

## Pit bull owners devastated by court decision

BY JORDAN OLIVER AND BENJAMIN PRIESS

22 Dec, 2011 07:18 PM

A Ballarat pit bull terrier owner is devastated his dog will not be home for Christmas, after a legal challenge against the City of Ballarat was yesterday deferred for mediation next year.

David Thurston and wife Megan are fighting in the Victorian Civil and Administrative Tribunal against the Ballarat City Council's seizure of their dog, Butch, earlier this year.

Council seized the dog just hours after the amnesty for dog owners to register restricted breeds came to a close.

Jack Hammond, QC, appeared for the Thurstons, who did not attend the directions hearing yesterday.

Senior Member Robert Davis scheduled the matter for mediation in February. He ordered a further hearing in April.

Outside the tribunal, American Pit Bull Terrier Club of Australia president Colin Muir said the Thurston family were unable to visit the dog.

"The owners are absolutely devastated about the fact their dog was taken in the first place," he said.

Mr Thurston said he was extremely upset his dog would not be home for months – if at all.

He said he was even considering moving interstate where dog laws might not be as strict.

"I can't give up – it's like my son's been locked up," he said.

"I'm a mess – I'm back to where I was when they took him."

Mr Thurston said it wasn't going to be a good Christmas for the family, away from their beloved Butch.

"We've been given no reports on if he's healthy or anything like that," he said.

"He never leaves the yard. He doesn't even bark at the neighbours."

Mr Muir said it was "fantastic" the Barrister Animal Welfare Panel had funded the the legal defence for the Thurstons, which includes representation by a QC.



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