was in. Also, she was extremely concerned that his stomach or chest cavity could have been punctured. She advised us more than once that it was not looking good for Jack and that there was a strong possibility he would not survive. We are extremely lucky to still have him. It is also Stephanie Yearbury's good fortune that Jack did survive, as it would not be Scout's classification that she would be contesting but the likely destruction of her dog.

Phoebe's injuries could also have easily killed her. Scout bit through to her spine and narrowly missed her kidneys. Again, we are lucky to still have her. If she had been killed, there would have been no second chance for Scout to attack again. I would have reported it and pushed for Scout's destruction.

Paragraph 4:

"All we are asking is that the whole picture gets looked at not just one side of this issue as it clearly has been...."

I am gob-smacked that Stephanie Yearbury has the audacity to make a statement like this in a letter to Animal Control and continue to remain silent on the fact that Jack is not the first dog that Scout has savagely attacked (nor has she mentioned her own dogs killing chickens). How does that enable Animal Control to consider the whole picture? That is dishonest and deceitful.

Animal Control have in fact, known the full picture since I first met with Rhys from Animal Control. I was extremely upfront with him regarding what had happened to Jack. I mentioned that Phoebe had previously killed 2 chickens. As it was 4 years ago (refer text conversation between Stephanie Yearbury and Belinda that confirms this), he was not concerned as it was so historic, but was pleased that I had taken it seriously and immediately put measures in place to stop it from occurring again.

I also mentioned the attack on Phoebe by Scout. He said I should definitely have reported it as Scout had come onto my property and attacked Phoebe and that it was enough in itself to have had Scout classified as dangerous. Considering Stephanie Yearbury's daughter in my decision not to report it and believing that they would actually follow through with the undertakings that they had given me following the attack, were clearly my mistakes.

I do not think it is my place to push for the killings of neighbours' chickens by the Yearbury's dogs to be taken into account as that is between them and the Yearburys and is not my business. Similarly, it is not Stephanie Yearbury's place to push for my dogs historic misdemeanours to be taken into account as they are between me and the neighbours and are not her business.

I am however, more than happy for the "whole picture" to be considered regarding incidences between Stephanie Yearbury's dogs and mine. I would be more than happy for the prior unprovoked attack on Phoebe by Scout to be given the same consideration as the attack on Jack by Scout. Also, I would like the continual issue we have had with Scout continually running down to the gates to bark at us as we move around our own section to be addressed. Jason Yearbury gave me assurances that this would be addressed and yet it never has been. To this day Scout still has access to the gates.

I have also been rushed at by Scout, in the dark, on my own section when I didn't know she was out.

"We ... consider ourselves responsible and conscientious dog owners ..."

I do not consider the Yearburys to be responsible and conscientious dog owners. They gave me undertakings following the attack on Phoebe that their dogs would only be walked on leash. Yet a mere 15 days after the attack the dog was running off leash again with no one in control. There could have very well been a repeat attack a mere 15 days later. And, this was not an isolated incident. It is not the action of responsible dog owners. The territorial behaviour at the gates has also never been addressed despite assurances it would be.

Stephanie's Yearbury's attitude towards us has been appalling. She believes if her dog attacks the issue is with the other dog else her dog would not do so. (*"I am quite literally mind-blown as to what it is about your two Jack Russells that creates such and intolerance and irritation towards them from Scout.."* and *"Scout potentially faces an undeserving sentence because of the unfortunate gate incident"* in the letter we received from Stephanie Yearbury is not the talk of a dog owner who has taken responsibility for their dog's behaviour).

Stephanie Yearbury's refuses to acknowledge that there are behavioural issues with her dog. In our view that makes Scout even more dangerous than she would be otherwise. A responsible, conscientious dog owner would take ownership for their dogs behaviour. Stephanie Yearbury has yet to do so.

".... would be a great contact for the Council as his knowledge and training is vast and solid..."

I don't wish to criticise the trainer who has worked with the Yearbury's dogs, but surely if the dog is launching unprovoked ferocious (possibly territorial?) attacks on smaller dogs then there are issues that either can't be addressed or haven't been addressed through training.

Does Council really need the owner of a dog who is under investigation for an extremely frenzied and ferocious attack, recommending dog trainers to them?

Paragraph 5:

“ ... we don’t want our dog to be unfairly and unjustly tagged as a dangerous dog so she can no longer enjoy life – trips to the beach and park where we have never had an issue...”

I am of the opinion, that a tag of “dangerous dog” is more than fair and justified. Two vicious unprovoked attacks on two small dogs and Stephanie Yearbury thinks a classification on her dog is unfair and unjustified. How many small dogs does Stephanie Yearbury consider it is appropriate for her dog to be allowed to viciously attack before any restrictions are placed around her?

Her dog can still enjoy life. They live on a lifestyle block, not on a 400m² section in the suburbs. Even fenced in, off their driveway and away from their gates, Scout can still enjoy more room than a lot of dogs ever get to see. The Yearbury family also has a bach down at Whangamata that Scout gets to enjoy.

As far as I’m aware with a dangerous classification, Scout could still enjoy trips to the beach and parks if she is muzzled and on-leash. Or does Stephanie Yearbury think it is still OK for her dog to run off-leash on beaches and in parks? She knows her dog has now attacked twice, but clearly is still willing to put more dogs at risk so her dog can enjoy full freedom. That is not responsible behaviour. What does she think the outcome would be for Scout, if Scout attacks again? Yet she wants to potentially risk Scout’s life and other dogs’ safety over it?

Scout has now attacked two small dogs. She has shown that she is unpredictable around small dogs. For this reason, she needs to be on a leash and muzzled when she is in public places.

“.. We have also made modifications to our iron gates by adding a perforated steel screen to the lower section of our gate – so that no small dog could trespass through this way again”.

We are pleased that the gates have been modified. It was a huge relief to both of us when it was finally done. I understand that without a classification around Scout, that the Yearbury’s would be free to remove this modification to the gates. For the safety of everyone’s dogs this modification must remain in place, regardless of what happens to Scout.

It is about time that Stephanie Yearbury put the continued theatrics aside. If a person was pulled onto someone’s property and then attacked, no one would be describing it as “trespassing”. It would be abduction and assault. Jack did not trespass. He was hauled through the gates against his will and then ferociously attacked. Scout clearly meant to kill him.

“We have already modified our wire fencing from a 7 wire to a 10 wire around our entire property”.

These are internal fences between private properties that dog walkers, such as ourselves, do not have access to. I can only assume that Stephanie Yearbury must on some level have a concern that her dog could potentially attack an immediate neighbour’s dog in a similar manner. It is good that her fencing has been modified.

“... the irrational and aggressive behaviour the Jack Russells demonstrate from 233B”

I don’t think that Jack’s response to a large dog barking and leaping at gates to get his attention was irrational. Scout clearly meant to get his attention and did. Jack showed no aggression, merely running to the gates to greet the large white dog doing her best to get his attention. There was nothing irrational about his response. At no time did Jack show any aggression towards Scout. He did not touch Scout. The only dog showing aggression was Scout, which is quite clear from the serious injuries Jack sustained.

When Scout came up our driveway and was in Phoebe's face, snarling and snapping, Phoebe was merely trying to warn Scout away but growling in response. That is not irrational behaviour. She never so much as touched Scout. The serious injuries that Phoebe sustained are due to the aggressive attack that Scout launched on her.

THE KIRKER'S LETTER

Their small dog and the Yearburys' dogs regularly socialise and interact together with no problems.

Yes, this is true. Nicola Kirker struck up a friendship with Stephanie Yearbury very soon after the Yearburys moved in. This is a very different scenario to ours, as their dog has regularly socialised and interacted with Scout since Scout was a puppy (no doubt seen by Scout as "part of the pack"). This does not reflect how Scout behaves around dogs she has not interacted with especially when the owners are not present. The only interaction my dogs have had with Scout has been when Scout viciously attacked them.

When their children (aged 6 & 7) visit their property, Scout's nothing but loving and gentle, often licking. Scout has never shown aggression or cause for concern.

When I met with Rhys from Animal Control, I did say that I had never seen Scout show aggression towards people. I think this is written in my statement. The issue with Scout is around small dogs she has not interacted with, especially when her owners are absent.

Phoebe killed their chicken.

This is true (4 years ago). She did not enter the chicken coop as such. It was secure and she could not enter it (and they didn't let their chickens out of the coop). Tod Kirker had recently created a new fenced-in garden around the coop, (which I hadn't been aware of) for his chickens to roam in. The soil was still soft and Phoebe was unfortunately able to very easily slip in under the fencing.

