



House of Commons  
Environment, Food and Rural  
Affairs Committee

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**Dog Control and  
Welfare**

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**Seventh Report of Session 2012–13**

***Volume II***

*Additional written evidence*

*Ordered by the House of Commons  
to be printed 6 February 2013*

## Environment, Food and Rural Affairs Committee

The Environment, Food and Rural Affairs Committee is appointed by the House of Commons to examine the expenditure, administration, and policy of the Department for Environment, Food and Rural Affairs and its associated bodies.

### Current membership

Miss Anne McIntosh (*Conservative, Thirsk and Malton*) (Chair)  
Thomas Docherty (*Labour, Dunfermline and West Fife*)  
Richard Drax, (*Conservative, South Dorset*)  
George Eustice (*Conservative, Camborne and Redruth*)  
Barry Gardiner (*Labour, Brent North*)  
Mrs Mary Glendon (*Labour, North Tyneside*)  
Iain McKenzie (*Labour, Inverclyde*)  
Sheryll Murray (*Conservative, South East Cornwall*)  
Neil Parish (*Conservative, Tiverton and Honiton*)  
Ms Margaret Ritchie (*Social Democratic and Labour Party, South Down*)  
Dan Rogerson (*Liberal Democrat, North Cornwall*)

Amber Rudd (Hastings and Rye) was also a member of the Committee during this inquiry.

### Powers

The Committee is one of the departmental select committees, the powers of which are set out in House of Commons Standing Orders, principally in SO No. 152. These are available on the Internet via [www.parliament.uk](http://www.parliament.uk).

### Publications

The reports and evidence of the Committee are published by The Stationery Office by Order of the House. All publications of the Committee (including press notices) are on the Internet at [www.parliament.uk/efracom](http://www.parliament.uk/efracom)

### Committee staff

The current staff of the Committee are Richard Cooke (Clerk), Anna Dickson (Second Clerk), Sarah Coe (Committee Specialist—Environment), Phil Jones (Committee Specialist —Agriculture), Clare Genis (Senior Committee Assistant), Owen James (Committee Assistant), Yago Zayed (Committee Support Assistant), and Hannah Pearce (Media Officer).

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# Written evidence

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## Written evidence submitted by Linda Buxton, Leigh Dogs and Cats Home

### 1. DOG CONTROL

(a) *Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

There is a need for a more fundamental overhaul of dog legislation and its enforcement—there needs to be much more information given to the general public about the legislation and also more actual use of the enforcement, at present although in place it only seems to be used when a serious incident occurs. The emphasis needs to be on educating the dog owning public and making them aware of the legislation maybe through the media.

(b) *Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

No—the problem is that a lot of the people who have status dogs will not comply and conform with any legislation, it should be law that these dogs should be neutered so that they are not able to breed with them.

(c) *Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme also be considered?*

Compulsory microchipping of all puppies is a very good idea as it should make people more responsible for their dogs and their actions if they know that they will be accountable. However, I do not feel that it will prevent dog attacks.

The problem with micro chipping is that when a dog changes hands the microchip details are not changed, the public need to be made aware that the ID chip details must be changed when they adopt a new pet and that ultimately the person who the dog is chipped to is the legal owner and responsible for the welfare of the dog. Dog Licensing is a very good idea used in conjunction with ID chipping, however licenses should be issued but suitably qualified persons who are specially trained and work in the welfare industry ie at animal homes & vet practices (similar to SQP for sale of Horse wormers; Dog Wormers etc).

(d) *Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

No

(e) *Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

Yes

(f) *Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

No—local authorities do but the Police and Welfare organisations do not tend to get involved with stray dogs usually because of budget constraints.

### 2. DOG WELFARE

(a) *Has the response by dog breeders and the veterinary profession been effective?*

No—the problem is that anybody can breed a litter of pups from any bitch over six months of age without being registered as a dog breeder. This is the most likely avenue breeding illegal dogs and irresponsible dog breeding as they are not rehomed correctly thus exalting all the other problems.

(b) *What actions should Government take to address these issues?*

Make it illegal for anybody to breed puppies—if a member of the public has a pregnant bitch it should be reported to the local authority wardens who could then visit them to give advice as necessary and make the puppies are ID chipped and suitably rehomed and also give advice about neutering.

(c) *Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

If all puppies had be id chipped before leaving the breeder this would stop irresponsible breeders who don't want to abide by rules and regulations and also keep track of all imported dogs and status dogs. It may also make it not cost effective for puppy farms to continue.

The problem with all of the above is that we have to have a body that will police them otherwise it will all be a waste of time. It would not be difficult to set up a body to police it all but it needs to be done properly from the start with a suitable budget to enable it to be done efficiently.

May 2012

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**Written evidence submitted by Claire Horton-Bussey**

Amongst many other threads that you will no doubt examine (puppy farmers, lack of health testing in pedigree dogs etc), backyard breeders really need to be regulated.

There are so many people living on benefits or low incomes who see dog breeding as a nice little earner. You only have to look at all the local For Sale sites on Facebook or on Gumtree to see that people are breeding whatever they can get their hands on—cats, dogs, reptiles etc, even swapping breeding animals for games consoles etc.

They have no concern for the animals they are breeding, do not health test etc, and no doubt do not pay tax on what they are earning!

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**Written evidence submitted by Jolanda Hill DVM, MRCVS**

I would like to bring to your attention that microchipping all dogs (and cats) is a good measure, provided that at the time of microchipping the true name and address of the owner is being submitted on the microchip registration. At this time, nobody checks if the details the owner submits to register their pet's microchip are valid. Especially people who keep animals for the wrong reasons (eg dog fighting etc) would, when microchipping becomes compulsory, avoid all consequences by submitting wrong contact details.

Apart from the initial microchipping registration it is sad to see when we do try to reunite an animal with its owner, how often the contact details relating to the microchip have not been kept up-to-date, thereby almost completely negating the advantage of having a microchip placed in the first place.

If microchipping vets and others have to do more in depth verifying of the submitted details for registering a chip, then I would suggest you prepare 'best practice' guidelines on how to implement this.

If we can't make sure the chip is registered to a valid owner and address, then all efforts and costs to implement this scheme will be wasted.

Quite possibly somebody in the committee had realised this already, in which case apologies for wasting your time.

May 2012

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**Written evidence submitted by Animal Wardens Ltd**

**ANIMAL WARDENS**

We get involved with 25,000 found, lost, straying, abandoned, dumped and dangerous dogs each year.

**DOGS DESERVE BETTER**

We believe as a principle: dog ownership should carry enforceable responsibilities that are enforced by Government Agencies who have a duty to do so. These Government agencies should finance the enforcement and education activities from a statutory licence fee.

**1 DOG CONTROL**

Are the approaches proposed by Defra in its announcement on "Tackling Irresponsible Dog Ownership" on 23 April 2012 sufficient to ensure that there is a reduction in the number of attacks by dogs on people and animals?

We do not believe they are sufficient as the measures are punitive rather than preventative. Though we accept punitive measures go some way to prevent offences, we believe in this instance it will have little effect in reducing the number of attacks.

In particular:

(a) *Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

We believe that a co-ordinated strategic approach is necessary and the civil offence on livestock and pets should be made criminal. Legislation needs updating and simplifying.

(b) *Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

We believe that sufficient action is not being taken, education on pet ownership should be part of the national curriculum (citizenship).

(c) *Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme also be considered?*

Compulsory microchipping will not help prevent dog attacks, just make enforcement easier. A dog licensing scheme should be introduced to finance enforcement and a duty on agencies—not just a power.

(d) *Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

Yes—No where should be exempt (not even the home).

e) *Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

No—They cannot be described as ambitious.

f) *Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

Yes in principle but too many grey areas in the overlap, a responsibility on the statutory authorities should be reinforced to a duty. Legislation needs updating and simplifying.

## 2 DOG WELFARE

In respect to concerns expressed in Professor Bateson's report over poor welfare that has arisen in the course of breeding dogs:

(a) *Has the response by dog breeders and the veterinary profession been effective?*

No—The response has been too slow.

(b) *What actions should Government take to address these issues?*

We believe an effective code of practice should be introduced under the Animal Welfare Act.

(c) *Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

Yes—We believe strongly that dogs are still suffering from overproduction by humans.

June 2012

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### Written evidence submitted by Janetta Bensouilah

I wish to submit my own personal experience of the terrible puppy farming practices that are going on unchecked in the UK.

I rehomed an ex-breeding bitch last year who had been rescued from a Welsh puppy farm. When she was taken in by her fosterer, she was almost bald, severely underweight, had multiple health problems such as prolapsed uterus, cataracts, sarcoptic mange and others. She was so terrified of humans, she would not allow anyone to get near her, when she was picked up, she would go rigid with fear. A year on and we have overcome many of these problems through a lot of time and patience and expensive veterinary care. Most, if not all of them could have been avoided if she had not been used as a breeding machine.

Animals are sentient beings and should not be viewed as commodities. Puppy farming practices in the UK are being swept under the carpet. People are shocked when I tell them about the background my dog has and that she is not one of the worst cases, hundreds if not thousands of breeding dogs live hellish lives and the government is doing nothing, nothing at all to stop this. I laugh when I hear people talk about the British being a nation of animal lovers. All the while puppy farming is allowed to continue, dogs will continue to suffer and no nation could possibly call itself a nation of animal lovers with that going on.

The government would be praised by the dog owning British public if it took this issue seriously and stopped it.

Right now, I scoff at the paltry displays of attention this matter is given by both government and organisations such as the RSPCA.

June 2012

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**Written evidence submitted by John Rogerson KCAI, The Northern Centre for Canine Behaviour, and Davis Davies ex police dog handler**

In response to the invitation for submissions on the various topics addressed by EFRA and the inquiry into dog control and welfare we would like the committee to accept this submission for their consideration.

### 1. BACKGROUND

1.1 In the majority of cases where a change in laws relating to dogs is concerned, most of the changes are the result of evidence submissions given by representatives of organisations that are not connected to the grass roots of dogs in the UK.

1.2 In a written ministerial statement given by Minister of State for Agriculture and Food (James Paice) Dated: 23 April 2012 He stated:

*Given growing concern about the number of dog attacks, the previous Government consulted the public in 2010 to find out whether the law needed to be changed and, if so, what changes might help. The consultation found that most people thought that powers contained in the existing dangerous dogs legislation were inadequate. The police and the dog welfare charities said that the criminal law in relation to dogs being dangerously out of control should be extended to cover private property (the Dangerous Dogs Act 1991 only applies on public land or private land where the dog is trespassing) and there was also widespread support for compulsory microchipping.*

1.3 Sadly, as in most consultations, the people who are involved at the grass roots level are never consulted so changes that come about are often the result of input from large and powerful dog charities, the Kennel Club, the police etc. These laws are therefore often badly thought out and usually make little or no difference to the overall dog scene in the UK. Take a look at the Animals Act 1971 and you will see what I mean. This is so badly worded that even the legal profession have difficulty in interpreting it. We respectfully ask that the committee carefully consider our evidence and further ask for the opportunity to address the committee in order to present oral evidence.

### 2. CHANGES IN DOG LAW WITH REGARD TO THE INCREASE IN DOG ATTACKS

2.1 We presently have two laws on dangerous dogs, the 1871 act and the 1991 act.

The 1871 act covers dogs that attack people on private property. The 1991 act covers attacks that take place in public places.

2.2 The last successful prosecution under the 1871 act was by Swale Borough Council some seven years ago. The circumstances were that a young boy had climbed over a garden fence onto a neighbouring property and had been attacked by two American Bulldogs. The court found the owner guilty and imposed a destruction order on the dogs which was upheld on appeal.

2.3 Creating new legislation often overcomplicates everything. Existing powers are already there and in many cases are often more effective and easier to prove. We already have laws which are applicable to dogs that attack people regardless of whether this happens on public or private land. There is the law on criminal damage which is very easy to apply in cases where a dog has injured a person or another dog or animal. There are also existing laws that cover things such as actual bodily harm and offences against the person.

2.4 Instead of widening the scope of the 1991 act it would seem to be more sensible to use existing laws to deal with owners whose dogs injure people. These laws include the Town Police Clauses Act 1847 (outside London) and Metropolitan Police Act 1839 (London) which make it an offence to allow an unmuzzled, ferocious dog to be left at large, or for a person to set on or to urge any dog attack, worry or put in fear any person or animal in the street.

### 3. LICENSING OF DOGS

3.1 In the USA There are approximately 4.5 million reported dog bites annually in the United States (nearly 2% of the American population). The majority of dog bites are never reported to local authorities. Dogs that are licenced with an identifiable owner are implicated in the vast majority of dog bites.

3.2 Licencing a dog does not make it less likely to bite. It actually appears statistically that unlicenced dogs are less likely to bite people!!! As always it is the people who are already responsible that will buy a licence and those that are not will avoid buying one.

#### 4. IDENTIFICATION OF DOGS

4.1 By law all dogs have to wear a collar and identification when in a public place. The identification has to be on a plate or disc attached to the collar which identifies the owner and their postal address. This is an existing law and is very easy to enforce as any member of the public, police, dog warden etc can see at a glance if the owner is complying with the law. I accept that there may be an occasional prosecution for a dog being picked up as a stray and the owner being prosecuted for not having the correct identification on the dog but how many owners who accompany their dogs in public places have been prosecuted for not having the correct identification over the last five years?

4.2 My research shows that in the Borough of Darlington which has a dog population of around 97,750 people of which 30,000 own a dog, there has only been one person prosecuted for not having a collar and identification on their dog and yet I see dogs out with their owners every day without identification discs on their dogs collar. This is largely because there is no one enforcing this law. The police are not interested particularly in light of the government in their wisdom deciding to take the responsibility for dealing with dogs away from the police and give it to other agencies. These other agencies agreed to fill the gap created by removing the police responsibility but, to date this has not happened.

4.3 In 2010 Darlington Borough Council brought in Dog Control Orders in many of the parks and recreation areas. I attended the consultation meeting and pointed out that, according to law, the measures have to be reasonable and in proportion to the number of complaints that had been received. The council brought in the control orders anyway and in order to compile this submission I asked them how many people have been prosecuted and fined for having a dog off lead in one of the designated "dogs must be on a lead" areas since 2010. Their answer was 34 and I asked them how many people have been prosecuted and fined for taking a dog into a designated dog free area and their answer was just three.

4.4 If we do not have anyone enforcing the law on collar and identification which can be done visually then how is it possible that microchipping can be enforced. For a microchip to be located a scanner is required and any member of the public finding a dog straying on the street will not have access to a scanner. If the simple existing law on identification is not working then bringing in a new law will do nothing at all to solve the problem. Again it is only the responsible owners who will comply with the law and pay a price for doing so.

#### 5. STATUS DOGS

5.1 This is a simple one, just use the existing Town Police Clauses Act 1847 (outside London) and Metropolitan Police Act 1839 (London) to prosecute offenders.

