

BETWEEN:

TANIA ISBESTER

Appellant

and

KNOX CITY COUNCIL

Respondent

APPELLANT'S CHRONOLOGY

Part I:

I certify that this chronology is in a form suitable for publication on the internet.

Part II:

Date	Event
4 August 2012	The Appellant's dogs "Izzy" and "Jock" were involved in an attack on another dog and on a person.
29 May 2013	The Appellant's dogs "Jock" and "Bub" were involved in an attack on another dog.
9 June 2013	The Appellant's dogs "Izzy" and "Jock" were involved in a series of attacks on other dogs, the latter attack also involving a person. "Jock" was destroyed at the Appellant's request.
20 June 2013	The Appellant was charged with 23 offences under the <i>Domestic Animals Act 1994</i> (Vic) in relation to the incidents on 4 August 2012 and 29 May 2013. Ms Debbie Williams, an authorised officer of the Respondent, was the informant on the charge sheet.
24 June 2013	The Appellant was charged with 6 offences under the <i>Domestic Animals Act 1994</i> (Vic) in relation to the incident on 4 August 2012 including, relevantly, charge 4 which provided that Izzy had attacked or bitten a person and caused serious injury to that person (being a contravention of section 29(4) of the Act). Ms Kirsten Hughes was the informant on the charge sheet.
26 July 2013	Ms Hughes wrote to Susan Fotopolous, a Housing Services Officer at the Department of Human Services, Office of Housing, and asked Ms Fotopolous to advise "DHS's position in relation to the two dogs owned by Tania Isbester and allegedly involved in two attacks in June 2013?" She also asked whether DHS would oppose the dogs returning to Ms Isbester's home.
30 July 2013	Ms Fotopolous replied to Ms Hughes' email dated 26 July 2013, and stated that "DHS will not be supporting the two dogs returning to the property".
August 2013	The Appellant's solicitor negotiated a plea deal with the Council's Solicitors in which she agreed to plead guilty to 20 charges in relation to the incidents on 4 August 2012, 29 May 2013 and 9 June 2013.

	28 August 2013	By an email to the solicitors for the Respondent, Mr Melke asked what the Council intended about the fate of the two remaining dogs, given that the dog Jock had already been euthanised.
	29 August 2013	Ms Hughes wrote to the Respondent's solicitor and stated that "...the housing commission have indicated the dog [Bub] can not be housed at [the Appellant's residence]." She then said, "Council would be having a panel hearing in relation to the fate of Izzy and Isbester would be notified of this shortly after the Court case".
10	29 August 2013	The Respondent's solicitors sent an email to Mr Melke which said, "Council will not be seeking an order from the court in relation to the destruction of the dogs."
	12 September 2013	The Appellant was convicted of the 20 charges to which she pleaded guilty and placed on a community corrections order for a period of 12 months. Relevantly, the Appellant pleaded guilty to charge 4, being a contravention of s 29(4) the <i>Domestic Animals Act 1994</i> (Vic). This contravention was based on the dog "Izzy" having bitten a person causing a "serious injury", namely a 1.5cm laceration on the person's middle finger. The injury occurred when the person tried to pull "Izzy" of her daughter's dog.
20	13 September 2013	Ms Hughes wrote to the Appellant to inform her that the Council intended to consider whether to exercise the power in s 84P of the Act to have Izzy destroyed and invited the plaintiff to a 'panel hearing' on 30 September 2013.
	30 September 2013	The panel hearing was held. The panel was constituted by Mr Angelo Kourambas, Ms Hughes and a Mr Dickson. Ms Hughes made both oral and written submissions to the panel. The victim of the 4 August 2012 incident made representations to the panel, during which time the Appellant (and her family and friends) were asked to leave the room. Ms Hughes read out part of her notes from the Magistrates' Court hearing on 13 September 2013. After the panel hearing and following a discussion with other members of the panel, Mr Kourambas decided that "Izzy" should be destroyed.
30	October 2013	Ms Hughes drafted the decision and the reasons for it.
	15 October 2013	The Appellant was notified by letter of the decision and reasons.

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Name: Francis Daniel Beecher
Phoenix Legal Solutions
Telephone: (03) 9480 0736
Facsimile: (03) 8888 9933

Email: daniel@phoenixlegalsolutions.com.au

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