A moot point - we don't think Phoebe pulled it through the fencing and then killed it, but that it was killed in situ, else Belinda would have seen her killing it on their driveway.

When we spoke to Tod Kirker about it, he did say that Phoebe had "kind of done him a favour", as it was an old unproductive chicken he was about to dispatch. I however, still do not want my dog killing chickens. I immediately put measures in place to stop it happening again – running a hot wire along the fence. Windbreak has also been placed along the fence. To the best of my knowledge, 4 years on, Phoebe has never gone back over to the Kirker's and there have been no repeat incidences of her killing their chickens.

Their son Luke went over to their property to pat the dogs. Whilst doing so, Phoebe bit him on the hand, causing it to bleed.... It is concerning that she was aggressive enough to bite a small child, especially in the presence of her owner.

The wrong dog has been blamed. Phoebe has never ever shown aggression towards anyone. She has NEVER bitten. It was Jack who nipped their son. I told Nicola Kirker this when I accompanied her children back.

This incident was 3 years ago. Luke and his sister (4 & 3 at the time), came onto our property without our knowledge. We only knew they were over when we caught a glimpse of them running past our window. We went outside to see why they had come over. Before we could stop him, Luke put his hand directly over Jack's head to pat him. Jack may well have not known we were there. I do not believe that Jack was being territorial but possibly had felt threatened by the boy's action. I accompanied the children back to their mother, explained what had happened and apologised.

I do not want my dogs nipping. To keep everyone safe, the dogs are placed in their dog enclosure when we have visitors and when we are off the property.

I took ownership for what happened to Luke, but remain surprised that a parent would allow their preschool children to go unaccompanied onto someone's section to pat dogs.

Whilst these incidents are upsetting, we never reported them. Andrew and Belinda were remorseful for Phoebe's actions and we didn't want to cause any grief on their behalf as they are good neighbours.

Thank you. We appreciate them saying so. If any neighbour has had cause to have an issue with either of my dogs it is the Kirkers and not Stephanie Yearbury. It is nice to have a neighbour acknowledge this as we feel that Stephanie Yearbury is going out of her way to unfairly discredit us and our dogs amongst neighbours.

Unlike Scout, Phoebe is a dog we would never trust around our children or our animals.

I don't know why they do not trust Phoebe around their children. She has never shown anybody any harm. Jack, yes, cannot be trusted around children because he has nipped.

Actions speak louder than words. If they do not trust my dogs around animals, why do they continue to let their dog come onto my section? Even after Phoebe killed their chicken, they did not put a stop to their dog continually coming over. Neither of my dogs have ever shown any aggression towards their dog and ignore him when he does come over.

Apart from the 2 attacks on my dogs by Scout, the Kirker's dog is the only one of the neighbouring dog that my dogs have had contact with.

KRYSTAL CHAFFE'S LETTER

"We have known Scout since she was a puppy.... We have a nine year old Jack Russell cross dog ourselves, and Scout (and the previous dogs that the Yearbury's have had) have been socialised together.

Scout's trusted by our family... has a loving temperament; she is friendly well behaved and obedient.

Our dogs are often at the property fences, and when we visit the Yearbury's property our dog will go with us. We have never had any incidences with Scout's behaviour on our or their property"

Krystal Chaffe is Stephanie Yearbury's best friend from long before either family moved here. As she has said herself their dogs have been socialised together since Scout was a puppy (no doubt seen by Scout as "part of the pack"). This does not reflect how Scout behaves around dogs she has had little or no interaction with, especially when her owners are not present. The only interaction my dogs have had with Scout was when Scout launched her vicious attacks on them.

We have had no issue with the Yearbury's previous dog or their other dog Mishka (other than Mishka coming onto our property when their gates were left open). The issue is solely with Scout.

Rhys from Animal Control has been aware since I initially met with him, that I haven't seen Scout show aggression towards people. The issue with Scout is around small dogs she has not interacted with, especially when the owners are absent.

"Both Andrew and Belinda's dogs – Jack and Phoebe who are walked off a lead several days a week over the farmer's property are both know to be yappy barking dogs"

Is this in any way relevant?

We have permission from the farmer to walk our dogs off lead on his property as frequently as we like.

My dogs do not bark when they are on their walks, so there is no issue here. They bark for very brief periods at home when they are excited about something. They have yappy terrier barks just like the Chaffe's own terrier has a yappy terrier bark.

"We do not have any live stock on our property but several of our other neighbours have had issues Andrew and Belinda's dogs killing their chickens on their own properties"

Why has Krystal Chaffe singled my dogs out and elected not to mention that several of her neighbours have also had issues with Stephanie Yearbury's dogs "killing their chickens on their own properties" ?

"Several years ago our son Joshua was nipped by one of Andrew and Belinda's dog when he went to pat them"

I am sceptical as to whether this event did in fact happen. This allegation is unsubstantiated.

If my dog nipped Joshua Chaffe two years ago, why did Krystal and Aaron Chaffe never inform me? I have a good rapport with Aaron Chaffe and we frequently stop and speak to each other. I find it odd that he would not have mentioned it as he is up-front.

Soon after the family moved in (approx. 2 ½ years ago) I warned Joshua (in the presence of his father Aaron), not to pat Jack as he could potentially nip. So, if it did happen, why? He had been warned not to. Maybe Joshua just makes poor decisions. (I have had one incident with Joshua Chaffe when I

overheard his trying to seek his dog onto mine as I walked past along the farmer's cattle race. I told him not to - that it wasn't a very clever thing to do).

The allegation, that Jack nipped their son does concern me. I caught up with Aaron Chaffe on 8 May 2019 and specifically asked him about my dog Jack nipping his son. His response – that the first he heard about it was when his wife wrote the letter of support (that I am currently commenting on) to Animal Control!! I do not believe that if it had happened that both his wife and his child would have chosen not to mention it to him. After all, they do all live under the same roof!!

Aaron Chaffe could not provide me with details as to when, how or why it happened. I did however, apologise to Aaron.

HAMISH PARKER'S LETTER

I have plenty to say about this letter. In short:

- Why does Hamish Parker feel that he is qualified to offer comments on events that occurred well before he moved here?
- It is quite clear that Hamish Parker's sole source for "information" has been Stephanie Yearbury. It is not an independent account. His letter is as one-sided as Stephanie Yearbury's own letter and contains false allegations.
- If this letter is stripped of all the hearsay and false allegations, Hamish Parker has not mentioned a single issue that he has personally had with my dogs, yet seems to have an awful lot to say!

"I am writing to defend the good character of Scout – the beloved member of the Yearbury family, and to provide evidence of the aggressive nature of the accusing party"

Hamish Parker has provided NO evidence as to the "aggressive nature of the accusing party". I am the "accusing party" and I have never been aggressive towards Hamish Parker. Neither have my dogs. He has merely stated in his letter what Stephanie Yearbury has told him. He hasn't come up with a single issue that he has personally had with me or my dogs. His current dog (and previous dog) have had no interaction with my dogs. Hamish Parker himself has had no interaction with my dogs. There is no evidence.

"Scout has recently been accused of being 'dangerous' which is counter to the good-natured dog I know so well"

A dog that comes onto someone's property and viciously attacks their small dog is dangerous. A dog that hauls a small dog onto its property and then launches a frenzied attack on that small dog with the intention of killing it is dangerous.

".. I have often seen her play with her sister Mishka on their front yard, roll in the grass happily and play with the neighbours' children."

Mishka is part of Scout's pack. Hamish Parker will have seen my two dogs getting along well together too.

"I have never seen any aggression or bad behaviour."

Hamish Parker did not witness the vicious attack by Scout on either Jack or Phoebe.

".. I have visited the Yearbury family in their home and have been warmly greeted.... While at the home, I saw Scout interact with other guests and dogs..."

For Hamish Parker to visit the Yearbury family in their home, the Yearbury family are (obviously!) present. If Scout is interacting with guests, the Yearbury family are present. None of the Yearburys were anywhere to be seen when Scout attacked Phoebe, just as they were nowhere to be seen when Scout attacked Jack.

"I too have a German Shepherd (Duke) who has played with Scout on occasion. Scout even tolerates my boy's overenthusiastic puppy-like behaviour.."