#### 6. THE ROLE OF ANIMAL CHARITIES

6.1 Dogs are being overbred, of this there is no doubt. As a result there are now more and more animal charities which exist to take care of the vast numbers of dogs that are unwanted in the UK. I carried out a study for the Dogs Trust many years ago and what I found was disturbing. If we keep on increasing kennel capacity for unwanted dogs at the rate that we currently are then by the year 2075 there will be no land to build houses on because the UK will be one large kennel to house unwanted dogs.

6.2 Taken from the Dogs Trust Annual Report 2011 it states that "*The value of the group's investable funds (investments plus net current assets) remained at £69 million, of which £42 million is earmarked for acquiring new rehoming centres and redeveloping existing centres*". Battersea dogs and cats home annual report for 2009 states that their income was over 12 million pounds. In 2011 the RSPCA raised 100.7 million pounds from voluntary donations including legacies. The Blue Cross annual review for 2010 shows that their income was 26.9 million pounds and yet the government has just given £50,000 to the three big animal charities to foster innovative new community projects.

6.3 This is a crazy state of affairs where animal charities are acquiring more and more land to build more and more kennels to house more and more dogs which encourages more and more people to breed dogs and more and more people to abandon them. This is simply not sustainable. The Dogs Trust is not alone in this headlong rush to build kennels. Smaller charities that, like the Dogs trust, that started with one rehoming kennels now are building more. The National Animal Welfare Trust started with one kennels in Watford. Then they opened a second one in Oxfordshire, then a third in Somerset then a fourth in Devon.

#### 7. THE KENNEL CLUB

7.1 I was a keynote speaker at the launch of the Kennel Club Safe and Sound programme at the Clarges street headquarters. This is a programme that teaches bite prevention in schools. I was astounded at the number of people who work full time at the Kennel Club who actually know nothing about dogs.

7.2 If you take a look at the breed standard issued by the Kennel Club then you will get an idea as to why we are having more and more problems with dog related injuries.

For example the breed standard of the Wire Haired Fox Terrier states "Alert, quick of movement, keen of expression, on tiptoe of expectation at slightest provocation. The Tibetan Mastiff breed standard states

“Independently minded, aloof and protective. Calm and patient. May be wary of strangers. Why do the Kennel Club not modify all breed standards to the standard required for the Labrador Retriever which states:

*Characteristics*—Good-tempered, very agile (which precludes excessive body weight or excessive substance). Excellent nose, soft mouth; keen love of water. Adaptable, devoted companion.

*Temperament*—Intelligent, keen and biddable, with a strong will to please. Kindly nature, with no trace of aggression or undue shyness.

It is very rare for Labradors to be involved in acts of aggression towards people which is why they are favoured by organisations such as Guide Dogs etc.

7.3 Bearing in mind the fact that the vast number of dogs bred in the UK are purebred (87% of the households that own a dog own one that is a purebred with only 13% that are mixed breeds or mongrels), precious few breeds were developed purely as household companions. The Kennel Club could take a leading role in improving general temperament of dog breeds but choose not to.

## 8. THE WAY FORWARD?

8.1 In 2010 I visited Taiwan for the first time as a consultant on dog training and behaviour. The largest and wealthiest dog charity there (Precious Dogs Association) had acquired a sum of money to buy land and build a shelter in Taipei. I managed to talk them out of it as this would only lead to a second shelter, then a third and so on. Building more shelters only encourages more people to abandon their dogs and breeders to breed more and more puppies. They have now invested their money into education in schools.

8.2 Many of our animal charities do school visits but this is more for the purpose of promoting themselves and the work that they do rather than teaching responsible dog ownership and breeding practices.

8.3 If we accept that the next generation of dog breeders are now in full time education in primary and secondary schools then surely this has to be where we teach subjects such as breed history and development, ethology, genetics, legal implications, breeding practices and welfare issues.

8.4 In general terms, dogs are more out of control today than they ever have been in the UK. There are a multitude of reasons behind this but only two ways that problems of out of control dogs can be addressed. One is by introducing more and more dog laws which penalise owners who do not abide by them. The second way is to give owners an incentive to train and control their dogs. As we have seen from the law on collar and identification, there is no one policing this and, no one interested in policing it.

8.5 A better approach is by rewarding those owners who do take the time and trouble to train and control their dogs. This could be in the form of allowing such dogs more off lead access to open public areas after successfully completing a course of training with an approved instructor\*. It could also take the form of a reduction in pet insurance etc.

Who would then police the scheme? Largely it would be the owners who had passed the test with their dogs who would then help ensure that others in the area knew of the incentives to be gained by responsible dog ownership.

8.6 Something has to change and what is needed is a radical approach to dealing with the current spate of problems arising through over breeding and out of control dogs. What will not work is allowing charity figureheads and lawmakers to dictate what we should and should not do with our dogs. It is surely better to get a working party of people together, some of whom represent the grass roots level of the dog world in the UK who can come up with a more positive view on the way forward.

8.7 Here in the UK we have always had the right to own a dog of our choice but now, because of lack of education, we have lost that right. The same is true for taking a dog out in public. We need a serious look at the numerous factors that have resulted in so many laws relating to dogs and why they are needed. It is not too late to once again make our dogs' man's best friend instead of public enemy number one but it needs to be done sensibly and involve all interested parties.

June 2012

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### Written evidence submitted by Carol Fowler, Dog Health Campaigner

“We also want to find out whether enough is being done to improve the health and welfare of dogs bred for sale.”

I have been campaigning on the welfare issues of dog breeding since 2006. My particular interest is genetic welfare issues which I feel is a much neglected area of animal welfare. It is a huge problem affecting many thousands of dogs and their owners. I entirely agree with the RSPCA's "Born to Suffer" campaign message and its stance that a large proportion of dogs, particularly purebred dogs, face a life of needless suffering as a result of breed related genetic diseases and exaggerated conformational traits. Reports written by CAWC, RSPCA, APGAW and Sir Patrick Bateson have confirmed this.

I would like to see the welfare issues associated with poor breeding practices dealt with separately from dog control and irresponsible ownership issues. I would like Defra to appreciate that these are two quite separate issues involving dogs. In lumping them together, there is a danger that none of them will be dealt with adequately or that undue emphasis will be put on dog control and irresponsible ownership because of the tabloid interest it generates.

I will limit my response to breeding issues.

Dogs are sentient beings: they feel fear and they feel pain (as well as joy). They give their owners love, loyalty and companionship (and much more if they are working dogs). They are entirely dependent on their human breeders and owners for the quality of their lives. Unlike animals in the wild they are not free to choose their mates. These are selected for them by their human owners and the dogs pay the price, in the form of genetic diseases, from so much inbreeding (sometimes called line breeding).

The Animal Welfare Act 2006 identifies five needs that a dog has:

- (a) Its need for a suitable environment.
- (b) Its need for a suitable diet.
- (c) Its need to be able to exhibit normal behavioural patterns.
- (d) Any need it has to be housed with or apart from, other animals.
- (e) Its need to be protected from pain, suffering, injury and disease.

## DOG BREEDING

This may be divided into two parts:

1. Issues of welfare associated with large scale breeding for commercial purposes (“puppy farms”)
2. Genetic welfare issues associated mainly with purebred dogs where closed gene pools give rise to a disproportionately large number of breed related diseases (caused by the loss of genetic diversity within the gene pool). The emphasis of breeding to achieve a certain “look” or conformation (the Kennel Club breed standard and its interpretation by show judges). This has the effect of further reducing the gene pool because certain dogs are favoured over others for breeding. Also, traits regarded as desirable become ever more exaggerated (such as short legs, wrinkly skin, excessive hair, short noses, curly tail, etc)

### LARGE SCALE COMMERCIAL BREEDING (PUPPY FARMS)

Not all large scale breeding establishments compromise dog welfare but for many obvious reasons they often do.

Commercial breeding establishments should be licensed by the local authority but many are not. Those that are licensed are not inspected often enough and standards required are far too low and do not conform to the 5 principles of the Animal Welfare Act 2006. The law on commercial dog breeding (*Breeding of Dogs Acts 1973 and 1991 and the “Breeding and Sale of Dogs (Welfare) Act 1999*) needs to be updated so that requirements include more than the basic needs for water, food and shelter. Local authority inspectors should be trained properly for this job and local authorities adequately funded to carry out regular inspections. Large scale Kennel Club Assured Breeders should not be exempted from local authority control and inspection. The Welsh Assembly government have drawn up proposals to end the poor welfare practices of puppy farms and I’d like to see their detailed proposals adopted by the national government. I find it astonishing that the national government has not taken the lead on this but leaves it to the devolved assemblies to act first.

### SMALL SCALE OR SO CALLED “HOBBY BREEDERS”

These are either breeders who breed to show and sell their puppies (or charge stud fees), and are usually members of breed clubs, and those who breed an occasional litter from the family pet. It is worth pointing out that three litters bred a year (four in a litter) would earn a breeder a minimum of £6000. Pedigree breeds and “designer cross breeds” can cost anything between £500 and £1000 per puppy. So it is incorrect to say that small scale breeders do not benefit commercially from what they do. Stud dog fees can range from £500 to £1000 and with many cash transactions it is very easy to avoid paying income tax from these activities. To screen or test breeding dogs for genetic diseases incurs financial costs for the breeder and for that reason many are not willing to carry out such screening tests. For show breeders the aim is to produce dogs which are perfect examples of the “breed standard” and which will win prizes. Prizes are awarded purely on the basis of the outward appearance of the dog, not whether it is free from the genetic diseases associated with that breed.

### WHY A SELF—REGULATORY SYSTEM WILL NEVER RESULT IN THE IMPROVED GENETIC HEALTH OF DOGS

There is a conflict of interest for breeders as their commercial profit and show winning success would be affected if they pursue rigorous health testing and ethical breeding practices.

There is a conflict of interest for the Kennel Club as it would lose commercial profits from its registration services if breeders are alienated or registration refused due to lack of health screening. A fee of £15 is charged

to the breeder for every puppy registered and a further £15 is charged when the puppy changes to a new owner. The single most important thing the Kennel Club could do to improve the genetic health of dogs would be to refuse to register puppies from parents which have not undergone health screening and found fit to breed. The KC refuses to do this because it would impact on its commercial profits (although other reasons are usually given). For the same reason it will not limit the number of times a stud dog may be used—a measure which would slow down the depletion of a breed gene pool and maintain sufficient genetic diversity.

#### WHY MEASURES TAKEN SO FAR WILL HAVE LITTLE IMPACT ON THE GENETIC WELFARE OF DOGS

The Kennel Club has introduced some changes to improve the genetic health of dogs, such as minor changes in the breed standards of some breeds (to avoid extremes). However, these changes do not go far enough. It is also funding research by the Animal Health Trust which will result in more DNA tests becoming available. However, the production of DNA tests can never keep up with the emergence of new genetic diseases. Eliminating affected dogs from the gene pool will have the effect of reducing genetic diversity even further. DNA testing needs to occur in conjunction with introducing new genetic material. Currently the Kennel Club pays lip service to this idea when it should be normal practice to regularly open up the gene pools of all breeds. The introduction of new official BVA/KC health screening schemes is urgent, in order to tackle more complex diseases, but in 4 years since “Pedigree Dogs Exposed” only one new scheme has been introduced (Chiari malformation/Syringomyelia CMSM) making four in total. A promised new scheme for Heart Disease is not yet ready after four years due in the main to a lack of will and sense of urgency by the Kennel Club. There needs to be a speeding up of the process of introducing new schemes to tackle the huge number of breed related health and welfare problems.

The much trumpeted Estimated Breeding Values (EBV) scheme for dog breeds is underway but faces enormous practical difficulties. In theory breed related diseases can be tackled by using health data to show the relative risk of a proposed mating of producing offspring who will suffer from a genetic disease. However, collecting the health data is proving to be an insurmountable problem as it relies on breeders submitting accurate health data. An example is that an EBV project to tackle Chiari malformation/Syringomyelia (CMSM) in Cavalier King Charles Spaniels is floundering due to lack of data. Data collection for one disease in one dog breed started in February 2008 and is still not sufficient to provide robust EBVs. Breeders have been reluctant to MRI scan and submit health data in case it impacts on their breeding activities.

#### WHAT THE KENNEL CLUB COULD DO TO MAKE SPEEDIER PROGRESS BUT HAS REFUSED TO DO.

The biggest contribution the Kennel Club could make in order to improve the genetic health of dogs is to refuse to register puppies from parents which have not been health tested and proved to be fit to breed.

It should also put a blanket limit on the number of times any one stud dog can be used for breeding so that the effective population size can be maintained above a critical level for all breeds.

It should require a clean bill of health for any dog entered into one of its shows. Breed clubs should be responsible for this. The emphasis on dog showing should be on health and vitality rather than the aesthetic qualities of a dog.

It should make the Assured Breeders Scheme more robust and then apply its rules to all breeders registering with the Kennel Club. Currently only 14% of breeders registering with the KC are Assured Breeders. Of those, only 19% have been visited by advisors.

However, as stated before, the conflict of interest on the part of breeders, breed clubs and the Kennel Club mean that the current system of self-regulation will not improve the health and welfare of dogs. Also, the Kennel Club has a long history of resentment towards and rejection of any outside “interference” in its affairs.

The Advisory Council for the Welfare Issues of Dog Breeding should be given the power to enforce change rather than just have an advisory role. The problem is urgent, the task enormous, dogs and their owners are suffering. The issue has been highlighted on several occasions over many decades and successive governments have failed to take effective action. Time and time again the Kennel Club has shown that it is not capable or willing to put its own house in order. Let’s not wait more decades for the Kennel Club to remain untouchable and for the proliferation of genetic diseases to grow at a much faster rate than the small changes for the better.

#### THE UK GOVERNMENT LAGS BEHIND OTHER COUNTRIES IN ITS ANIMAL WELFARE LAWS

Countries such as Sweden, Norway, Denmark, Germany, Switzerland, Holland, Australia and others are tackling genetic welfare issues in a serious way. It seems incredible that the UK (supposedly a nation of animal lovers) lags so far behind. In failing to tackle genetic diseases in an effective way we are failing in our duty under the Animal Welfare Act to fulfil a dog’s “need to be protected from pain, suffering, injury and disease.”

I urge the EFRA Select Committee to require DEFRA to take a more proactive role in this issue instead of sitting back and waiting for the Dog Advisory Council, with its very limited scope, to do all the work. For how much longer will this scale of suffering be allowed to continue in this nation of animal lovers?

**Written evidence submitted by Diane Foreman, Principal Environmental Health Officer, St Helens Council**

Are the approaches proposed by DEFRA in its announcement on “Tackling Irresponsible Dog Ownership” sufficient to ensure that there is a reduction in the number of attacks by dogs on people and animals?

It needs to be noted that there are local authorities who do enforce the Dangerous Dogs Act 1991 in its entirety, dealing with dogs that are dangerously out of control in a public place and dogs which are deemed to be a banned breed type.