I have witnessed the dogs playing up and down the fence-line together (with the fence separating them). Duke is a very similar age to the Yearbury's dog Mishka and they both came onto the scene around the same time as puppies. I am reasonably sure that Scout sees Duke as part of the pack. Duke is a German Shepherd. There is no way that Scout could ever pick Duke up in her mouth and shake him or attack him in the manner that Scout attacked my two small dogs.

"I am aware of several altercations involving their dogs which betray an aggressive and antagonistic nature ...

My dogs aren't aggressive. They are not antagonistic.

Why does Hamish Parker think it is his place to comment on incidences that occurred well before he moved in?

- Multiple children in the neighbourhood have been bitten

Multiple children have not been bitten. One child has been nipped.

- Neighbouring chickens (and incidentally their own chickens) have been killed

My dog Phoebe killed two chickens (4 years ago) well before Hamish Parker came to live here. So, why does he think it is his place to comment on it? Neighbouring chickens have also been killed by Stephanie Yearbury's dogs. Why has Hamish Parker chosen to leave this fact out of his letter?

I have never had a chicken killed by my own dogs. This is a false allegation. I have never had a chicken killed by any of the neighbours' dogs either.

The only incident between my own dogs and my chickens was when I accidentally closed one in the dog enclosure with Phoebe. She momentarily got hold of it - minor injury to one wing. The chicken is still alive and well, with full use of both wings.

The only other incident involving one of my chickens and a dog is when Hamish Parker's told me his dog Duke "chased" my chicken. I appreciate that he let me know, but he wasn't honest - his dog had more than "chased" her – having pulled out a large chunk of her feathers.

- Neighbouring dogs have been attacked and bitten, like the ?? (blanked out on our copy of the letter)."

The only neighbouring dog that my dogs have had contact with (apart from when Scout attacked them) is the Kirker's dog who regularly comes onto my section and is ignored by both my dogs.

All the neighbours with dogs have submitted letters to Animal Control on behalf of Stephanie Yearbury. NONE of them have mentioned my dogs attacking and biting their dogs. They obviously have not attacked and bitten Hamish Parker's dog either, else he would have specifically stated this.

WHO ARE ALL THESE MYSTERY NEIGHBOURING DOGS that my dogs have supposedly attacked and bitten?? I can only assume that this is more mis-information spread by Stephanie Yearbury.

Why has Hamish Parker elected not to mention the one incident (aside from the attack on Jack), that did actually occur since he moved here? – the unprovoked vicious attack on Phoebe by Scout, where she indeed was "*attacked and bitten*".

"These incidences were not reported as the neighbourhood chose a path of forgiveness in order to preserve the caring nature of community".

This comment ~~is along the mirrors~~^{the} comments made by Stephanie Yearbury in the vile letter she sent us two weeks after the attack on Jack.

How can Hamish Parker possibly comment on what the neighbours chose to do or chose not to do prior to him moving here? This is not an independent account.

My, not reporting the prior attack on my dog Phoebe obviously doesn't qualify. Nor apparently does my decision to consider Stephanie Yearbury's daughter in my decision not to report it. Nor does the fact that I told the Yearburys and Animal Control that I wasn't seeking to have Scout destroyed despite the two attacks on my dogs.

"The caring nature of the community." Really? Stephanie Yearbury has never thanked me for not reporting the attack on Phoebe, she has never thanked me for considering her daughter, she has never apologised for the attack on Phoebe or even bothered to enquire after Phoebe following the attack, the Yearburys have not paid a cent towards either of my dogs' vet bills, the Yearburys had no intention of actually following through with the undertakings they have given me following the first attack or with the undertakings they had given me regarding keeping their dog away from the gates. How does that all tie in with Hamish Parker's view of "the caring nature of the community"? Actions (or in this case the lack of them) speak louder than words.

"I emphatically believe Scout is a good dog who should remain with her family and unencumbered by any negative classifications"

I wasn't aware that there was any talk of Scout not remaining with her family. Animal Control is well aware that I'm not seeking the destruction of Scout as are the Yearburys. Has Hamish Parker been told otherwise?

In the letter we received from Stephanie Yearbury: "*.. Scout is best case going to have to be caged and muzzled for the rest of her life even when she is on our property..*". I seriously doubt that Rhys would have told her that this was "best case". Is this the sort of thing she has been telling neighbours too?

How many dogs does Hamish Parker consider it is appropriate for Scout to be allowed to attack before she should be encumbered by a negative classification?

"I personally consider these claims against Scout to be outrageous..."

How can these claims be outrageous? The attack happened. That is not in dispute. Animal Control have the evidence that Scout ferociously attacked Jack leaving him with significant injuries. This is irrefutable. Animal Control have also been furnished with the evidence we gathered on the prior attack on Phoebe. I consider this to be irrefutable too.

Hamish Parker did not witness the attack on Phoebe. Hamish Parker did not witness the attack on Jack. Both times, Belinda was screaming. Despite being the closest neighbour to the location of both attacks, he did not come running to find out what had happened. If he had witnessed either of these attacks he would not be making stupid comments about the "outrageousness" of my complaint.

Summary

As Hamish Parker has frequently commented in his letter on events that occurred well before he lived here, this letter cannot possibly be an independent view of events.

He has also omitted any reference to Stephanie Yearbury's own dogs' misdemeanours, especially the vicious attack on Phoebe. I believe his source of "information" has been Stephanie Yearbury.

I also have a feeling that Stephanie Yearbury may have had a hand in the writing of this letter. Some of the wording Hamish Parker has used, echoes the wording in Stephanie Yearbury's letter to Council. eg "defend the good character of Scout" compared with "defend the good nature of our dog" in Stephanie Yearbury's letter, "the accusing party" used in both letters to describe me (this makes it sound like I have made false accusations when I have made a valid complaint about an extremely vicious dog attack), when they both know my name.

BOARDING KENNEL OPERATOR'S LETTER

It is good that the Boarding Kennel Operator has had no issues with Scout. Scout's behaviour sounds to us like classic behaviour for a dog in a boarding kennel environment, where they are away from the familiarity of its territory and for the duration of their stay just enjoy being a dog.

This does not alter the fact that there is unpredictability around Scout's behaviour and that Scout has attacked two small dogs.

The attack on Phoebe occurred well within our property (with her owners nowhere to be seen). We do wonder whether Scout views anything she can see from her own property as being "her territory" (even when it isn't) and that maybe that is why she came onto our property and attacked Phoebe. The running to the gates to bark at us whilst we move round our own section is territorial type behaviour that hasn't been addressed. She will do the same the split second we come into view when walking along the shared driveway (despite being 3 properties away).

I have mentioned this to Jason Yearbury on numerous occasions. He has previously said he was investigating options but the issue has never been addressed. Even following the recent modifications to their gates, we have still seen Scout run to the gates to bark.

(They were aware there was an issue. They wouldn't have mounted an anti-barking device on their gate-post if there wasn't an issue (refer text message from Jason Yearbury), though even if it had worked it wouldn't have stopped the behaviour of her running down there).

The recent modification to the gates (and the fact that Scout can still run down to the gates) does absolutely nothing to alter this behaviour. The installation of a camera does nothing to alter this behaviour. Why don't they keep her off their driveway and away from the gates? They are security gates. No one can get through them. She does not need to be down there. If she was kept away from gates, then hopefully overtime she will come to realise that her territory does not extend as far as she thinks it does.

Monday 7 August 2017

The Yearbury's dog Scout (233E Pinnacle Hill Road) attacked our dog Phoebe (James) (233B Pinnacle Hill Road) on the afternoon of 7 August 2017. This attack occurred well within our property.

I had just let our 2 dogs, Phoebe and Jack, out of their dog enclosure and was unaware that the neighbour's dog, Scout, had entered our property. Phoebe and Scout were barking and snarling at each other. Phoebe was then attacked. She was momentarily picked up by Scout and shaken. I was shrieking at Scout, who then dropped Phoebe. When I followed Scout off our property onto the shared driveway, there was no sign of anyone being with Scout and the automatic gates to the Yearbury's property were closed.

Jack had followed us down onto the shared driveway. I went to pick him up (as I didn't want him attacked too) which is when I saw the Yearbury's daughter Kya waving in the distance. She must have been up near the neighbour's driveway (233A Pinnacle Hill Road) at the time of the attack and not been in sight of her dog. She said that she had assumed that Scout was in the farmer's paddock (directly to the north of our section). I gave Phoebe a quick check but could not see any injuries. Kya then took Scout back to 233E.

Subsequently, I noticed blood in Phoebe's coat – on her side and back. I rang Andrew to tell him Phoebe had been attacked and that she had a couple of injuries. When Andrew got home he checked Phoebe over and found 2 deep puncture wounds. He rang Jason Yearbury to advise him of the attack and that he'd take Phoebe to the vet in the morning to be checked over. Jason told Andrew that his children were only supposed to walk their dogs if they were on leads.

Tuesday 8 August 2017.

Andrew took Phoebe to the vet. They kept Phoebe in as they were concerned about the wound on her back. Phoebe was operated on to clean the wounds and to check what damage had been caused. The bite on her back had gone through to her spine (fortunately no further) and was very close to (but had missed) her kidneys. We picked Phoebe up that evening. She had stitches across her back and a drain in.

Thursday 10 August 2017

Phoebe returned to the vet to have the drain removed.

Andrew rang Jason Yearbury to give him an update on the initial vet visit. As part of the conversation Jason reiterated that his kids had been told that they were to walk the dogs on leads if off their property.

Friday 18 August 2017

Phoebe back to vet to have the stitches removed.

11 25/8

Tuesday 22 August 2017

I was walking back from our chicken coop to let Phoebe and Jack out of the dog enclosure when I saw Scout running off-lead along the shared driveway (in front of our section heading towards the Yearbury's). The Yearbury's son (Ryker) then followed on his bike peddling quickly to try to catch up with Scout. This situation has left me feeling extremely uncomfortable. I had absolutely no idea that Scout and Ryker were on the shared driveway. Ryker was on his bike and did not have control of Scout. If I had been a minute earlier in letting Phoebe and Jack out of their enclosure, we could very well have had a repeat of the situation that occurred 2 weeks ago.

Thursday 24 August 2017

As I returned home in my car, Kya was walking up the Yearbury's driveway with Chief (the Yearbury's other dog, who was on-lead) and Scout was following behind Kya (off-lead). I went inside for a few minutes, then came back outside. At this point, Kya was on the shared driveway with her dogs (about in line with our chicken coop). Chief was still on-lead and Scout was roaming off-lead. As I headed over to clean our chicken coop, Kya waved to me. She then called Scout to her and put her on-lead. When she returned from her walk both dogs were on-lead

B. Dugg 25/8/17
A. 25/08/17

Tuesday 12 September 2017

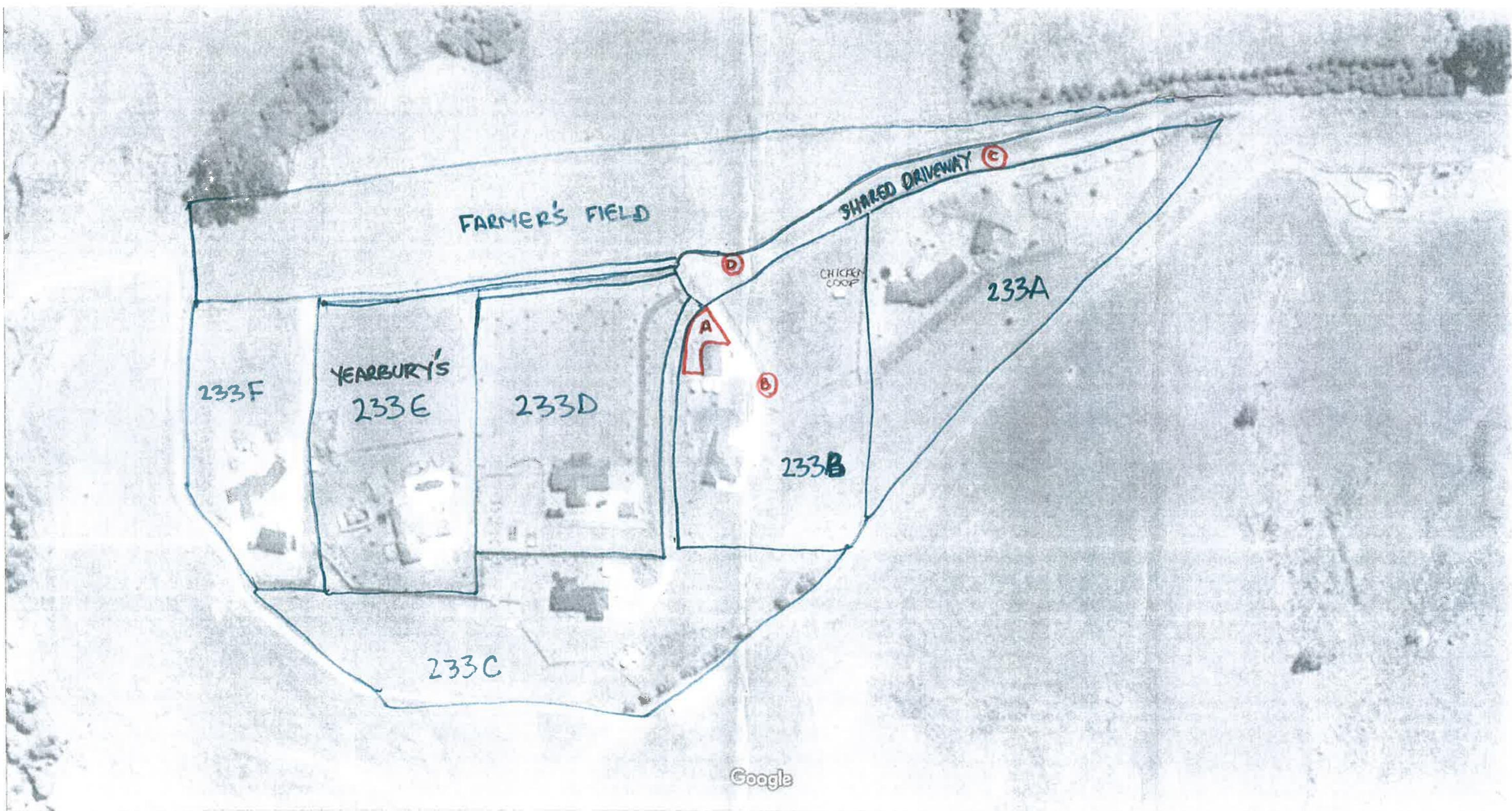
I was changing the chicken's water when Ryker came out the Yearbury's driveway on his bicycle with Scout. Scout was not on a lead. I stood there watching them. Ryker would have seen me but made no effort to put Scout on a lead. This was about 4.50pm.

About an hour later I put the chicken's back in their coop and then went and let Phoebe and Jack out their dog enclosure. As they were running up the driveway, I heard someone calling Scout. I looked over my shoulder. Kya was walking on the driveway with Scout off the lead. She must have seen that I had just let Phoebe & Jack out, so was calling Scout to her. Scout did not enter the property and Phoebe & Jack weren't aware that Scout was there.

So much for the reassurances we were given that if Scout was being walked on the shared driveway that the kids would have her on a lead.

B. Dugay
13/9/17

Google Maps 233 Pinnacle Hill Rd



- (A) - our dog enclosure
- (B) - approximate location of dog attack on probe
- (C) - approximate location of Kua when she came into view
- (D) - where I was standing with Scott when Kua came into view

Imagery ©2017 CNES / Airbus, Map data ©2017 Google, MapData Sciences Pty Ltd, PSMA New Zealand 20 m





6:42 PM
Keypad Logs Favourites Contacts
18/08/2017
 4:12PM
 2:54PM
 (9) 1:51PM
10/08/2017
 Jason Yearbury → ☎ +6421876779 6:57PM
08/08/2017
 Veterinary Centre → ☎ 092386897 8:40AM
07/08/2017
 Jason Yearbury → ☎ +6421876779 6:42PM
03/08/2017