However these authorities as is the case with the Police are finding that their costs are escalating and due to the financial cuts that are occurring more are needing to review the services they are providing. Local authorities are only statutorily required to deal with stray dogs. There is a potential for all other services provided to be withdrawn. If this were to happen the Police would become the sole enforcement agency for the Dangerous Dogs Act 1991.

*1. Is there a need for a more fundamental overhaul of dog legislation and its enforcement, including that relating to dog attacks on people, livestock and pets?*

1.1 Yes the legislation needs to be fully reviewed. We need to have one piece of legislation that clearly identifies the responsibilities of responsible dog ownership. Currently we have a piecemeal legislative framework within which we work, which includes both criminal and civil proceedings in cases relating to dog attacks. Tinkering around the edges of the legislation will only succeed in further complicating the issues.

1.2 The Dangerous Dogs Act 1991 bans certain types of dogs, however due to public pressure the Index of Exempt Dogs was introduced thereby allowing certain dogs, where no public safety issues were raised, to be exempted. This sanction was intended to allow the dogs which were living at that time to survive, however this sanction is continuing to be used today in a way that was never envisaged in the early 90’s as the intention was that the “breeds” would have naturally died out. What sanctions are now available to deal with those who breach the exempt conditions? Currently the enforcement agencies have to start proceedings again under Section 1.

1.3 The Government need to decide are we to ban certain types of dogs, if we are then we need to enforce the legislation or are we to allow the ownership of any type of dog with certain conditions attached ? At present we have a system which bans certain breeds but if there is no public safety issue the dog can be exempted, it’s the only piece of criminal legislation which exists whereby you can seek an exemption!

1.4 Section 1 banned breed dogs, we are of the opinion that owners should not be able to make their own application for exemption nor should banned breed dogs be handed back to owners pending court action.

1.5 Local authorities find that the cost of dealing with dangerous dog incidents where dogs are seized as Section 5 dogs or where they come into the authorities kennels as strays and are deemed to be of type to be prohibitive. There needs to be a sanction whereby all kennelling costs are recovered from the owner as is the case for stray dogs.

*2. Is sufficient action taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

2.1 A consideration could be the need for owners or potential owners of particular identified breeds to undergo breed handling assessments prior to obtaining a particular dog or this could be a useful sanction enforced by the enforcement agencies if a dog has caused a problem due to its behaviour.

*3. Will compulsory micro chipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme be considered?*

3.1 The Government’s proposals go some way in helping to tackle the problems associated irresponsible dog ownership. The intention that all dogs be microchipped is a small step in the right direction. However this proposal on its own will not impact on the real issues. Alone it will not improve dog welfare nor will it prevent dog attacks

3.2 I am of the opinion that a national dog licensing regime needs to be introduced akin to car registration. Owners need to be caused to recognise the responsibilities which they have not only to their “pet dog” but also to the wider community. There needs to be clearer legislation which outlines owners responsibilities perhaps based upon the Animal Welfare Act 2006 which is supported by robust enforcement.

*4. Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property ?*

4.1 Dog attacks on private property need to be brought within the remit of the Dangerous Dogs Act 1991. Anyone going about their lawful business should be able to visit premises without the fear of attack. However I would here ask that a review of the Guards Dogs Act be made as on occasions there may be a need for the correct use of guard dogs.

5. Are DEFRA's proposals for the wider community and educational approaches to support responsible dog ownership sufficiently ambitious?

5.1 The inclusion of irresponsible dog ownership within the anti-social behaviour tools and powers is to be welcomed. Training of officers in dog legislation specialising in dangerous dog legislation needs to be extended to local authority officers.

6. Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?

6.1 The Police do not have the responsibility to manage stray dogs this was removed in 2008. The responsibility is that of the local authorities. Many animal welfare charities work together with the authorities to tackle the problem of stray dogs. In our experience this works well as the authorities are local to the areas where dogs are found and can reunite owners and dogs quickly. However the costs of handling and kennelling are very expensive and many authorities are now contracting this work out to private companies.

June 2012

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### Written evidence submitted by the Essex Animal Welfare Forum (EAWF)

1. Whether the Government's proposed approaches will deliver the right legal framework, enforcement regime and educational support to reduce irresponsible dog ownership and tackle out of control dogs;

*Proposal 1: Microchipping.*

No; because chip identification of a dog does not prevent it being dangerous or out of control.

Microchipping will not prevent incidents with dangerous dogs occurring. Microchipping is an aid to assist with the reunification of dogs with their owners. It is ineffective if the information held is not updated when owners move or the dogs ownership is transferred. The updating should be made compulsory, with penalties for non-compliance, in any change to legislation. Eg similar system to car registration system.

For any new or amended legislation to be effective, the appropriate resources (financial and human), enforcement and penalties for non compliance must be made available.

Enforcement by local authority officers would not be possible unless ring fenced budgetary provision is made by DEFRA.

Unless all enforcement officers carry scanners and phones to read chips and check registration it will not be possible to enforce the requirement.

In order to be of any use the registration must be kept up to date when dogs change ownership and this would be extremely difficult to enforce without robust legislation along the lines of the car tax system.

*Proposal 2: Inclusion of private property in S3 of Dangerous Dogs Act 1991.*

Yes, Provided those entering the premises are there for lawful reasons the legislation should be the same as for public places.

*Proposal 3: retention by owners of suspected dangerous or prohibited dogs where there is considered to be no threat to public safety until cert of exemption issued:*

Retention OK, providing dog and owner are assessed by DLO first and the latter judged to be responsible.

Kennelling should be for as short as possible, from animal welfare and a financial view. The time taken for cases to get to court should be limited, to limit time spent by dogs in kennels.

Direct application—can only be positive, provided dog and owner checked by DLO. Responsible owners will use this option if costs are reasonable.

Destruction orders must be decided on evidence from the police, supported by appropriate statements etc, by the courts, in an open process.

All the above require ring fenced investment in suitably trained Dog Liaison Officers in the police, and/or the same in local authorities.

*Proposal 4: Increasing index fee:*

This must be done on a cost related basis, but should not so high that owners of such dogs are unable to pay and will therefore not apply. However, the public should not have to subsidize the owners' expenses.

## 2. *Concerns about the welfare of dogs linked to breeding approaches*

Breeding of dogs should be carried out with careful regard to their genetic characteristics. All suitable tests (eg hip and eye scoring) should be carried out on the parents and the results be available to purchasers. If poor scores are found the dogs should not be used for breeding.

### DOG CONTROL

Are the approaches proposed by Defra in its announcement on “Tackling Irresponsible Dog Ownership” on 23 April 2012 sufficient to ensure that there is a reduction in the number of attacks by dogs on people and animals?

In particular:

3. *Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

Yes. This overhaul should include the ring—fenced provision of specialist, suitably trained, police or local authority officers, whichever is deemed to be responsible for enforcement of the legislation. The route for enforcement should be clear and concise.

4. *Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

No. This needs to be tackled at source, with the breeders of such dogs being registered and policed.

5. *Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners?*

Microchipping will not prevent incidents with dangerous dogs occurring. Microchipping is an aid to assist with the reunification of dogs with their owners. It is ineffective if the information held is not updated when owners move or the dogs ownership is transferred.

6. *Should a dog licensing scheme also be considered?*

Yes, but not without the financial and staff infrastructure to implement and enforce the licence.

7. *Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

Yes, provided the “visitor” is there lawfully.

8. *Are Defra’s proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

Without back up in the form of staff and ring fenced funding the proposals will not be implemented.

9. *Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

The roles are often not followed under the present regime, with police often denying responsibility for dangerous dogs. A/W charities often perpetuate the problem with “no destruction” policies, therefore allowing unsuitable animals to be rehomed as pets. If the present regime was followed and unsuitable animals were destroyed it would be more effective.

### DOG WELFARE

In respect to concerns expressed in Professor Bateson’s report over poor welfare that has arisen in the course of breeding dogs:

10. *Has the response by dog breeders and the veterinary profession been effective?*

No noticeable effect.

11. *What actions should Government take to address these issues?*

Delete the current legislation and replace it with some which is easily interpreted, enforceable and relevant to the 21<sup>st</sup> Century. The provision is there in the Animal Welfare act to make secondary legislation. Use it!

12. *Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

The current legislation was originally drafted 50+ years ago. The breeding and sale of dogs, and other animals, has changed greatly in the intervening years. Legislation should be formulated to take account of the current ways of breeding and selling animals.

Additionally, in a civilised society is there a place for such premises as “puppy farms”?

June 2012

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#### **Written evidence submitted by Tonbridge & Malling Borough Council**

In response to EFRA Committee’s inquiry into Dog Control and Welfare, I would make the following responses on behalf of Tonbridge & Malling Borough Council. I have answered the questions in the order raised:

1. *Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

1.1 Yes, we need a single piece of legislation that combines all the best parts from current legislation, not just that in England & Wales, but also from Scotland and Northern Ireland. The recently amended Northern Ireland legislation would seem to be a good starting point, as would the Private Members Bill currently making its passage through Parliament.

1.2 Section 1 of the current Dangerous Dogs Act 1991 (which details dangerous breeds) needs to be kept in place. The four breeds specified were put there for very good reasons and removal of them would be a retrograde step and not bring any benefits to the public at large.

1.3 The current DEFRA consultation exercise seeks views on whether owners of the Section 1 breeds should be able to voluntarily place their dogs on the Index of Exempted Dogs. This should be included in any new legislation, as it will encourage owners of such dogs to “declare” them and remove a burdensome procedure for the more responsible owners. Owners of such dogs that do not voluntarily place their dogs on the Register should still be able to be dealt with via the current system.

1.4 Similarly, the Private Members Bill’s proposal for Dog Control Notices would provide a valuable additional tool in controlling dog behaviour. In Tonbridge & Malling Council we have had a number of recent cases where Dog Control Notices would’ve been served had they been available.

2. *Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

2.1 No comment.

3. *Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme also be considered?*

3.1 This will not help prevent attacks by dogs. What it will do is enable dogs to be more readily identified with a permanent method of identification and this is to be applauded.

3.2 Penalties should be available (including, but not exclusively, Fixed Penalty Notices) for owners not having such identification upon their dogs after a specified time. Stronger penalties should be available for dealing with owners who repeatedly contravene any such requirement.

3.3 Similarly it will not directly help to improve dog welfare. It may do this as a side-effect of compulsory microchipping of puppies. However, problems may be encountered in enforcing such legislation, especially at puppy-farms as these are by their very nature hard to detect. Tracing any un-chipped puppy back to its breeder will be difficult in such circumstances.

3.4 In addition to requiring compulsory microchipping, consideration needs to be given to a requirement for the owner of the dog to ensure that the record held is up-to-date and accurate, most notably for their contact information. Appropriate penalties need to be in place to ensure that this can be enforced.

3.5 A centrally held database for ALL microchips, together with a standard microchip that is universally readable will also dramatically aid in the identification of dogs and reunification with their owners if dogs are lost.

3.6 Assuming any dog Licensing Scheme will require dogs to be microchipped (as is the case in Northern Ireland); this will dramatically increase the ease with which non-microchipped dogs can be identified. However, the setup, control and administration of the scheme must be cost-neutral to the enforcing agency. Clear, concise guidance needs to be given to both the public and enforcing agencies.

3.7 This will obviously impact upon dog owners as they will have to pay for the Licence to keep it cost-neutral to the enforcing agency. This will particularly affect those with several dogs. The Northern Ireland scheme allows for a "block licence" to be obtained for owners of three or more dogs and this would seem a good idea to bring into any similar scheme in England & Wales.

3.8 Similarly, the Northern Ireland scheme contains a number of concessions for the elderly and persons on reduced income that will also be beneficial.

*4. Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

4.1 Yes, there is a not inconsiderable amount of evidence that suggests a large number of dog attacks happen on such property. With current legislation this can be difficult to pursue. Any such inclusion needs to be made part of a wider overhaul of this legislation, rather than the piecemeal addition of such items to existing legislation. Exclusion should be made where dogs attack intruders to a property; intruders should not be seen to gain from their illegal actions.

*5. Are DEFRA's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

5.1 No comment.

*6. Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

6.1 Broadly, yes. Local Authorities (LA's) now have sole responsibility for stray dogs, which is easier for the public to understand. However, one benefit of the dual role between the Police and LA's that has now been lost was the availability of a reception point 24/7; namely a Police Station. Often LA's reached agreements with their Police Stations regarding the receipt and kennelling of dogs that ensured that the Police were not overly burdened with stray dogs. There was some confusion connected with the differing boundaries of Police and LA's, but this could be overcome with communication between the two bodies.

6.2 The re-introduction of the Police as purely a reception point out-of-office-hours would be a positive step for the public at large.

June 2012

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**Written evidence submitted by Chris Laurence MBE QVRM TD BVSC MRCVS**

**INTRODUCTION**

I am a veterinary surgeon who spent almost 30 years in practice followed by five years as Chief Veterinary Officer for the RSPCA and then by eight years as Veterinary Director of Dogs Trust. I retired in August last year. During my time with the RSPCA and Dogs Trust I was instrumental in the establishment of, and for a period chaired, the Dangerous Dogs Act Study Group (DDASG). The Control of Dogs (Scotland) Act is largely based on concepts set out by DDASG. I was also the spokesman on dog control (amongst other issues) for both welfare charities.

I was very involved in preparatory work on the Animal Welfare Act and in subsequent work on the statutory Codes of Practice for dogs and cats and on the Welfare of Racing Greyhounds (England) Regulations. I was awarded the MBE (nominated by DEFRA) for my efforts on the Act.

I am currently a member on the Advisory Council on the Welfare Issues of Dog Breeding established after Professor Bateson's enquiry to which the Committee's consultation document refers. I serve as veterinary surgeon to a Kennel Club dog show and am a member of the Kennel Club. I am an elected national Trustee of the RSPCA.

The views expressed in my response are entirely my own and do not represent any organisation.

**DOG CONTROL**

1. All dogs can bite. Some bite because they are out of control, some because they feel threatened or in pain, and some because they have been encouraged to bite. The dog's actions are almost invariably the consequence of a person acting, or failing to act, in a responsible manner. I consider legislation should be aimed primarily at prevention by ensuring dog owners and keepers are responsible, but also at sanctioning those who fail to act responsibly. Current legislation fails to protect the public and their animals. Consequently I consider a root and branch review of all legislation and its enforcement is required.

2. The preventive element of the current legislation is the banning of some types of dog and is founded on the principle that the manner in which a dog behaves is directly related to the type of dog. Such a premise is untrue, as behaviour is a complex mix of breed propensities and rearing and training.

3. Few dog bites occur without warning; many dogs that bite are known by the community to have a tendency to aggression. New legislation should include the ability of the authorities to take action against those dogs before they cause injury using a system of Control Orders similar to that used in Scotland under the Control of Dogs (Scotland) Act 2010. Control Orders should also be applicable to dogs that repeatedly attack other animals. The enforcement of such Orders should primarily be by the use of Fixed Penalty Notices with the potential to refer repeat incidents of non-compliance to the Courts.