The Vet Centre

69

H

Pukekohe

11 Edinburgh Street
Pukekohe 2120
ph: 09 2386897

Waiuku

17 Kitchner Road
Waiuku 2123
ph: 09 2359217

Byerley Park

50B Sydney Owen Rd,
Kingseat
ph: 0800 horsevet

Care Vets Pokeno

14b Main Road
Pokeno
ph: 09 2838642

A James
233 B Pinnacle Hill Road
R D 1
BOMBAY 2675

Page 1
Date 31 AUG 17

Tax Invoice/Statement

G.S.T No 118-585-682

Current	0.00
One month	0.00
Two months	
Three months	

Date	Vet	Qty	Description	Price (Ex GST)	GST	Total (Inc)	Balance
8 AUG 17	RJ		Invoice No. 1706465 Phoebe				
		1	C A Consultation Fee	52.70	7.90	60.60	
		1	C A Lab Fee Pre-Anaesthetic/Geriatric & Haematology - Idexx	82.61	12.39	95.00	
		5	Juroclav 250mg 250	21.39	3.21	24.60	
		2	Metacam Chewable 2.5mg 84pk	15.22	2.28	17.50	
		1	C A Fluid Therapy Surgery	23.48	3.52	27.00	
		.13	Acezine 2 Injection - Per MI	10.09	1.51	11.60	
		.25	Pre Med Pain Relief 10mg/MI Per Vial	11.74	1.76	13.50	
		1	C A Intravenous/ Inhalation Anaesthetic Fee	64.26	9.64	73.90	
		.7	Alfaxan 10ml Per MI	8.81	1.29	9.90	
		30	Isoflurane/Oxygen/nurse Monitored Anaesthesia	85.85	12.85	98.50	
		10	C A Preparation Fee	15.13	2.27	17.40	
		15	C A Surgery - explore wound, place drain, suture	80.35	12.05	92.40	
		15	Disposables / Consumables	14.00	2.10	16.10	
		1	Wego Suture Nylon Blue - Reverse Cutting Usp 2.0	3.30	0.50	3.80	
		1	Penrose Drain	5.83	0.87	6.70	
		.35	Clavulox Rtu Injection 40ml	10.09	1.51	11.60	
		.24	Metacam Injection - Pain Relief - Per MI	10.70	1.60	12.30	
		1	Head Collar 15cm	9.13	1.37	10.50	
		.4	Bupredyne Injection 0.3mg/Mg 10ml	11.04	1.66	12.70	
		1	C A Hospitalisation Fee - Dog	27.48	4.12	31.60	
			Total for Invoice	562.80	84.40	647.20	647.20
8 AUG 17			Payment Received Thank You			-647.20	0.00
10 AUG 17	RJ		Invoice No. 1707124 Phoebe				
		1	C A Remove Sutures			0.00	









Andrew James (Engineer) <andrew.james3@fonterra.com>

2/5/2019 19:28

Fwd: supporting evidence

To Brett Watene <brett.watene@waidc.govt.nz> Copy Belinda Duggan <bduggan@xtra.co.nz>

Hi Brett,

This is the email sent to me from the Rasmussens (which I also sent to Rhys) regarding the killing of Rasmussen's chickens by the Yearbury's dogs.

Seeing as Stephanie had seen fit to drag in historical attacks on chickens of which her dogs are just as guilty it is only fair you have this as evidence.

Regards Andrew

[Get Outlook for Android](#)

From: Andrew James (Engineer)

Sent: Sunday, March 31, 2019 2:43:50 PM

To: Rhys Heatley

Subject: Fwd:

Hi Rhys,

Forwarded is the email from Flemming and Tina Rasmussen regarding the killing of their Chickens by Stephine's dogs.

Regards

Andrew James

[Get Outlook for Android](#)

From: Andrew James (Engineer)

Sent: Sunday, March 31, 2019 1:37:11 PM

To: Flemming Rasmussen

Subject: Re:

Thank you so much for the email. I will forward this to animal control.

Kind regards

Andrew James

[Get Outlook for Android](#)

From: Flemming Rasmussen <flemming@mountwilliam.co.nz>

Sent: Friday, March 29, 2019 5:16:26 PM

To: Andrew James (Engineer)

Subject:

Dear Andrew and Belinda,

Jason and Stephany Yearbury's German Shepherd dog and their Samoyed breed like dog have been running loose on our farm, 231 Pinnacle Hill Road, Bombay, several times over the years. On one of these occasions the dogs came all the way down to our house and to our chicken coop. They took two of our chickens and ran off with them. They stopped further up our track where they killed and ate the chickens. They then proceeded to run in and out of paddocks along our track and jump in and out of some of the water troughs.

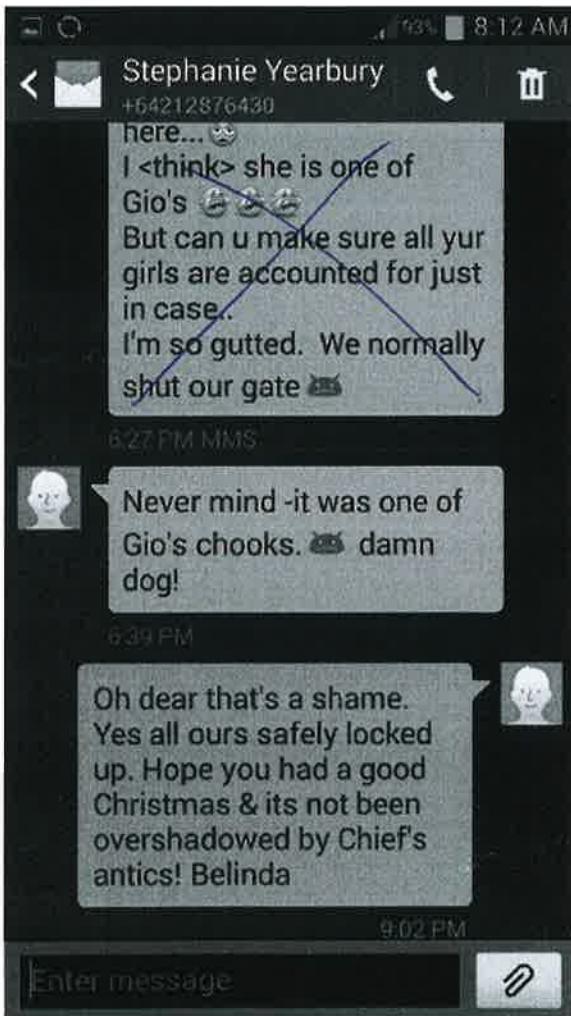
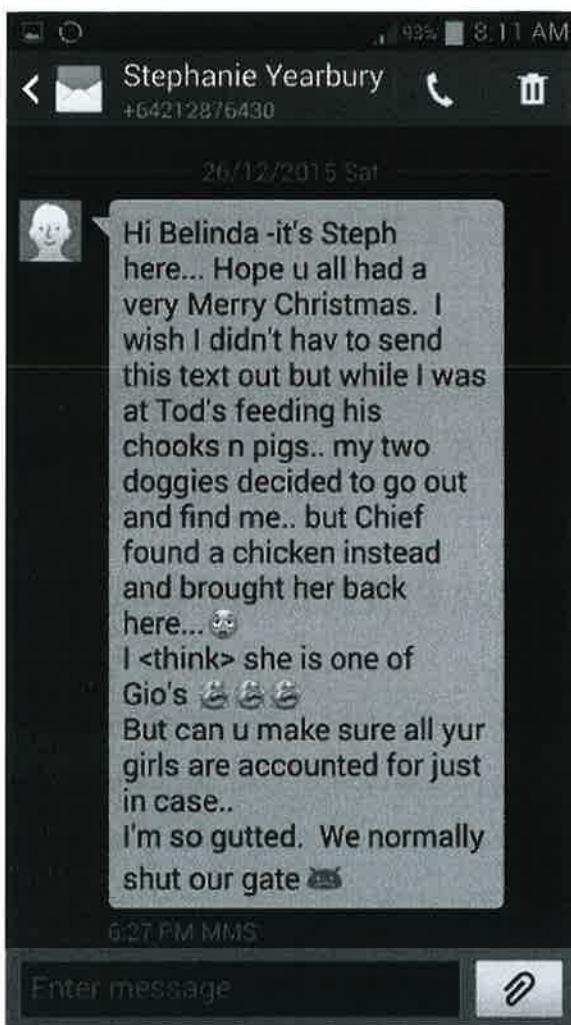
At the time we (Tina) contacted Steph to let her know what, when, where the dogs had been doing. She offered to pay for replacement of the chickens, which we declined. This incident took place prior to the Yearburys getting their gate installed.

Best regards,

--
Flemming H. Rasmussen MBA, B.Com, MinstD

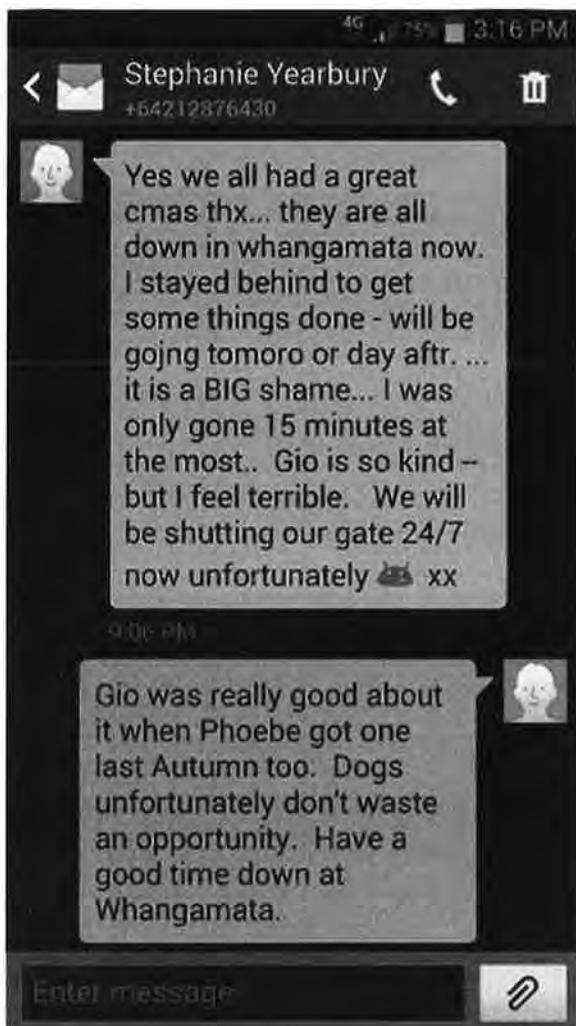
Director

E: flemming@mountwilliam.co.nz M: +64(0)21594705



Text from Stephanie Yearbury on 26/12/2015.

Both her dogs out and the neighbours chicken killed



Autumn = March to May 2015

We had Phoebe spayed on 1 April 2015 so this happened prior to that.

Over 4 years ago!!!!

May 2019

To whom it may concern

This letter is based purely on our own experience whilst living at 233D Pinnacle Hill Road, Bombay, which was approximately 4 years.

For most of our time there it was very pleasant with friendly neighbours.

233E was sold and new neighbours moved in "The Yearburys". We shared a fence line of approximately 70 metres.

From the start Stephanie Yearbury was very dominant in the subdivision which eventually created division in the neighbourhood.

Our personal experience with her happened over Face Book. We were informed of this via a friend who had seen it on Facebook.

The accusation she made was our Rottweiler had bitten her dog Scout.

When I asked to speak with her over the fence to discuss this she kept delaying and then finally showed up in tears. Her first words to me was that "you weren't meant to see that".

I had a very civil conversation with her mentioning that at that particular time of the dog bite our dog was actually inside our garage on his bed as he had had multiple operations and was on limited exercise.

Stephanie kept trying to hug me and apologising. Her husband (Jason Yearbury) was standing beside her saying to Stephanie "hope you have learnt your lesson of spreading rumours". The bite on her dog was on the side of the body (rib cage). That would have been a very difficult angle for any dog to bite through a 7 wire fence.

Jason Yearbury said that it would have been their own 2 dogs (Chief & Scout) fighting and nothing to do with our dog.

Jason apologised to us. We requested Stephanie remove the post off Face Book, however she didn't.

Stephanie asked that we put weedmat up along the fence line to limit the vision of the dogs. We were happy to oblige and helped install it. Stephanie then proceeded to tell other neighbours on the road that we weren't nice people and had put up an "eyesore of a fence" to deliberately block her view of the gates.

This created a very unpleasant atmosphere and was one of our major factors in selling and moving on.

In our time living there we had many conversations with Andrew and Belinda over the fence catching up on day to day life. While we talked our dogs played happily up the fence line. There was never any aggression from any of the dogs (our Rottweiler and their 2 Jack Russells).

Andrew and Belinda are the type of neighbours that would go out of their way to help you in any situations. In our time there we know of a incident where Stephanie had complained to Andrew about Jack barking. Jack was only barking in a playful manner with water. Andrew and Belinda both made every effort to stop Jack barking. They are extremely conscientious dog owners who treat their dogs like their children.

Mark & Brigitte Rose

Andrew James (Engineer)

From: Jack Penny <jp@brookdale.co.nz>
Sent: Saturday, 11 May 2019 7:52 a.m.
To: Andrew James (Engineer)
Subject: RE: Jack and Phoebe's behaviour

Expires: Friday, 9 August 2019 12:00 a.m.

Hello Andrew

Thanks for your email.

Jack and Phoebe were fine and mixed with the other dogs with no behaviour issues whatsoever. They were a pleasure to manage.

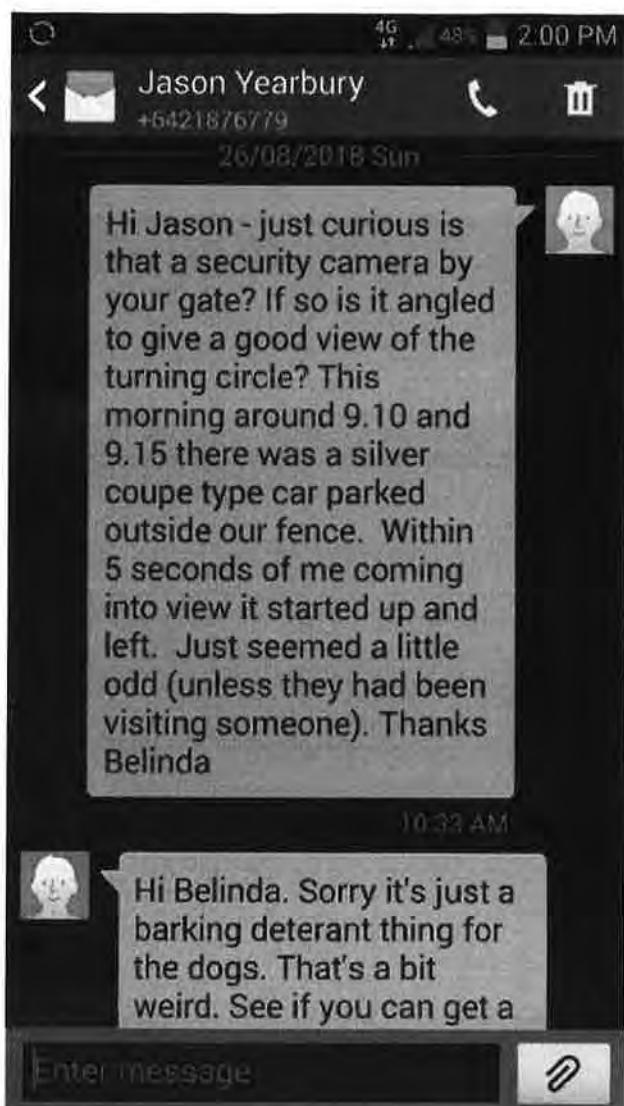
Jack is a little timid to start as he takes a while to settle in probably due to his recent attack, however, he is not a threat to any other dog and is not aggressive in his behaviour when first introduced which might be expected.

I hope that answers your questions and I am happy to take a video and or photos next time.

Kind regards
Jack Penny
Brookdale Kennels and Cattery Ltd
Ramarama

From: Andrew James (Engineer) [mailto:Andrew.James3@fonterra.com]
Sent: 10 May 2019 6:44 p.m.
To: jp@brookdale.co.nz
Subject: Jack and Phoebe's behaviour

Hi Jack,



They know there is an issue with their dogs running to the gates and barking.

They would not have mounted a barking deterrent device to their gate posts if there wasn't an issue

This issue still has not been addressed



To Whom it May Concern,

My name is Vera Faulkner, I am the owner Operator of Positively Canine. The Yearbury family has requested a letter outlining our previous behavioral experience with their dog, Scout.

We have had the pleasure of caring for Scout a Female White Shepherd for almost 2 years now and we were very shocked to hear about the unfortunate event that happened with the another dog. We have never had any issues or concerns in regards to Scout's behavior towards other dogs. We have always been able to socialize her with a range of large and small dogs with no issues at all. She has never shown any signs of aggression towards other dogs and has always had great manners when first meeting another dog to then be able to play safely with them.

In the time we have known the Yearbury Family they have proven to be responsible dog owners and they have worked hard with local dog trainers to ensure they are obedient and well socialized dogs. They have always sough feedback on their dogs behavior during their stay with us to ensuring their dogs are still obedient and well socialized.