4. The term “status dog” is overused; I have a Golden Retriever and she is a status symbol of me as a dog owner who is responsible and family friendly; Paris Hilton’s Chihuahua is her status symbol; a Staffie cross-bred owned by a youth from a deprived area is his. The welfare of the dog is not necessarily related to its perceived status; indeed many of the latter category are much loved pets whose welfare is protected as much as the youth can perceive, even though those perceptions may be inaccurate. However those misconceptions may impact adversely on the local community.

5. I strongly support compulsory microchipping of dogs as a means of improving dogs’ welfare. That improvement would be brought about by the rapid return of strays, the ability to trace a dog to the breeder, and the ability to identify the owner who fails to comply with either S 4 (*unnecessary suffering*) or S 9 (*duty to protect welfare*) of the Animal Welfare Act 2006 (AWA). I consider that microchipping could be introduced as a Statutory Instrument under S12 of the Act. However I do not consider that it will have any effect on the prevention of dog attacks because the ability to identify a dog will not make the owner more responsible. Indeed it is not unreasonable to argue that only the responsible owner would comply with any such legislation and that the less law abiding will fail to do so as well as, for example, taxing and insuring their car.

6. The average life expectancy of a dog is around ten years. Consequently if compulsory microchipping was introduced only for puppies and for dogs changing hands the maximum benefit would not be achieved for ten years. The consultation document further suggests that the proposal should not be introduced before 2014 as a result of a government moratorium on regulation for small business, leading to no full implementation before 2024. Such delay is totally unacceptable. I therefore consider that compulsory microchipping should be introduced for all puppies immediately and for all dogs over six months of age six months later. I have chosen six months as this is an age at which dogs can easily be identified by the presence of their permanent teeth.

7. Microchipping is only as effective as the quality of the owners’ details held on the database. I therefore consider that any legislation must include a requirement to inform the database of any changes in contact details. I also consider it important that the legislation makes it clear that the person to whom the dog is registered is the legal owner and therefore responsible under the AWA for the dog’s welfare and under any dog control legislation for its behaviour.

8. The same argument about the efficacy of compulsory microchipping applies to a licensing scheme. It would be viewed by many as simply a tax on dog ownership, as was the original dog licence. However if the licence fee were set at a significant sum, and the income generated used to enforce new legislation, the argument for a licence becomes stronger. If such a proposal were to be accepted, I consider the hypothecation of the income must be written into the legislation to prevent a future government from diverting the resources.

9. Research has shown that 70% of children who are bitten by a dog are bitten by a relative’s or friend’s dog. It is likely that most of those incidents occur on private property. There have been a number of high profile incidents where children have been seriously injured or killed on private property—Ellie Lawrenson on New Year’s Day 2007 is an example. The Communication Workers Union has repeatedly highlighted the high injury rate to their members by attacks on private property. I therefore consider that the extension of legislation to private property is essential.

10. However there are circumstances where neither the dog nor owner should be liable if a person is injured or threatened by a dog. The most likely of these are: the person who is in the process of breaking into a property with intent to steal; the person injured by a dog being used for law enforcement by a police officer; and the person who is in the process of attacking the person in who is in charge of the dog at the time. I consider that in those cases would it be unreasonable for the owner to be culpable. I suggest that the legislation should provide a specific exemption in such circumstances and the most appropriate might be when the person bitten is in the commission of a crime for which a custodial sentence is a possible punishment.

11. Education of dog owners is critical to the success of instilling responsible ownership in the general public. All animal welfare organisations expend very considerable resource on education and have done for decades. The government could support their work by including animal welfare as a specific element in the National Curriculum.

12. The exclusion of the police from the management of stray dogs by the Clean Neighbourhoods and Environment Act 2005 (CNEA) was an entirely logical step. The police should only become involved where there is the potential for an offence to have been committed such as theft or a dog attack. However the failure to adequately transfer resources to local authorities has significantly degraded the public effort in dealing with stray dogs to a point where in many areas there is no service out of hours. That is not acceptable as the welfare of strays may be very adversely affected. I consider that the guidance on the Environmental Protection Act 1990 and on the CNEA should be re-written to make it a duty for local authorities to provide a service of some

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sort 24/7. I recognise that there are resource implications in doing so, but I suggest that some resource could be found by increasing the charge to owners of returning their dog.

13. Welfare charities already expend very considerable resource in dealing with stray dogs, mostly after local authorities have retained them for the statutory seven days, and in public education about straying and identification. It would be unreasonable to expect them to do more, especially in the current economic conditions.

#### DOG WELFARE

14. I have no doubt that many dog breeders care deeply about the welfare of their dogs. However many seem incapable of recognising the welfare implications of the manner in which dogs are bred, and particularly in the manner that breed standards are implemented. Dogs with exaggerated characteristics such as sort noses, short legs, and grossly abnormal eyelids are still common at dog shows and that must reflect the manner in which dogs are bred for showing. There have been changes in breed standards implemented by the Kennel Club, but I consider that those changes are inadequate to effect real change in the show ring. Inevitably there appears to be no change in the general population.

15. The implementation of veterinary checks of Best of Breed winners of fifteen breeds at Kennel Club licensed shows is welcome but does not go far enough. I consider that all breeds should be included and that veterinary surgeons should be required to report any abnormality, whether it is currently inducing a welfare issue or not. As a consequence any dog with abnormal characteristics would be identified, although it may be impractical to ban any other than the worst affected.

16. Veterinary surgeons are in a difficult position as they are bound by their professional obligations to treat any dog presented to them and are also small businesses. Consequently as individuals they are unlikely to take any action that may jeopardise their professional obligations or affect their business. The profession, as represented by our professional bodies, has been vocal in condemning the most exaggerated morphology.

17. A veterinary surgeon is able to report a change in conformation or caesarean section of a dog to the Kennel Club as breeders enable the breach of confidentiality. It is clear that not all incidents are reported. I consider that the Royal College of Veterinary Surgeons should make it a specific duty in their Code of Professional Conduct to report such incidents and at least that would highlight the welfare consequences of some breed standards.

18. It is easy to blame all inherited problems in dogs on the show community but the Kennel Club only registers about a third of dogs born each year. Given that few dogs are sold by pet shops, it is difficult to determine the source of the remaining two thirds. It is likely that a significant number are bred by commercial enterprises including puppy farms.

19. All those breeders should be licensed by their local authority under the Breeding of Dogs Act 1973 as subsequently amended by the Breeding and Sale of Dogs (Welfare) Act 1999. If they are being licensed, it would seem clear that the standards set are far too low as welfare organisations continually receive reports of puppies from such sources having inherited defects or being seriously ill or dying. If they are not licensed then it is clear that the system is failing. I therefore consider that the government should take action to address the sale of puppies.

20. I consider that any person breeding dogs should be registered or licensed as enabled by S13 of the AWA. The standard should be that which has been set following widespread consultation by the Advisory Council on the Welfare Issues of Dog Breeding. It should then be illegal to advertise any puppy by any means unless the registration or licence number is quoted in the advert. In particular this should apply to advertising over the internet on sites such as Gumtree. The cost of the registration or licence should be sufficient to cover any inspections and re-inspections required and run on a risk-based system.

21. I consider the use of different standards by local authorities unacceptable. It is also clear that different authorities provide differing levels of resource and many are not proactive in detecting breeders. Consequently I consider that enforcement would be far more efficacious if undertaken by a national body and that AHVLA should be tasked to do so. If enforcement was self-financing, as suggested above, there would be no cost to the public purse.

### Written evidence submitted by Countryside Alliance

1. The Countryside Alliance welcomes the opportunity to submit evidence to the EFRA Committee's inquiry into dog control and welfare. The Alliance recognises that there is a problem with dangerous dogs and especially status dogs particularly, but not exclusively, in urban areas. There has also been a spate of attacks on horses causing serious harm to the animals and distress, and in some cases injury, to the riders. We also believe that dog welfare with respect to breeding is of the utmost importance.

#### DOG CONTROL

2. The Alliance is supportive of action to address the menace of dangerous dogs and irresponsible owners. However, it is far from clear whether many of the options under consideration would in fact improve the situation. Indeed, many of the changes which have been under discussion would seem to penalise responsible dog owners not the irresponsible owner.

*Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

3. There is already both civil and criminal law which provides a broad variety of powers to police, courts and local authorities to address the problem of dangerous dogs. We remain to be convinced that the existing legislation, if properly enforced, is inadequate to deal with dangerous/status dogs and irresponsible owners. There may, however, be advantages in bringing together the various provisions and powers into a single piece of legislation. Any change in the law would, however, be equally dependent on adequate resources and enforcement in order to be effective.

4. This view was endorsed by the last Government and the police. On 16 April 2009 the previous Government issued guidance for enforcers of the law and in June 2009 a guide to the law for the public following a thorough review of the existing legislation carried out by Defra with the police. The then Minister, Jane Kennedy, referring to the review, stated in the press release of 16 April 2009 that: "...it was clear that, while the legislation was sound, more needed to be done to raise awareness of the law and improve enforcement... We believe that better enforcement of the current law, ideally through local partnerships, will be more effective at tackling the problem of dangerous dogs than amending it."

5. The current Government has also recently re-issued guidance to owners and enforcers. It is also extending the scope of anti-social behaviour provisions with respect to dogs and the Sentencing Council has issued new guidance to improve consistency in the way the law is applied and increased the penalties for offences.

*Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

6. The issue here is again one of enforcement. There is already law which covers certain breed types notably pit-bull types which are the most popular status dogs. The owning, breeding and sale of these dogs is already illegal, although the law does allow them to be exempted by inclusion on the Index of Exempted Dogs. The law already prohibits dog fighting, the use of a dog as a weapon or dogs being dangerously out of control. The welfare of dogs is covered by the Animal Welfare Act 2006 and a statutory code of practice.

7. We believe that the breed specific legislation is worth keeping, existing as it does alongside other legislation which applies generally, because it is another tool which can be used by enforcers. However, there remains the problem that breed type does not necessarily mean that the dog poses a greater risk to the public than that of a non-prohibited breed. It is deemed not breed which should be the principal focus of enforcement. The behaviour of most dogs is less a matter of breed as one of upbringing, nurture and training. Those dogs used as status dogs are often brutalised so as to encourage aggression and are selectively bred to increase natural aggression. The very fact that a "status dog" displays highly aggressive behaviour is indicative of the fact that it has in all probability not been cared for properly and that it has been bred for nefarious purposes.

*Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme also be considered?*

8. The problem with all these proposals is that the responsible dog owner will comply but compliance is likely to be less among those at whom the measures are principally aimed, namely irresponsible owners. Microchipping may encourage more responsible ownership and will undoubtedly enable stray, lost or stolen dogs to be returned to their owners more quickly. However, microchipping will only be as effective as the database(s) on which the associated information is stored. We are not convinced that sufficient thought has been given as to how to ensure the databases are accurate and up-to-date. The responsible owner will provide accurate information and keep the record updated. This is less likely amongst those who wish to have a status dog, often of a type which the law already prohibits.

9. The Alliance has particular concern over the level of access to databases, beyond the police, which will be available to local authorities, veterinarians, and re-homing centres as well as, we assume, the RSPCA and others. Access should be strictly limited to enable the identification of an individual dog. It cannot be open to

being searched in general. Pedigree dogs are of considerable value and being able to search addresses of owners of certain dog breeds or who owns a dog in a given area etc. should not be possible.

10. With respect to hunts we would note that the Council of Hunting Associations has already decided to introduce microchipping and that the data relating to each dog, together with its pedigree etc. is already held by the Council of Hunting Associations which manages the stud books. We would ask that if compulsory microchipping is introduced that the database which will be maintained by the Council of Hunting Associations (CHA) be formally recognised as the official database for hounds equivalent to any of the commercial databases which currently exist, or which may be set up with the introduction of compulsory microchipping. This would mean that were a stray hound to be found it could be as easily returned as if it were on any other recognised database.

11. We can see no benefit to a licensing scheme which would not be fulfilled by microchipping. It is perhaps worth noting that the Control of Dogs Order 1992 requires dogs in a public place to wear a collar with the name and address of the owner engraved or written on it, or engraved on a tag, although this requirement is frequently ignored and does not seem to be enforced.

*Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

12. It should be noted that the existing offence already applies where a dog is dangerously out of control in a private place where that dog is not permitted to be. Moreover, under the 1871 Act action against any dog in a private place can already be taken but under civil and not criminal law.

13. However, we agree that extending the 1991 Act to cover private property where the dog is allowed to be would represent a strengthening of the law and available sanctions in this area. An extension of the criminal law as proposed should extend to areas inside as well as outside the home. However, it should not be open to a person to use the law against an owner in circumstances where a person was on land or in a building without any implied licence or permission.

14. We also wonder whether the 1871 Dogs Act offence should be retained, even if amended, so that there remains an option for dangerous dogs to be dealt with under the civil as well as the criminal law in respect of private places. While there are disadvantages to proceeding under the 1871 Act a civil offence may be preferable where a successful criminal prosecution may not succeed given the higher evidential standard which must be met in criminal cases.

*Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

15. We welcome Defra's initiatives in this area but given the very limited resources available we do not think they will have widespread impact. We do think, given the limited additional resources being provided, that resources should be targeted at problem hotspots.

*Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

16. Currently it is only local authorities who have responsibility for stray dogs. The statutory involvement of the police was removed by the Clean Neighbourhoods and Environment Act which transferred the responsibility for strays from the police to the local authorities. Dog Wardens are obliged to seize stray dogs. A person who finds a stray dog must return it to its owner, if known, or take it to the local authority. There remains a problem with the existing system in that local authorities are not required to provide a 24 hour seven day service or provide a place for the public to take stray dogs unless this is practical. While they can recover costs when a dog is claimed by its owner, they are generally forced to make arrangements with private kennels for keeping these dogs for seven days after which animal charities are usually approached to help with rehoming and a proportion of dogs will ultimately be destroyed.

## DOG WELFARE

*In respect to concerns expressed in Professor Bateson's report over poor welfare that has arisen in the course of breeding dogs:*

*Has the response by dog breeders and the veterinary profession been effective?*

17. We are unable to comment in detail but we believe that there has been progress especially due to the work of the Dog's Trust and Kennel Club.

*What actions should Government take to address these issues?*

18. Professor Bateson makes a number of recommendations some of which are not welcome and some of which would seem sensible and reasonably straight forward to deliver.

19. It is imperative that a proper distinction is made between dogs bred commercially and those who while they sell puppies do not do so as a business such as those who may have the odd litter or breed a small number

of working dogs. The current legislation takes account of this distinction and also breeding which takes place where no puppies are sold. We believe this should remain. In particular this takes account of the breeding of most working dogs where high welfare and the eradication of genetic defects is clearly desirable as otherwise you do not get good working animals. It would be against the interests of the breeder not to ensure the highest standards. Working dogs tend not to have the problems associated with other breed types because they do not have exaggerated characteristics which would not make for good working animals.

*Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

20. The use of the term “puppy farm” seems rather emotive. It is associated with poor practice and poor welfare by commercial breeders. It is perfectly possible to breed puppies commercially to extremely high welfare standards and we would be concerned if there was an impression given that those who breed dogs, commercially or otherwise, are all guilty of poor welfare and irresponsible behaviour.

21. We do not think further legislation is required and that the existing legislative framework, which was tightened up by the Breeding and Sale of Dogs Act 1999 coupled with the Animal Welfare Act and associated codes, is a good framework of regulation. We do not agree that the legislation should be replaced by regulations under the Animal Welfare Act.

22. There may however be grounds for further codes and/or regulations setting out in greater detail issues relating to both welfare and breeding practices under the Animal Welfare Act. This should, as now, relate to the business of breeding puppies as a commercial enterprise and should not burden those who do not sell puppies.

23. At present we believe that proper and consistent enforcement of the existing law would go a long way to addressing issues surrounding the commercial breeding welfare issues in terms of “puppy farms”.

24. However, we accept that for both large scale operators and small scale hobby breeders that further advice and guidance would be beneficial especially with regard to genetic problems associated with inbreeding.

25. Professor Bateson notes in his report at paragraph 7.52 that measures to encourage behavioural changes are to be preferred to legislation which he says “cannot, alone, create the conditions for behavioural change”. We would agree that legislation should be regarded as being a “back-stop”. Change is clearly needed among both breeders and the public and as Professor Bateson notes “..the most powerful pressure for change is that exercised by the consumer”.

26. On the specific recommendations relating to puppies bred for sale which seek to address inbreeding, inherited disease and extreme morphologies we would be supportive of the recommendations.

27. We would support a code of practice on the breeding of dogs under the Animal Welfare Act. This would sit alongside the existing dog code. We would however stress that this must focus on the breeding of dogs for sale.

28. We do not favour the replacement of the existing legislation which seems to us proportionate and clear. It is focussed on those who are breeding for sale, especially on a commercial scale.

29. Concerns with regard to those who breed smaller numbers and who do not therefore require a licence would be covered by the Animal Welfare Act and associated codes. If the Kennel club rules were amended for judges and the veterinary profession took a more active role then this would assist with compliance and welfare offences would apply where the code was breached.

30. However, any such regulations must not be too widely drawn or be overly prescriptive. Prof Bateson refers to staffing levels and ratio of staff to dogs. While this may be appropriate in a commercial setting it would not in other situations. It also fails to account for the fact that welfare is not simply a matter of numbers but about proper husbandry.

31. Lastly, we do support the recommendation that there needs to be a concerted effort to inform and educate breeders and public.

## Written evidence submitted by the National Dog Warden Association

### THE GOVERNMENT'S PROPOSED APPROACHES

1. The Government needs to address the lack of any current joined up approach relating to the enforcement of dog and animal welfare related legislation as a matter of urgency. There is no clear leadership from Government or DEFRA in respect of whom deals with what, when and why? Across Local Government there is a trend due to the current economic climate to reduce the effectiveness of Dog Warden Services that provide a balanced approach to promoting responsible dog ownership through a combination of education and enforcement. If a Local Authority officer responsible for dog control has other non dog related tasks to carry out such as their primary role being Pest Control work or being a Community Warden, they may not have time to concentrate on the promotion of responsible dog ownership in their relevant local authority area. The amount of funding proposed by the government to be shared between Local Authorities and others would be truly laughable if the subject was not so serious in respect to public safety and animal welfare.

### DOG CONTROL

2. The announcement of another "consultation on dog legislation and dangerous dogs" came as something of a shock and major disappointment to those groups that have lobbied Government to carry out a long overdue overhaul of dog and animal related legislation for the benefit of the public and animals. Many groups and organisations actually worked in partnership to present a unified approach to this very important subject.

3. The impact of status dogs and their effects on communities could be tackled by Safer Neighbourhood Teams from the local Police, Dog Wardens and Animal Charities working together to reduce the "macho image" that youths seem to believe they have by having such a dog. There are several excellent schemes currently working on these very subjects around the country, although there is often a lack of partnership working amongst some Local Authorities and Police Forces for a variety of local reasons.

4. Although it will improve enforcers' ability to identify owners of problem or dangerous dogs, compulsory microchipping will not stop one dog attack; as the saying goes amongst Dog Wardens, "it isn't a particular dog that is the problem, it is the owner". There is around a 40% failure rate amongst microchips that have indeed been implanted but the details have not been submitted by either the implanter or the dog owner to the relevant database. Dog owners move house or may even give their dog away and the microchip details are subsequently not updated. Stray dogs with the incorrect details are just as unidentifiable as a dog without the legally required collar and tag with the name and address of the owner upon it. Organisations lobbying for microchipping as the "be all end all" solution to the plethora of problems caused by stray dogs neglect to mention in their argument that even when a dog has been seized by a Local Authority, there is a requirement to pay statutory fees and charges before the dog is returned. There is a misleading suggestion that a dog will be found, scanned and returned quickly to its owner, this is not the case with the majority of Local Authorities who require payment of statutory fees and charges before the dog is released.

5. NDWA believes that the Dangerous Dogs Act 1991 should be extended to include offences committed on private property if the victim is at the location by agreement with the occupier or they are delivering an item or they are there as a requirement of their work. Any trespassers or burglars or those intent on nefarious activity should be exempted under the legislation. If a person is murdered or seriously assaulted at a property, the police do not advise that it happened on private property, the same should apply to dog related incidents on private property even if it is a member of the dog owner's family, such as the tragic incidents in Liverpool that resulted in the deaths of children. Adding private property to the current legislation would close the loop hole where dog owners cannot be held to task for their irresponsible actions in not preventing a dog attacking a person.

6. The proposals ignore Local Authority Dog Warden Services; an adequately resourced and funded Dog Warden Service promotes responsible dog ownership on a daily basis, even advising one person about a minor dog related infringement is a proactive approach to educating irresponsible dog owners. Partnership working between Animal Charities and Dog Warden Services already exists and it should remain so for the promotion of responsible dog ownership and animal welfare. A Big Society approach to anybody becoming involved with promoting responsible dog ownership is fine, but the irresponsible dog owners targeted by Dog Warden Services come from within the very community that DEFRA is asking to help out. An irresponsible dog owner is not from one defined class or socio-economic group (although many people believe this to be so). The majority of responsible dog owners come from all of these groups as do irresponsible dog owners.

7. What role do the police have with stray dogs since the amendment of the Dogs Act 1906 and the Environmental Protection Act 1990 which removed police responsibility for dealing with stray dogs? Local Authority Dog Warden Services on behalf of the relevant Local Authority enforce the statutory function of dealing with stray dogs. As that is interpreted by some Local Authorities to mean solely that, a lot of educational and enforcement work that ultimately benefits responsible dog ownership in an area has been lost. The short sightedness of some Local Authorities fails to see the benefit of having a full Dog Warden Service. Not all Animal Charities who have no legislative or enforcement role will help out Dog Warden Services for a variety of reasons. Some of these charities use statistics on the number of dogs destroyed to beat Dog Warden Services for political reasons. Rather than constantly blaming local authorities, there should be a working group set up that will address how local government and the animal charity sector can work in partnership to address

the problem of stray dogs. Some Animal Charities stopped working with local authorities and denied them kennelling facilities to force the issue with the Government and make Local Authorities address the issue of stray dogs. In regard to who will enforce low level dog related issues such as straying, dog fouling, enforcement of dog by-law infringements etc, it is the Dog Warden or other Local Authority Authorised officer. Certain organisations have barely mentioned the role of the Dog Warden in the enforcement regime yet simplify the enforcement route in relation to who would deal with non-compliance with the requirement to have a dog implanted, just who do they believe will enforce non-compliance, the police who lobbied for years to relinquish their role with stray dogs?

8. There is a totally understandable lack of willingness on the part of Local Authorities to not deal with something if they do not need to and therefore save resources and funding. Where the Government introduces legislation that gives powers rather than duties to Local Authorities, the Local Authority will be inclined not to use it, especially when they are experiencing fierce spending cuts. Examples are the Animal Welfare Act 2006, which very few Councils enforce, and the DEFRA guidance pertaining to section 68 of the Clean Neighbourhoods and Environment Act 2005 that expects a Council to provide an out of hours stray dog service only “where practicable”.

9. Without adequate resources, funding and direction of Dog Warden Services, many Local Authorities will be able to provide little more than a collection service of stray dogs and the important ancillary functions of education and enforcement will not be carried out for a plethora of reasons. A fundamental review of Local Authority Dog Warden Services needs to be carried out to investigate just what level of education and enforcement is available to Local Authorities. A statutory requirement that Local Authorities are the primary lead on the enforcement of all aspects of dog control should be given consideration as a method of standardising dog control. All Local Authorities should also have the statutory responsibility to appoint Inspectors authorised to enforce the Animal Welfare Act 2006 who would be able to issue legally binding Improvement Notices to deal with animal welfare related matters immediately. These Local Authority Inspectors could then offer a partnership approach with the RSPCA Inspectorate and jointly improve animal welfare within a specific Local Authority jurisdiction.

#### DOG WELFARE

10. There has been a noticeable response by dog breeders through their various organisations and groups as there has been by the Veterinary profession, although there is room for improvement and robust enforcement by Local Authorities.

11. DEFRA should investigate the setting up of a government organisation that will carry out direct enforcement or at least the raising of a local government department that can have the relevant authority but remain independent of but work in partnership with, those Local Authorities that it is carrying out enforcement action and educational work with. The aim of the department should be to raise animal welfare and good practice amongst dog breeders and work with Local Authorities to crack down on puppy breeders who barely meet the minimum required standards for the breeding and care of dogs.

12. Improved training of Animal Health and Animal Welfare Inspectors is required, in some Local Authorities these may be persons appointed who do not necessarily have any affinity with animals or in the most extreme case are afraid of a particular species that they are expected to protect via their licensing procedures. Regardless of a person’s actual level of knowledge, they are appointed to the role through their job title or appointment. All Local Authorities should be required by statute to adopt the Animal Welfare Act 2006 as mentioned above. A lot of Local Authorities did not adopt the Animal Welfare Act 2006 because there was “nothing in it for them” as well as they did not “have to” adopt it. Many Local Authorities also interpreted the “where practical” wording in the Clean Neighbourhoods & Environment Act 2005 regarding the requirement to have a twenty four hour stray dog collection service as literally a get out clause that allowed them to NOT have such a service as it was deemed “not practical” by Local Authorities. Any DEFRA advice or instruction regarding any legislative changes needs to offer no ambiguity in what is required of a Local Authority’s responsibilities and duties in respect of dog control and animal welfare.

June 2012

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#### Written evidence submitted by Robert and Greta Sainsbury

1. Cost should not be a factor in the action now urgently needed to control the ever increasing numbers of dogs. 18 Years of life expectation for a dog today. Much time for distress and damage to dogs plus to the public purse via A&E attendances due to injuries and in anti-social behaviour. Police, council staff, housing, dog wardens’ basically wholesale misery to other members of the public due to non-enforcement when legislation is already in place to act.

2. Staff/organisations required to first stop all import of dogs from abroad ie Bulgaria. How are they being brought in? Why are they brought in? Who is permitting this? We do not need one more dog in this country. We have enough.

3. Dog warden numbers strengthened and powers along with specially trained police officers available. There are enough veterans coming out of military—use them at borders and to accompany dog wardens. Do whatever it takes. The public require enforcement when reporting breeding of dogs and anti-social behaviour on council estates or any where for that matter. Status dogs are just dogs abused by awful people and often used to guard drug dens or dealing. Confiscate the dogs and kick them out of their publicly funded homes. I and others are not prepared to pay for them whilst making others lives a misery. Enforce, enforce. You will stamp this out.

4. One litter of pups born means you are breeding dogs. What is the competence of that person to do so? Yet you permit five litters as in Clause 1 this is too many. All breeding should be done in conjunction with close supervision of veterinary establishment. Cost a lot of money so what. They make a lot of money when selling puppies and many don't really care about animal welfare. One litter of pups it should be. County Councils are not necessarily up to supervising this. West Wales 150 animals on farm and retrospective planning given this year. Those dogs will end up in trouble. Double standards in a Council giving retrospective planning permission yet breeding huge amounts of puppies that are not needed and in such numbers will not be in a good state of health. Huge public protest, but Council still went ahead against public opinion. Yet public will pick up the tab.

5. *BREEDING OF DOG* Sequence of events for a puppy:

- (1) Mother £50 to be licensed and then another fee for micro-chipping which links up to license as a dog owned by person breeding (also puts dog on record through Veterinarian contact).
- (2) Mother registered as breeding bitch and awaiting birth of pups.
- (3) Inspected by Vet regularly during her pregnancy.
- (4) Mother should be scanned if possible as sheep are to know how many pups are being carried.
- (5) Mother and pups inspected at time and place of birth along with the pups births recorded in a register by Vet.
- (6) On death of pup even at birth, Vet must see body and record death so as to avoid illegal selling of hidden birth.
- (7) Once registered, then breeder must apply for a licence for each of the pups (which could be refunded to them once the pup goes on to its permanent owner).

6. *Selling of Pups*

- (8) The breeder must inform the new owner of steps they must take to comply with legislation.
- (9) The breeder to give new owner a complete history of pup and mother.
- (10) Breeder to inform the licensing body of details of new owner.
- (11) The breeder must also inform the registering of birth Vet of who will now be responsible for pup.
- (12) The new owner to reimburse the breeder for the fee for licensing.
- (13) New owner to inform licensing that they are new owner.
- (14) New owner to be made aware of which Vet registered their pup, and if using another Vet owner should register pup with them.
- (15) This new Vet or the old to be responsible for ensuring that pup is micro-chipped at the appropriate time and a fee collected for doing so at time of micro-chipping.
- (16) If pup not brought to be micro-chipped then Dog Warden to be informed who will chase up where the pup is. His time should be charged for.
- (17) Any problems of this nature should be referred to Magistrates Court or some organisation that will see that owner will obey the regulations set down. No waiver should be given.
- (18) At an appropriate time the pup should be neutered and as in 9) above, action taken should the owner ignore procedure.

The foregoing may seem dictatorial, but what are you trying to accomplish? As in DVLA we are all responsible for our vehicles and if we do not pass on changes then we are liable. Make the owner fully responsible and then you will have effective control of dangerous dogs because they will be fully traceable from birth to death, and only responsible people will own dogs. We are too soft in this country. This will not be popular, but dogs are becoming less popular because of awful disestablishment, dysfunctional owners. Only others and dogs suffer in the end.

7. *Status Dog* is a dog like any other except for the owner who needs status! Just because a dog looks vicious or scary does not mean it is. We must get away from breed-centred paranoia. The owner is always the problem when a dog is causing a problem. I feel more education, help and advice with possibly something like so called Dog Whisperers ie Caesar on TV could be trained up. Help is often needed for some people to control their pet. Often the pets are very unhappy. Not exercised enough. Dog barking drives people round the bend. What is done about that? Very little! It makes people ill when they can't relax in their home or sleep. You need to have trouble-shooters who will go in and educate people in how to get the best out of their relationship with their dog. I feel it can be done.