In my experience with Scout I have not find her to be a dangerous dog. She has never shown any signs of aggression.

I hope that you are also able to come to the same conclusion.

Kindest Regards,

Vera Faulkner

021 2551059

www.positivelycanine.co.nz

15th Febrary 2019,

To Whom It May Concern:
Waikato Animal Control

WAIKATO DISTRICT COUNCIL	
FULL APPLICATION RECEIVED	
12 MAR 2019	
TIME	10:50 am
INITIALS	
ML	
TUAKAU	

I am writing regarding an incident at 233 Pinnacle Hill Road, regarding Scout Yearbury (White Swiss Shepard), and Andrew and Belinda's dog Jack.

We have known Scout since she was a puppy. We believe she is now nearly four years old. We have a nine year old Jack Russell cross dog ourselves, and Scout (and the previous dogs that the Yearbury's have had) and our dog have been socialised together.

Scout is trusted by our family, including our two children. Scout has a loving temperament; she is friendly well behaved and obedient.

Our dogs are often are at the property fences, and when we visit the Yearbury property our dog will go with us. We have never had any incidences with Scouts behaviour on our or their property.

Both Andrew and Belinda's dogs- Jack and Phoebe who are walked off a lead several days a week over the farmer's property are both known to be yappy barking dogs. We do not have any live stock on our property but several of our other neighbours have had issues Andrew and Belinda's dogs killing their chickens on their own properties. Several years ago our Son Joshua, was nipped by one of Andrew and Belinda's dogs when he went to pat them.

Regards,

Krystal and Aaron Chaffe

233 F Pinnacle Hill Road,
Bombay
021 644496

WAIKATO DISTRICT COUNCIL	
FULL APPLICATION RECEIVED	
12 MAR 2019	
TIME: 10:50 AM	INITIALS: ML
TUAKAU	

22/02/2019

To whom it may concern,

We live at the neighbouring property to Stephanie and Jason Yearbury.

In the past four years since they have had their White Shepherd, Scout, we have never encountered any issues or concerns with her.

We have a small dog, a Fox Terrier X King Charles Spaniel, called Max – Scout and Max regularly socialise and interact with one another; there has never been any problems with either dog. Max often ventures onto the Yearbury's property, and Scout has never reacted in an aggressive manner towards him.

When we or our children visit their property, Scout is nothing but loving and gentle, often licking everyone if she can get away with. She has never shown any aggression or given us any reason to be concerned about her manner or behaviour. We would happily, and have done so in the past, send our children (aged 6 and 7) over to the Yearbury's to run an errand on their own, knowing Scout was on the property.

We are also neighbours to Andrew and Belinda, and their two dogs.

We have had a couple of concerning incidents with one of their dogs, Phoebe. On one occasion she came onto our property and entered our chicken enclosure. She grabbed a chicken, pulled it out through the fencing, and killed it.

On another occasion our son Luke went over to their property, he had gone over to pat the dogs. While doing so, Phoebe bit him on the hand, causing it to bleed. We appreciate Luke was on their property, but it is concerning that she was aggressive enough to bite a small child, especially in the presence of her owner.

While these incidents are upsetting, we never reported them - Andrew and Belinda were remorseful for Phoebe's actions, and we didn't want to cause any grief on their behalf as they are good neighbours.

Unlike Scout, Phoebe is a dog we would never trust around our children or our animals.

If you require any further information please do not hesitate to contact us.

Kind regards,

Tod and Nicola Kirker – 021 911 039



WAIKATO DISTRICT COUNCIL
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TIME. 10:50AM INITIALS...ML...
TUAKAU

To whom it may concern,

I am writing to defend the good character of Scout – the beloved member of the Yearbury family, and to provide evidence of the aggressive nature of the accusing party.

Scout has recently been accused of being ‘dangerous’ which is counter to the good-natured dog I know so well. I live next door to the Yearbury family and have known Scout for 3 years. In that time, I have often seen her play with her sister Mishka in their front yard, roll in the grass happily and play with the neighbours’ children. I have never seen any aggression or bad behaviour.

On numerous occasions I have visited the Yearbury family in their home and have been warmly greeted – albeit with slobbery kisses – by Scout. While at their home, I saw Scout interact with other guests and dogs, and like all her interactions with me, she was likewise friendly with them.

I too have a German Shepard, Duke, who has played with Scout on occasion. Scout even tolerates my boy’s overenthusiastic puppy-like behaviour which suggests she is not only good-natured but also patient.

As I live next door to the Yearbury family, I consequently also neighbour Belinda, Andrew and their two dogs. In the three years I have lived next door, I have observed their two dogs and seen only a nature that starkly contrasts that of Scout. I am aware of several altercations involving their dogs which betray an aggressive and antagonistic nature, for example:

- Multiple children in the neighbourhood have been bitten
- Neighbouring chickens (and incidentally their own chickens) have been killed
- Neighbouring dogs have been attacked and bitten, like the Yearbury’s late dog Chief.

These incidences were not reported as the neighbourhood chose a path of forgiveness in order to preserve the caring nature of community.

I emphatically believe Scout is a good dog who should remain with her family and unencumbered by any negative classifications. I personally consider these claims against Scout to be outrageous, and would gladly have her as my own dog – taking her to cafes, walking her in the parks, letting her play with my friends and family.

Please feel free to contact me if any further evidence is required to help Scout.

Kind regards,

Hamish Parker

0211 693772

Neighbour & Resident
233D Pinnacle Hill Rd
Bombay, 2675



District Office
Private Bag 544
Ngaruawahia 3742

Huntly Area Office
Raglan Area Office
Tuakau Area Office

86

15 Galileo Street
Facsimile

142 Main Street
7 Bow Street
2 Dominion Road

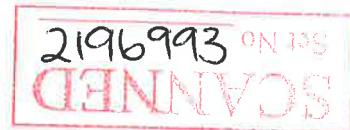
07 824 8633
07 824 8091
07 828 7551
07 825 8129
0800 492 452

OFFICE USE ONLY

CRM: DOGS1979/19

Person ID: 127654

Dog ID: 134184



Notice of Classification of Dog as a Dangerous Dog

Section 31 Dog Control Act 1996

To: Stephanie YEARBURY

Address: 233E Pinnacle Hill Road

RDI

Bombay 2675

WAIKATO DISTRICT COUNCIL	
FULL APPLICATION	
RECEIVED	
12 MAR 2019	
TIME	10:50 am
INITIALS	ML
RECEIVED TUAKAU	

THIS IS TO NOTIFY YOU THAT THE DOG DESCRIBED HEREIN,

"Scout" / White / Swiss Shepherd / Female

(description of dog)

HAS BEEN CLASSIFIED AS A DANGEROUS DOG UNDER SECTION 31(1) OF THE DOG CONTROL ACT 1996.

THIS IS BECAUSE

- You have been convicted of an offence under section 57A(2) of the Dog Control Act.
- The Waikato District Council has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on one or more occasions, reasonable grounds to believe it constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife.
- You have admitted in writing that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife.

A summary of the effect of the classification and your right to object is contained overleaf.

mtn
Mark Te Anga
Animal Control Team Leader

01 March 2019

Date

*For the purposes of the Dog Control Act 1996, you are the owner of a dog if-

- you own the dog
- you have the dog in your possession (otherwise than for a period not exceeding 72 hours for the purpose of preventing the dog causing injury, or damage, or distress, or for the sole purpose of restoring a lost dog to its owner); or
- you are the parent or guardian of a person under 16 who is the owner of the dog and who is a member of your household living with and dependant on you

Effect of classification as dangerous dog

Sections 32 and 36A, Dog Control Act 1996

You are required,—

- (a) within 1 month after receipt of this notice, to ensure that the dog is kept within a securely fenced portion of your property that it is not necessary to enter to obtain access to at least 1 door of any dwelling on the property; and
- (b) not to allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without—
 - (i) the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction; and
 - (ii) the dog being controlled on a leash (except in a designated dog exercise area); and
- (c) to produce to Waikato District Council, within 1 month after receipt of this notice, a certificate issued by a veterinarian certifying—
 - (i) that the dog is or has been neutered; or
 - (ii) that for reasons that are specified in the certificate, the dog will not be in a fit condition to be neutered before a date specified in the certificate; and
- (d) where a certificate under paragraph (c)(ii) is produced to Waikato District Council, within 1 month after the date specified in that certificate, a further certificate under paragraph (c)(i); and
- (e) in respect of every registration year commencing after receipt of this notice, to pay dog control fees for that dog at 150% of the level that would apply if the dog were not classified as a dangerous dog; and
- (f) not to dispose of the dog to any other person without the written consent of the territorial authority in whose district the dog is to be kept.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with all of the matters in paragraphs (a) to (f) above. In addition, on conviction the court must order the destruction of the dog unless satisfied that the circumstances of the offence were exceptional and do not justify the destruction of the dog.