8. *Education* that an animal is a privilege not a right. Within this education letting people know that a dog takes commitment from its owner for many years. That there are many health benefits, enjoyment and companionship and friendship that is not like any other, and one to be treasured. Teach about the importance of breeding dogs well and looking after them well. Teach about social responsibility. Children in particular are being made afraid of dogs which is a great pity. Instruct on what has to be done to be a dog owner and how important it is to everyone to comply for the greater good basically. More and more people will hate dogs and other animals, because Parliaments refuse to deal with this situation adequately. How are you helping the cause by refusing to see legislation is enacted or changed for the better of everyone, particularly these beautiful and trusting animals?

9. *Educate* children early in school that if you hit a dog or you frighten it then it is likely to hurt you. Basically respect an animal. Some attacks I believe on children have occurred when children have done something to a dog. Now instinctively many children due to their parents' fears worry about dogs irrationally. The public need to be able to report dogs that are left out in the streets running free possibly forming packs. Enforcement once again comes into play. The dog must immediately be taken off the street via dog warden/police/for safety of the public. Fine an owner heavily. If it happens again—they don't get the dog back. With licensing and micro-chipping these problems will gradually decrease.

10. Eventually I believe it will become manageable when you stop all this dog breeding. Also the quality/DNA would improve. Britain possibly due to breeders has some of the worst DNA/genetic problems in dogs with ruined bloodlines. Neutering will eventually payoff as well, but it has to be tackled now.

11. *Dangerous Dogs Act 1991* Yes I do think that it could be extended to include offences committed on private property. However, only with some common-sense attached proviso clearly stated. The postman should be safe from attack when delivering mail, children/adults visiting a property, if invited, and not trespassing, technically each case would have its own merit. No case would be the same. Such things as proper fencing/protection should be considered and stated quite clearly so that there is no doubt on the part of the householder what needs to be in place to protect those visiting their home. If a child trespasses on your property, what then? Your dog should be allowed to be within the confines of your walls/fencing without some child jumping over and you get sued. Think carefully before you bring this in. It must be very clear and not woolly with gaping holes in it for ambulance chasers to act when someone gets a well deserved bite from a dog protecting your property. If a burglar comes into my house and the dog bites him. Tough he should not be in my house uninvited or on my land. Knowing this country as happens with police dogs you will permit them to sue home owners for injury. This will have to be thought out very carefully. People generally trespassing could be a problem. People take absolutely no notice of dogs present signs, and still come onto your property uninvited. A money-grabbing lawyer will always make a case for a money-grabber.

12. *Defra* We spend a lot of time in Snowdonia. Farmers get subsidies for fencing their land. I believe that when they obtain this funding they should be compelled to give priority to repair the fence lines adjacent to highways and public footpaths. How can you keep yourself safe when you are confronted by their cattle and sheep in front of you and I may say sheep on main highways ie A470 late at night. Less and less space is available to walk your dog when you are in forestry or quiet country areas where no farm animals are supposed to be. You should be able to let your dog off lead. We do keep them on as required when on someone's land. We can do nothing when animals trespass into public places which when confronted by cattle recently on the loose is quite a frightening experience.

13. *Defra* Farmers don't care about this, yet we the public pay them to fence their property. Damn well do it. That is how a dog can get into your land because you do not fence them properly. Most dogs could not jump fences into cattle or sheep. However, I do appreciate that there are persons who just do not care about animals and let their dogs loose which do put farm animals at risk. That is another reason for compulsory micro-chipping and licensing and identifying all animals from birth to death. You can find out who the perpetrators are via their animal. It is always the same people. Some farmers are quite often responsible for gross cruelty to their dogs in that they are not fed adequately for the work they have to do. They do not have adequate shelter and often do not get veterinary treatment when necessary. Some just left to die. They allow their dogs to reproduce to sell their dogs on. When not sold they offer them to anyone going or passing. Most of their dogs are highly intelligent, with exceptional hearing, and just would not do in an urban environment. Yet that is exactly where they can end up, and cause a lot of problems and can make unsuitable house pets with much barking and running off and being on the loose. Owners giving up on them. Also if they do not get rid of their pups they just sell them to these awful Welsh dog breeders for £30 on puppy farms. Just awful, yet nothing is done about it. I say farmers look at yourselves first.

14. *Police* I believe are funded or given money to kennel stray dogs. Sometimes animals have been ignored or not bothered with. This is a disgrace. It is dangerous for the animal and upsetting for those trying to help it get back to its rightful owner. More funding needs to be available to see that dogs are picked up 24 hours a day. Plenty of micro-chip readers available to cut down time in tracing owners would need to be thought about. The council take the easy way out often and put them down after 7 days. This would be unnecessary and less time consuming if all animals were micro-chipped. It will take a few years to capture all animals, but it will eventually get done as in Vehicle Licensing. Gradually Police and DVLA are getting rid of the defective/uninsured cars off the road and unfortunately not enough again is being done about the owners of these vehicles.

15. Anything you do to enforce the legislation you have plus adding identifying of animals will eventually work, just do it. Forget that computer systems are a problem. In India they have already recorded millions of people on a computer system far more than we have to date and in a short space of time. What is wrong with us here, get on with it. Design a system around it. Don't adapt one, it does not work. You have to start somewhere. If you can't manage it, then as in the old days, use paper and a pencil, at least something would be known as nothing is impossible. Just a willingness to achieve your goal.

16. Vets only should be in charge of this. However, the councils are scratching around for money then why not use veterans to get this started. They'll organise it for you and get some money in, leave the motorists alone for a change.

17. Obviously the response by dog breeders and the veterinary profession has not been effective or we would not be where we are today. Vets like doctors never say anything to upset a dog owner about the treatment of their pet. Well they damn well should, and have the power to remove that animal right there and then with the police present if necessary.

18. The Government should enforce their already made legislation and they must know the pitfalls or holes in it by now.

19. Further controls on breeders, importers and puppy farms of course there should be. They are doing just what they like and breeding dogs that have basically defective genes and destroying many breeds of dogs. Vets should be concerned about this!

*June 2012*

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#### **Written evidence submitted by Mrs Louise Haig**

I am emailing you as I hear that you wish to hear from interested parties with regards to your consultation on dog control and welfare.

At present I am an RSPCA volunteer, and as such an animal lover. Daily I see stories of how dogs are being abused/mistreated and killed.

There are many voluntary rescue organisations who are flooded with dogs, for various reasons.

There are many cases of animal cruelty/neglect carried out daily. Animals are being bred in terrible conditions, puppy farms being the biggest culprit.

Recently I was thinking of getting a dog for my home. I am horrified how easy it is for someone to get a dog with no checks at all as to whether you are a suitable owner who is able to give the dog what it needs.

To tackle this problem completely and properly there is a number of measures which need to be taken.

Tougher sentencing for people found guilty of animal cruelty—Today a Sean Deakin got five months for beating up his dog, then stabbing it and leaving it on his kitchen floor to die. He will be out in two months. If this had happened to a child/person, the perpetrator would be given a lot longer than five months, and wouldn't be dealt with in a magistrates court.

Puppy Farms need to be made illegal—The majority of puppies sold by these places are poorly socialised, not looked after correctly and are in very poor condition.

License and log book need to be introduced for Dogs and Cats, as well as compulsory micro chipping—A log book would work for dogs and cats like it does for a car registration document. The breeder has to be responsible for checking out the destination of their animals, and registering the animal to the new keeper. Failure to comply with this should be made an offense.

You can only have a breeding bitch if you are licensed and have had checks carried out to make sure they meet a specific standard so that the welfare needs of their animals are properly met. As a breeder you would have responsibility to make sure the home of the animal is suitable.

The sale/giving away of animals on the internet to be made illegal—The dog who met its awful violent end at the hands of Sean Deakin was obtained 4 days prior on the Gumtree website.

You only have to look on the internet to see how many dogs are looking for homes to see this is a massive problem which needs to be tackled decisively and properly.

*June 2012*

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### Written evidence submitted by an anonymous contributor

Each week many healthy dogs are put to sleep. There is nowhere for them to go. The pounds and rescues are overflowing. We must act swiftly and make reforms to help their situation. My friend posted this to me this morning. I think she has a wonderful idea as we must include compulsory spaying and neutering at the correct age.

We must punish the deed and not the breed which I will attach my tattoo which I had done to get the positive message out there. I shall also be forwarding this to Lord Redesdale who is for repealing Breed-specific legislation (BSL). He needs help with this. We have thousands of people on the side of the dogs. They work round the clock.

Here is my friends proposal;

*This is my dream. People will probably say it could not be done but I wish it could. All rescued dogs and bought pups should come with a registration card. All the details should be entered on a central database (like DVLA). The new owners have to register like when you buy a car. All vets are linked to the database and details entered when the dog is neutered or spayed. If this is not done then it is flagged up and the owners will be contacted and fined. This money would go to a central fund to aid rescues.*

*Only registered breeders with a license could breed and this would stop people with no morals breeding for money. The database would also help to return strays to their owners (as all dogs and pups will be compulsory micro-chipped). Breeders must chip pups when they are sold and a fee would be charged for registering your dog. This fee could also go to rescues. Just a dream.*

I am an administrator on a Staffie group, there are many groups and we all interlink. Home check, Fostering, rescue spaces, transporting, donating etc. We are a big team with a passion to try and get these dogs to safety. We are there to help regardless of breed

I wish that there could be an outright ban on selling live pets in the UK. Free to good home could result in bait sadly. Have you seen a bait dog? I have and the shock took me weeks to get over I had a link on my facebook from Gumtree. Six ex racing greyhounds free to good home due to emigrating. My friend got onto her friend. All six are safely in a rescue.

This brings me to dog fighting, bait dogs and using dogs as weapons. I am not going to read the riot act. These gangs feel that they are listened to. They, in my opinion need agility and sports to do with their dogs to train and show the positivity that can be achieved.

I ask that we can have man's best friend back. We must educate from a VERY young age that creatures have senses and feel pain just like us. I would also like to see a ban on pet shops selling live pets by 2018.

We can ban cigarettes and hide them behind a screen. Let us not hide behind a screen and face reality.

June 2012

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### Written evidence submitted by Maria Burke

I would like to comment on the case of Lennox the Belfast pet and companion of a handicapped 11 year old child.

I feel all these dogs should be chipped and neutered, also muzzled in public.

Lennox was ALL of these things and still he was seized by Belfast City Council.

If all these dogs were neutered the dangerous breeds would die out naturally.

I feel it is morally wrong to put the task of policing this matter in the hands of Council workers, who are neither trained nor required to care about the dogs they take into their care. They are obviously not required to be humane. Have a look at the photos on [www.savelennox.co.uk](http://www.savelennox.co.uk). The cruelty speaks for itself.

In the Lennox case the dog is being kept in cruelly filthy conditions, doesn't look like he has any light or even a clean bed. It is cruelty out and out and there are photos to prove it.

The draconian law of Killing all these dogs without reason is unnecessarily cruel, in the case of Brooke Barnes' dog, this child may never recover emotionally from the loss of her pet.

Belfast City Council said he attacked one of them. There is no evidence of this. No one could show any injury. This dog never attacked anyone before and also was muzzled at the time.

Probably the dog was terrified out of his mind.

Ask yourself this, would a mother risk the health and safety of her child for a dangerous dog???

This dog has had offers of home in the south, I am one of those offers. I was told by an MP that Belfast City Council this would be an abuse of their legal system.

They did not mention emotional abuse of a handicapped child and abuse of an animal.

They did not mention that this dog IS NOT a Pitbull and has been proven not to be one—he is bulldog cross with Labrador—a dog renowned for his faithfulness.

Please change this law, make it workable for the family pets who are alive today, and have them all neutered so that they can't breed anymore.

Please help the dog Lennox.

Please take these duties out of the hands of the Councils and give it to animal welfare agencies instead.

Please do something rational, the backlash of this law will be far reaching and bloody if this dog is executed by Belfast City Council.

There are over 166,000 signatories for the petition for his release.

Please be a voice of reason where there doesn't seem to be any.

*June 2012*

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**Written evidence submitted by Mary Davis**

Dear Sirs,

Please reconsider the Breed Specific Legislation that is now on the books. It is not fair to the animals or the families who love them.

Thank you.

*June 2012*

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**Written evidence submitted by Sophie Zoghbi**

There are several issues relating to Dog Control and Welfare that I feel need to be brought to the attention of the EFRA Committee:

**1. BREED SPECIFIC LEGISLATION**

Section 1 of the Dangerous Dogs Act 1991 (as amended in 1997) has been a complete failure. The DDA has failed to reduce dog attacks, and the unintended but tragic consequences of the Act have been (a) the killing of thousands of innocent family dogs, simply because of their measurements and the way they look; (b) the appeal of a banned breed to irresponsible individuals and gang-members resulting in them acquiring pitbull-type dogs and training them to be aggressive, thus resulting in the situation perpetuating itself. It is a well-established fact that no breed is inherently dangerous and for there to be a ban on any breed has had appalling results.

As a couple of examples I would refer to "Fudge" an innocent five-month old puppy in Liverpool. Fudge was seized from her home in March 2011 and killed just hours later, simply for the way she looked. Another example (although in Northern Ireland) is of "Lennox", a dog who has done nothing wrong but has been incarcerated for over two years in a tiny dirty cell because of his measurements. There is a further point in that under the Act, there is currently no provision stray dogs judged to be "type" to be entered on to the Index of Exempted Dogs, which results in the destruction of thousands of stray friendly dogs who are totally rehomeable and with good temperaments. For example the sad case of "William" in Harrow earlier this year, a friendly stray who had been typed, and despite numerous offers to rehome him, Poor William had to be euthanised. Although I appreciate that a recent landmark ruling has been passed in the High Court stating that a "typed" dog can have a change of keeper, thus enabling them to be place on the Exempt Register, as far as I am aware, this does not currently apply to strays, which it should do. Why should a typed stray dog that has been deemed not a threat to public safety be treated any differently from a dog with an owner in the same position?

In any event, Breed Specific Legislation is not working and serves only to seize and kill innocent dogs whilst the true criminals (the irresponsible owners) still acquire dogs for the purpose of training them to be aggressive. Furthermore, the cost to the taxpayer of these unnecessary court cases and kenneling of seized dogs is high, and money would be much better spent on targeting dogfighting and making backyard breeding and puppy farms illegal (see below).

**2. DOGFIGHTING**

Dogfighting is a tragic and widespread issue of cruelty which plagues towns and cities across the UK. Dogfighting results in the injury and death of hundreds of dogs, not only the dogs trained to fight but also the bait dogs that are used to test and showcase the fighting instinct of other dogs. The teeth of the bait dog are

often removed and the defenceless bait dog is chained to a post or wall whilst the fighting dog attacks. Many bait dogs either die or even if rescued have to be euthanised. More action needs to be taken to track down and arrest those carrying out the evil crime of dogfighting and harsher sentences are required rather than the current maximum of 26 weeks for animal cruelty. Dogfighting and animal cruelty go hand-in-hand and more often than not, dogs involved in fighting are also victims of human violence. The penalties and sentencing for these offences should be higher. I would like to see five year-plus terms for animal abusers and dogfighters.

I would use an example of this cruelty a three-year old Staffordshire Bull Terrier named "Bion". Bion was used as a bait dog for most of his life but was finally rescued and became a resident of Loving Homes Dog Rescue in Devon. Despite what had happened to him, Bion was a happy and loving little fellow who loved life. Bion loved running around the garden with his new friends and everyone around him was hopeful that Bion would now enjoy a long and happy life, however this was not to be. Bion's rescuers knew that he had injuries as a result of his life as a bait dog, however when Bion was taken to the vet, it became apparent exactly how bad these were. Tragically, on 8 June 2012, Bion had to be put to sleep, to the great distress of all his supporters. Another victim of the cruel act of dogfighting.

### 3. FREE ADS

This now brings me on to the free ads. There are a large number of advertisements offering dogs for sale in free ad websites such as Gumtree. It is sites like these that advertise "Dog free to good home" that those involved in dogfighting often use to obtain bait dogs. The ease of which dogs can be acquired on these sites is shocking, and many dogs that are sold and given away on free ads sites are cruelly treated. I would refer you to the recent example of Sean Deakin of Wigan. In May 2011, Sean Deakin acquired Tyson, a male Staffordshire bull terrier from Gumtree. Within only a few days of acquiring Tyson, Deakin battered Tyson, stabbed him, and left him on the kitchen floor to die in agony whilst he went to sign on the dole. The free ads site are also used by "backyard breeders" to advertise the dogs they have bred (more often than not to subsidise their benefits) and also by puppy farms. Please see below for more detail on these subjects. I would like to propose a ban on dogs (or indeed any animals) being offered on these sites for sale or otherwise. Dogs are living creatures which need protection, not commodities to be bought, sold and given away to anyone that wants them.

### 4. BREEDING

Breeding is yet another issue affecting dogs in the UK (and especially Staffies). Anyone that works in rescue will tell you that at least 50% of dogs in rescue are Staffies or Staffy crosses. This is a result of unscrupulous, irresponsible people breeding them as they think they'll make quick money. What they fail to realise is that these dogs are overbred. Our dog rescues are full to bursting because of people's greed, and dogs are losing their lives every day. Just one pair of Staffies can produce 64,000 more over a period of four years. Because of this, approximately 68 Staffies are killed every day in the UK; that is around 480 every week, 2,083 a month, and 25,000 every year. This needs to be stopped. Breeding of Staffies should be made illegal for the next ten years, and breeding of any dog should be regulated so this may be done only with a licence. Anyone found guilty of breeding dogs without a Government licence should be subject to harsh penalties.

### 5. PUPPY FARMS

The final point I would like to raise is regarding puppy farms. Puppy farms are premises used exclusively for breeding and can house up to 200 dogs, locked inside 24 hours a day with no access to fresh air or natural light. The dogs are forced to give birth, sleep, eat, defecate and urinate in the same enclosed little pen, and the general health of the dogs and puppies is terrible. The puppies are sold on to pet shops and this is animal cruelty for the sake of making money, and should not be allowed to happen in the UK. I believe that puppy farms should all be shut down and the whole disgraceful industry made illegal.

I very much hope that these points are taken on board during your inquiry.

*June 2012*

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#### **Written evidence submitted by Barbara Sheringham**

I am involved in animal rescue but it is like treading water I mean the volume of dogs is frightening. Dog breeders are vile people who do not care about dogs—if they did they would stop breeding for financial gain.

Give rescue people a chance to catch up it's not rocket science. Please don't get all complicated its simple. Stop them Breeding the poor things.

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## Written evidence submitted by the Animal Behaviour and Training Council

*Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

Current plans to fine tune the extant legislation will improve the situation however as long as it revolves around a list of banned breeds it will always have limited success. An approach that is based on the actual behaviour of the dog and its owner rather than the breed or appearance of dogs must be regarded as a more sensible approach to tackling the issue of dangerous dogs. Any dog is potentially dangerous. The assessment of dogs being of a certain type or their potential for being a danger to society is also not well managed currently. There is no specific, scientifically validated test or standard applied to the training of individuals to make such decisions. The ABTC has recently established a comprehensive set of standards in conjunction with Lantra (the Sector Skills Council) for animal trainers and behaviourists and have the acknowledged expertise through its wide membership to develop such a test and standardised training if required to do so.

*Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme also be considered?*

Our opinion is that micro-chipping all dogs on transfer of ownership (including the purchase/acquisition of puppies) will have a positive impact on a range of welfare issues and will achieve a form of registration that is not encumbered with the administration and running costs of a licensing system. Defra has produced projections of how long it will take to include the majority of the dog population in the UK. Inevitably there will be those that avoid micro-chipping and a significant proportion of problem cases will undoubtedly fall into that category however the same could be said of a licensing system.

*Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

Yes, but with caution. Safeguards need to be in place to protect the property owner from individuals attacked during an unauthorised entry of that property. In such circumstances a dog would be exhibiting appropriate, if not desirable behaviour. Defra have indicated that they are aware of such circumstances but not only need to consider not prosecuting the owner but restricting the intruder's rights to pursue legal action against the owner for damages as well. Extending extant exemptions may provide a solution.

*Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

There are a number of schemes that have local success such as: Wood Green Animal Shelter have an excellent outreach service offering community based projects and 1-2-1 help to encourage responsible dog ownership. Blue Cross reached 30,000 young people last year and held 41 status dog workshops for teenagers. The Association for the Study of Animal Behaviour is launching a free dog bite resource for schools and the Blue Dog initiative is available across Europe, no doubt other similar efforts are being made but funding is always an issue and none of these organisations are acknowledged in the Defra proposal. All of these schemes would benefit from a higher profile nationally and a coordinated approach. The remit of the ABTC covers the promotion of education and animal welfare and given the diversity of its membership it is ideally placed to provide the management required given adequate financial support.

### DOG WELFARE

In respect to concerns expressed in Professor Bateson's report over poor welfare that has arisen in the course of breeding dogs:

- Has the response by dog breeders and the veterinary profession been effective?
- What actions should Government take to address these issues?
- Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?

Consideration needs to be given to the socialisation of puppies, to date the emphasis has been on their physical needs which are obviously important however adult behaviour is strongly influenced by early learning and little is done to address this. As with many aspects of educating the public work is being done by independent agencies of their own initiative. In order to improve the situation these efforts would benefit from a coordinated approach, bringing together the knowledge and experiences of these organisations and presenting a national approach. The ABTC is currently preparing a free download advice sheet on this subject.

### Written evidence submitted by David Ward

I am writing to draw your attention to an issue which I think needs addressing with regards to the breeding and sale of dogs.

I am part of a team who run a campaign page on Facebook called Get Gumtree Animal Free.

We monitor the Gumtree website's pets for sale section and feel the online sale of animals needs to be regulated more than it currently is.

At present stating the breed of a dog for sale on Gumtree is optional which means that banned breeds can easily be sold on the site. We have logged thousands of adverts on the website which are blatantly selling pitbulls or offering them for stud. Sometimes this is done using coded language such as "red nosed dog" "American staff" "king staff" etc and as Gumtree rely on word recognition software rather than processing each ad individually you can see why it's a very attractive outlet for those involved in the breeding and sale of banned breeds of dogs.

Any breed of dog can behave aggressively and the breed specific legislation is flawed but if stating the breed is not compulsory banned breeds will continue to be offered for sale.

The online market place is becoming a major selling forum for people who are breeding animals for profit and it's anonymity and unregulated format has become a haven for those involved in the unscrupulous trafficking/breeding of animals for profit. The adverts are free to place, no user address or registration is required which means traceability of users is very difficult. Most ads placed by people are providing just an email address or mobile phone number so if an individual wants to use an internet café and a pay as you go mobile phone traceability is zero. Perfect if you want to sell a banned breed of dog.

I have volunteered in animal rescue and welfare for over 20 years and have never known anything like the crisis we are currently facing with regards to the volume of over breeding and abandonment of animals. We believe that the online markets are provided an outlet for breeders who are then encouraged to breed more litters. These online markets are also provided a very easy way for people to dump animals or find animals. This impulse buying means many go into dog ownership without considering the full impact dogs will have on their life. Often the breeders just want the money and so any back up support or responsibility for the health of the animal is non-existent.

It is known that dogs can get stressed and can become aggressive due to the treatment they receive or the environment they are kept in. These websites are full of puppies being rehomed at less than the recommended 8 weeks of age as stating the actual age of puppies is optional when placing these ads. It has been claimed that this early separation from their mother can lead to behavioural problems later in life. One of which is biting. Internet sites are awash with puppies for sale of unknown parentage with little comeback on the seller/breeder should a problem arise.

We believe these websites need to be subject to more scrutiny and there needs to be a change of laws to protect animals and people from unscrupulous advertisers. The rise in dog attacks and irresponsible dog ownership is symptomatic of the way animals are being treated by people. I believe that lifestyle choices and cultural attitudes which can be associated with certain groups in society, has lead to dogs being treated as accessories. Whether it's keeping a Chihuahua in a handbag or a banned breed status dog, people are treating dogs in a way which suggests that dogs are getting caught up in owner's needs more than theirs.

There are thousands of dogs for sale on the internet right now and it's a self monitoring and largely unregulated "free-for-all" market. If you restrict the outlets you may restrict the breeding. As it is anyone can breed any breed of dog and sell them on. Often for large amounts of money. This money is often undeclared for tax purposes and has become a very common way for people to get cash. These "backyard breeders" are breeding huge amounts of dogs for profit and selling them via the internet with no traceability at a time when thousands of healthy dogs are being killed due to abandonment. Rescue centres are being crippled financially and have to turn many away. The waiting lists to get an animal into a rescue centre can be months long.

Unless a radical step is taken the UK will continue to see a population explosion of abandoned animals and irresponsible attitudes towards dog ownership. Dogs have become a status symbol for some and when these individuals are faced with lifestyle changes, often economic, the dogs are often the first "asset" to be sold or dumped. "Hobby" breeding is also seen as a way to make quick cash so the cycle of breeding animals to sell has gotten worse as people seek easy cash.

#### SOME SUGGESTIONS

- There needs to be a lot more restrictions placed on indiscriminate breeding and more needs to be done to encourage neutering and spaying.
- Website operators need to be subject to certain laws in the same way that pet shops are if they are offering live animal sales.
- Individuals need to be subject to more restrictions on their private breeding of animals.

- Compulsory micro chipping will only go so far but it will need to be FOR ALL dogs not just puppies. It MUST also be compulsory to change ownership details otherwise you will simply be hearing people say they no longer own the dog and it is not their responsibility anymore.
- Get the following message across:  
*“Sharing your life with a dog is a privilege, not a right.”*

Thank you for your time.

June 2012

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#### **Written evidence submitted by Gary Miller**

My name is Gary Miller and I live in Newcastle Upon Tyne.

I would welcome some control over dangerous dogs, but I do not think it's the dogs that are at fault, it's the people who own them, so I really think that something needs to be done about the owners first.

I would then like to see registered breeders set up and members of the public being forced to have their puppies taken to the vets and have them made sterile so it can be controlled properly.

At the moment any Tom, Dick, and Harry can breed dogs and they always end up in the wrong hands, like drug dealers and even worse people who use dogs for fighting. So when people buy a dog from a registered breeder they would have to go through proper checks by the police—and if they can be bothered the RSPCA should get involved a lot more, by keeping records of people who have been in trouble before—and when someone wants to buy a pet they will have to show some form of identification then the police will check their records and then consult with the RSPCA. If there is no record of previous abuse or neglect then they will be allowed to buy a pet.

June 2012

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#### **Written evidence submitted by Angela Kennedy**

1. My submission to this Committee is informed by my own position as a dog owner (of a small English Bull Terrier Cross rescue who is NOT “of type”), and as an academic social science lecturer and researcher, with a research interest in the social and material effects (on both people and dogs) of breed specific legislation (or BSL), and in public and state construction and management of risk. I have a number of grave concerns about the BSL component of the current UK Dangerous Dogs Act 1991 (DDA) in its present form. As I shall demonstrate, it is not a rational law, and gives rise to many instances of injustice, while failing to protect the public, or dogs. Any attempt to extend this aspect of the law would not be rational or just. In addition, there are a number of additional proposals around dog control that are unreasonable and unworkable. These will make owning and controlling a dog more difficult, and will not protect the public or dogs. I will therefore also address these.

2. There are a number of discrepancies in the BSL component of the DDA. This legislation was drafted in hastily. It has been suggested it was drafted to suit political contingency rather than actual need (see discussion in Lodge and Hood, 2002, and in Kaspersson, 2008). BSL fails to take into account the following issues.

3. Injuries to humans by dogs need to be considered in a risk management and epidemiological context. Dog-bite fatalities are, for example, extremely rare. According to DEFRA's website, there have been five fatalities since 2007 (an average of one a year). As with all injuries, the description of “serious injuries” is itself subjective and subject to instability in definition, but certainly life-threatening injuries due to dog-bite also appear to be rare, according to quantitative data. To put the relative risk of death from dog-bite into perspective: In 2010, 1,850 people were killed in road traffic accidents, with 1,901 killed in 2011, according to recent Government figures.<sup>1</sup> North American figures show that one of the largest source of lethal danger to children is from family caregivers, hundreds of times more than dog-bite (see Bradley, 2008: 21–22). To compare the two categories of causes of death in children would require a graph 8 feet tall in order to incorporate the “death by caregiver” category. Figures from the Home Office indicate that on average two women a week are killed by a male partner or former partner.<sup>2</sup> To place the risk of injury from dog-bite into perspective, the relative risk of dog bites was studied by Kahn et al (2003) who found dog bite injuries were about one quarter as frequent as road traffic casualties and about one third as frequent as burns at home. Child attendance at Accident and Emergency departments due to dog bite equalled less than 0.24% of all children attending Accident and Emergency departments. This is not to trivialise dog-related injuries, especially in children. However the low relative risk of dog-bite injuries has to be taken into context if rational and safe social policy and law are to be made.

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<sup>1</sup> See BBC news website 28 June 2012: “Deaths on Britain's roads rose 3% in 2011, figures show” <http://www.bbc.co.uk/news/uk-18623072>

<sup>2</sup> See <http://www.womensaid.org.uk>

4. This information may seem counter-intuitive to the *perception* of risk from “dangerous dogs”, but this is likely to be because of the moral panic (Cohen, 2002) around dogs that is a common feature in current media reporting practices, where rare events are reported, but appear to be more frequent in *occurrence* because of the frequency of *reporting* in the media.