A dog control officer or dog ranger may seize and remove the dog from you if you fail to comply with all of the matters in paragraphs (a) to (f) above. The ranger or officer may keep the dog until you demonstrate that you are willing to comply with paragraphs (a) to (f).

You will also commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you sell or otherwise transfer the dog, or offer to do so, to any other person without disclosing that the dog is classified as a dangerous dog.

As from 1 July 2006, you are also required, for the purpose of providing permanent identification of the dog, to arrange for the dog to be implanted with a functioning microchip transponder. This must be confirmed by making the dog available to Waikato District Council in accordance with the reasonable instructions of Waikato District Council for verification that the dog has been implanted with a functioning microchip transponder of the prescribed type and in the prescribed location.

You will commit an offence and be liable on conviction to a fine not exceeding \$3,000 if you fail to comply with this requirement—

- within 2 months from 1 July 2006 if your dog is classified as menacing on or after 1 December 2003 but before 1 July 2006; or
- within 2 months after the dog is classified as menacing if your dog is classified as menacing after 1 July 2006.

If the dog is in the possession of another person for a period not exceeding 72 hours, you must advise that person of the requirement to not allow the dog to be at large or in any public place or in any private way (other than when confined completely within a vehicle or cage) without the dog being muzzled in such a manner as to prevent the dog from biting but to allow it to breathe and drink without obstruction. You will commit an offence and be liable on conviction to a fine not exceeding \$500 if you fail to comply with this requirement.

Full details of the effect of classification as a dangerous dog are provided in the Dog Control Act 1996.

Right of objection to classification

Section 31(3), Dog Control Act 1996

You may object to the classification by lodging with the Waikato District Council a written objection within 14 days of receipt of this notice setting out the grounds on which you object. You are entitled to be heard in support of the objection and will be notified of the time and place at which your objection will be heard.

12 March 2019
12 MAR 2019TIME 10:50 AM INITIALS MH
TUAKAU

To Whom it may Concern,

I am writing to you today to formally contest the recent 'classification' after the 'investigation' of an incident that happened on our property between our dog and the accusing party's dog and vehemently defend the good nature of our dog.

The 'witness' statement is clearly not a thorough account to events and is lacking in facts. A statement was made between my husband and Andrew and was sent through to Rhys.... Andrew stated that BOTH his Jack Russell dogs ran to our gate 'barking'. His witness statement only talks of one dog. From both 'witness' vantage points there is NO way for them to determine what their dogs were doing as they were 'darting' to our gate. Please note as mentioned before, our gate sits well behind our actual property line (see pictures). There were clearly modifications made to the witness statements altering their story.... it is just simply not a reliable account of actual events that took place.

Facts to which we Contest this classification:

- Jack (the accusing party's Jack Russell) ((as well as his aggressive sibling)) came onto our private property and rushed our dog. He was off leash on public property and then entered our private property. Scout never left our property. (Doesn't prior case evidence allow an animal to protect its' property if another animal comes onto that property especially in an aggressive and threatening manner)?
- Neither Andrew or Belinda's position on the driveway wouldn't have given a clear view of Jack's (OR PHOEBE'S) mouth and Andrew was too far away to see. We believe Jack and/or Phoebe would have had a go to try and attack/bite Scout first for her to react the way she did - we stand firm that she is otherwise a tolerant and kind dog.
- We are adamant that our dog was acting in self-defence due to the volatile situation and just protecting her property and younger sibling.
- We have numerous accounts from our neighbours stating the issues they have had with Andrew's and Belinda's dogs and the fact that Scout gets along fine with their dogs and kids.
- We have a letter from our kennel attesting to scouts fantastic demeanour especially around other dogs.

The letter from their vet (that wasn't even the treating vet at the time at the after-hours clinic - (letter dated Tuesday 19th February) was opinion based and was clearly unprofessional). I feel it should have no weight bearing on this case and that the clinical notes provide the unbiased facts. The injuries were NOT as serious as originally suspected.

All we are asking is that the whole picture gets looked at not just one side of this issue as it clearly has been. We are saddened that this happened and consider ourselves responsible and conscientious dog owners - we regularly socialise our dogs and we have worked extensively with Jordan Coulson (Define Canine) for ongoing obedience and training. Jordan would be a great contact for the Council as his knowledge and training is vast and solid. He supports us as well in our defence.

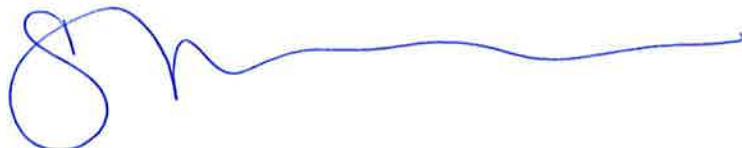
We have taken steps to ensure this kind of incident never happens again - but we don't want our dog to be unfairly and unjustly tagged as a dangerous dog so she can no longer enjoy life - trips to the beach and park where we have never had an issue. We have installed an \$1100 camera at the end of our drive that notifies us if any activity is detected and sends us a picture as well as video. We have also made modifications to our iron gates by adding a perforated steel screen to the lower section of our gate - so

that no small dog could trespass through this way again. We have already modified our wire fencing from a 7 wire to a 10 wire around our entire property. We also welcome to use Jordan Coulson for behaviour modification training, if necessary in hopes that Scout will become more tolerant of the irrational and aggressive behaviour the Jack Russells demonstrate from 233B (accusing's address).

We really hope this letter of sheds some light and we can resolve this peacefully, for Scout's sake.

Kind regards,

Stephanie Yearbury
Ph:0217876430
233E Pinnacle Hill Road
Bombay 2675



WAIKATO DISTRICT COUNCIL
FULL APPLICATION
RECEIVED
12 MAR 2019
TIME 10:50AM INITIALS M.L.
TUAKAU

Appendix L Relevant Legislation

31 Territorial authority to classify dangerous dogs

(1)

A territorial authority must classify a dog as a dangerous dog if—

(b)

the territorial authority has, on the basis of sworn evidence attesting to aggressive behaviour by the dog on 1 or more occasions, reasonable grounds to believe that the dog constitutes a threat to the safety of any person, stock, poultry, domestic animal, or protected wildlife; or

(2)

Where any dog is classified as a dangerous dog under subsection (1), the territorial authority shall immediately give notice in the prescribed form of that classification to the owner.

32 Effect of classification as dangerous dog

(1)

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

(a)

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

(b)

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

(i)

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

(ii)

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

(c)

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

(i)

that the dog is or has been neutered; or

(ii)

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

(d)

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

(e)

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

(f)

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

(2)

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

(3)

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

(4)

Every person who sells or otherwise transfers, or offers to sell or transfer, to any other person any dog known by that person to be classified as a dangerous dog without disclosing the fact of that classification to that other person commits an offence and is liable on conviction to a fine not exceeding \$3,000.

(5)

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

(a)

seize and remove the dog from the person's possession; and

(b)

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

(6)

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

Section 32: substituted, on 1 December 2003, by section 19 of the Dog Control Amendment Act 2003 (2003 No 119).

Section 32(1)(c): amended, on 28 June 2006, by section 29(3) of the Dog Control Amendment Act 2006 (2006 No 23).

Section 32(1)(d): amended, on 7 July 2004, by section 9(1) of the Dog Control Amendment Act 2004 (2004 No 61).

Section 32(1)(e): amended, on 7 July 2004, by section 9(2) of the Dog Control Amendment Act 2004 (2004 No 61).

Section 32(2): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

Section 32(4): amended, on 1 July 2013, by section 413 of the Criminal Procedure Act 2011 (2011 No 81).

32A Dangerous dog classification to extend over New Zealand

(1)

Every classification as a dangerous dog under [section 31](#) is in force throughout New Zealand.

(2)

This section is for the avoidance of doubt.

Section 32A: inserted, on 28 June 2006, by [section 12](#) of the Dog Control Amendment Act 2006 (2006 No 23).