5. With fatalities being so rare, and in general, the relative risk of dog bite being so low (especially considering the enormous amount of dogs and dog-human interaction in the UK) it is impossible to provide a scientifically rigorous, let alone definitive, relative risk related to breed. It is also relevant, for example, that of the four so-called “banned breeds” in the UK, there has, to my knowledge and after research, no fatalities recorded from dog-bites from any of the Japanese Tosa, Dogo Argentino or Fila Brasileiros breeds. As regards the category of so-called “pit-bull”, there are a number of discrepancies in how this so-called “breed” in conceptualised in the UK, which also a scientifically rigorous, let alone definitive, relative risk related to the “breed” impossible.

6. The conceptual category of “pit-bull” as a “breed” in the UK is highly unstable and self-contradictory at best. Indeed, it can be argued that, technically, there are no “pit-bulls” in the UK (or indeed elsewhere). Neither the “pit-bull” or the American Pit Bull Terrier are recognised by the Kennel Club in the UK, for example. Current DNA profiling techniques cannot establish any “pit bull” profile (and may never), because of the genetic diversity of dogs called “pit-bull” though other breed profiles are established.<sup>3</sup>

7. In the absence of British recognition of any “pit-bull” breed, police, judges, pound vets and DEFRA have relied on a highly subjective “standard” from a North American pit bull fancier’s magazine from the 1970s. Many dogs of various breeds will have some similarities to the “pit bull” standard, even if they are not pit bulls, hence the police seizure of many crossbreeds, and longer-legged Staffordshire Bull Terriers. If, by genetic chance, a dog has a certain amount of physical similarities to that subjective standard, it can be deemed of “pit bull type”. This means that those dogs with no known American Pit Bull Terrier lineage, no DNA profiling of such, indeed may be known to breeds other than “pit-bull”, are nevertheless at risk of being seized, and either killed, or subject to muzzling and leading in public, practices which have a fundamentally adverse effect on the dog’s ability to socialise, play (fetch balls or sticks, for example), or exercise, and therefore on the quality of life for the dog. Currently, at the time of writing, this is the situation regarding the dog Lennox, seized in 2010 in Northern Ireland and under a court order to be killed.<sup>4</sup> The term “pit-bull” appears to be merely a colloquial linguistic description of any dog that shares physical similarities with molosser breeds. This enormous amount of certainty does not allow a fair and rational law.

8. An owner is therefore criminalised, even where previously a law-abiding citizen, and unaware that their loving and non-aggressive family dog’s wedge-shaped head and “pump-handle” tail renders it of “type”. Anecdotal evidence from, for example, social networks, indicate an enormous amount of distress to families is being caused by BSL. Loved family non-aggressive pets are seized in their homes. Dogs, including in at least one case a puppy, have been summarily destroyed soon after seizure without the owner’s knowledge or consent, after they signed the police disclaimer form while under duress, leading to dog organisations to instruct owners never to sign that form.

9. Media reports around dogs are accompanied by pictures of various bull-breeds with their mouths wide open, whether barking, panting, yawning, sneezing, or straining at a leash (as if only bull-breeds do this) with captions such as “dangerous dog” or “a pit bull”. This is in marked contrast to how other breeds (including those who have bitten) are portrayed: often sitting demurely with mouths closed, for example. There has also been an insidious classed portrayal of owners of bull-breeds as an anti-social, criminal underclass, especially where boys or youths, who might only be taking the family dog for a walk. While this stereotype remains popular, it means those caught up in it are demonised, and likely subject to social exclusion and opprobrium, ironically rendering them less able to socialise their dog, seek advice on training or neutering, or develop their skills as responsible dog owners.

10. Certain of the proposals outlined (and implied) regarding general issues of dog control are specifically unworkable in practical terms, and, if enshrined in law, will be irrational and unjust. Extending the Dangerous Dogs Act 1991 to private property contradicts other legislation around private property, for example (including the situation regarding intruders on private properties, including homes). With regard to BSL, to expect dogs to wear muzzles and leads at all time on private properties (including homes) is unworkable and unreasonable.

11. With regard to the question of so-called “status dogs” and their welfare and alleged “impact on communities”, there is firstly the issue of what constitutes a “status dog”. Chihuahuas and Pomeranians, for example, are dogs used to exhibit a certain type of social status. The term appears to have become a colloquial and ideologically informed description, used by police and media, to describe popular breeds of the working class and poor. As discussed above, the demonisation of bull-breed owners is possibly a major barrier to access to support and responsible dog ownership, though it should be noted, bull-breed’ dogs are very popular among all demographic groups. A fundamental overhaul of prejudicial attitudes towards all bull-breeds, displayed by police and Government agencies in their literature, and by media domains, is probably a major priority if sensible law and social policy is to be established. Such prejudice itself has a major adverse impact on communities of all demographics.

<sup>3</sup> See: [http://www.wisdompanel.com/why\\_test\\_your\\_dog/faqs/#79](http://www.wisdompanel.com/why_test_your_dog/faqs/#79)

<sup>4</sup> See, for example: <http://positively.com/2011/10/12/jim-crosby-weighs-in-on-lennox/>

12. With regard to the welfare of dogs seized under BSL, there are a number of high-profile cases where police and councils have failed in their duty of care and welfare of such animals, so that animals health and safety are adversely affected. The case of Lennox is a major example of this, but there are various others. The way such animals are treated while their owners try to save their lives, against those agencies attempting to have them killed, is extremely important, and currently public confidence in the police and councils' ability to care for such dogs appears extremely low, and likely for good reason. It should be obvious that any dog, whether seized from an organised dog-fighting ring (and therefore actually a victim of animal cruelty), or seized as looking like a "pit-bull", or another of the banned breeds, remains an animal to which rules and laws of welfare and prevention of cruelty and neglect still apply. It is worrying that this does not appear to be so obvious in some discourses around "dangerous dogs".

13. With the above in mind, further "extension" of the Dangerous Dogs Act 1991 should not be undertaken. However, overhaul of the legislation is necessary, based on a rational, un-emotive, evidence-based understanding of the issues of dog ownership and public safety, and problems that adversely affect these, with a few to eliminating these. This overhaul should be undertaken with the consultation of a wide range of dog behaviourists, scientists and social scientists, and owners. A rational, pragmatic and respectful understanding of the relationship between dogs and humans needs to inform this overhaul, so that people can be helped to be responsible dog owners, and other members of the public can be helped to behave responsibly around dogs and their owners.

## 15. REFERENCES

Bradley, J (2005). *Dogs Bite: But Balloons and Slippers are More Dangerous* Berkeley: James and Kenneth Press.

Cohen, S (2002). *Folk Devils and Moral Panics: 30th Anniversary Edition: Creation of Mods and Rockers* London: Routledge.

Delise, K (2007). *The Pitbull Placebo: The Media, Myths and Politics of Canine Aggression* New Jersey: Anubis. Also available as a free pdf at: <http://nationalcanineresearchcouncil.com/publications/nrcr-publications/>

Kahn, A, Bauche, P, Lamoureux, J (2003). "Child victims of dog bites rated in emergency departments: a prospective survey", *European Journal of Pediatrics* 162:254–258.

Kaspersson, M (2008). "On Treating the Symptoms and not the Cause: Reflections on the Dangerous Dogs Act' papers from the *British Criminology Conference British Society of Criminology* Vol 8: 205–225. <http://www.britisoccrim.org/volume8/13Kaspersson08.pdf>

Lodge, M and Hood, C (2002). "Pavlovian policy responses to media feeding frenzies? Dangerous dogs regulation in comparative perspective" *Journal of Contingencies and Crisis Management* 10, 1: 1–13.

June 2012

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### Written evidence submitted by Jaqi Bunn

In response to the Environment, Food and Rural Affairs Committee inquiry into the measures on Tackling Irresponsible Dog Ownership announced for consultation by DEFRA on 23 April and the response by Government and dog breeders to Professor Bateson's Independent Enquiry into Dog Breeding I submit the following comments:

#### 1. *Whether the Government's proposed approaches will deliver the right legal framework, enforcement regime and educational support to reduce irresponsible dog ownership and tackle out of control dogs?*

1.1 While credit is due for tackling the issue, the proposed measures do not go far enough. The correct system is already in place with the Driver and Vehicle Licensing agency. If this framework is applied to dog ownership (with all dogs having a unique identifiable DNA fingerprint and associated microchip before they leave the breeder) and owners identified by local authorities as requiring a licence to own a dog (by local authorities who have received complaints or have past history about the owner's irresponsible dog ownership) then the system could be extremely effective.

1.2 "Dog Ownership" courses such as "Driver Awareness" courses currently in place now could be a cost effective way of providing education to those that need it, while not impacting on the already responsible dog owner.

1.3 Suggestions for instructors could be members of the Kennel Club Accreditation Scheme for Instructors in Dog Training and Behaviour working to a national curriculum of canine-related education and responsible dog ownership.

*2. Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

2.1 The current legislation is ineffective, with the little-known Dogs Act 1871 and the Dangerous Dogs Act 1991 being extremely confusing for the average dog-owner to understand. Pulling together the all the current legislation into one Act would be easier for the public to understand and for enforcement.

*3. Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

3.1 No, currently there is an issue with the rehabilitation and rehoming of dogs that have been seized in that the level of care in many private kennelling establishments is in violation of the Animal Welfare Act 2008. The recent publication "A good practice guide for enforcement bodies—Meeting the welfare needs of seized dogs in kennel environment" written by the RSPCA in conjunction with police dog legislation officers, local authority dog wardens and animal welfare officers is a useful framework for eliminating this problem, but the main problem is that it is only a guide and not enforceable. Seized dogs residing in kennels MUST receive the same protection under the AWA as any other dog in kennels if they are to have a good chance of living a normal life.

3.2 The other option is for seized dogs to remain in the care of their owner, but this requires a thorough assessment and evaluation from a properly qualified canine behavioural assessor. There are currently no regulations in place for ensuring that behavioural assessors are adequately qualified and experienced.

*4. Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme also be considered?*

4.1 Please see my response above; paragraph 1.1. In essence, it is the OWNER that should be licensed; the dog only needs to be identifiable.

*5. Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

5.1 The Act should be extended to protect people that require safe access to the front door of a property, ie in the garden or on the path leading to the home.

5.2 However, extending the Act into the home without also introducing adequate forensic behavioural assessment into dog bite incidents would be irresponsible. At the moment.

*6. Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

6.1 Not quite. Education has been widely recognised as the key to responsible dog ownership and this should start by being part of the National Curriculum. There are currently many independent education schemes but these are not compulsory. The best way to educate about responsible dog ownership is through compulsory education in schools at all key stages.

6.2 In addition, education in the form of compulsory workshops for owners identified as being irresponsible dog owners should be introduced. Please see my suggestions above in paragraph 1.2.

*7. Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

7.1 Yes, but there are huge issues with local authorities not providing adequate out-of-hour facilities for dealing with stray dogs, and also not providing animal welfare officers with enough knowledge about canine behaviour and dealing with aggression in particular to effectively and HUMANELY deal with catching and housing stray dogs.

7.2 In addition, the practice of outsourcing not only the role of dog warden but the housing facilities for stray dogs is unacceptable. The conditions of many private kennelling establishments currently being used are in violation of the Animal Welfare Act 2006 and furthermore (and essentially more dangerous) is the fact that these kennels are often rehoming or selling unclaimed dogs with no adequate assessment or rehabilitation to the general public.

I am often called in by new owners to deal with extremely aggressive dogs that they have bought from a kennel facility (posing as an animal rescue) that is selling on formerly stray dogs that are unbalanced and pose a serious risk to the general public.

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PROFESSOR BATESON'S INDEPENDENT ENQUIRY INTO DOG BREEDING

8. *Has the response by dog breeders and the veterinary profession been effective?*

8.1 Unfortunately not. Some light investigation into breed clubs on the internet uncovers a groundswell of opinion against the recommendations made by Professor Bateson. Some form of legislation should be in place to protect the health of dogs being bred, whether they are pedigree or not.

8.2 It must be acknowledged that the dog showing scene perpetuates the dog breeding industry and "successful" dog breeders and show-enthusiasts are generally displaying alarming cognitive dissonance towards the health issues surrounding pedigree dogs. I frequently see violations of The Animal Welfare Act 2006 at dog shows from both a conformational and behavioural point of view, but as far as I am aware no prosecutions have ever been made relating to violations during a dog show.

8.3 The veterinary profession do not seem to be helping matters. I regularly see young dogs and puppies that have been illegally docked by veterinary surgeons and know of vets who are sympathetic to breeders who will undertake invasive procedures without declaring it to the Kennel Club. Stricter regulation and harsher punishments within the veterinary profession are essential as they are essentially major stakeholders in the aim of improving dog health and welfare.

9. *What actions should Government take to address these issues?*

9.1 As mentioned in paragraph 8.3, the veterinary profession should be monitored and regulated by an independent Government body to ensure that they are supporting the cause to improve dog health and welfare.

9.2 Another independent, *non-profit making* Government body should take over the monitoring and regulation of dog showing and breeding.

10. *Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

10.1 Local authorities are clearly not adequately dealing with the issue of dog breeding, whether it is someone breeding puppies in their back yard or a massive puppy farming operation. Local authorities need to be given the support needed to ensure they fulfil their obligations in these areas effectively, but also need to be held accountable when they do not adequately fulfil these obligations, perhaps with funding caps for failing to successfully monitor and stamp out irresponsible dog breeding in their area.

I hope that the above is considered carefully within the inquiry.

June 2012

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**Written evidence submitted by the Dartmoor Livestock Protection Society (DLPS)**

SUMMARY OF RECOMMENDATIONS

1. Confirmation that the definition of "agricultural land" in the Dogs (Protection of Livestock) Act 1953 includes grazed common land.
2. Encouragement to the Dartmoor National Park Authority to use and enforce the provision in the Dartmoor Commons Act 1985 to apply the 1953 Act to the Dartmoor commons.
3. Change in the law to enable all access authorities to apply the 1953 Act to grazed commons in their areas.
4. Clarification of "dangerously out of control" in the Dangerous Dogs Act 1991.
5. Courts to have the power to impose dog destruction orders under the 1953 Act.
6. On-the-spot fines for dog transgressions.
7. Compulsory micro-chipping of dogs.

SUBMISSION

We are deeply concerned about the apparently rising number of sheep-worrying cases, particularly on common land<sup>(2)</sup> which is used by the public for recreation and exercising dogs.

Sheep-worrying is a serious problem on Dartmoor. During 2011, 76 sheep-worrying cases were reported to our Dartmoor Livestock Protection Officer and officially logged, that is more than one a week. Additional cases were known about later but not logged. These cases cause distress to the livestock and to its owners—not only for animal welfare reasons but also because the stock are important to their livelihoods.

We therefore submit the following:

1. The Dogs (Protection of Livestock) Act 1953 (the 1953 Act) makes it an offence for a dog to worry (ie attack or chase) livestock on any agricultural land, which includes grazed land. We assume this therefore

includes common land but if it does not, the definition of “agricultural land” should be amended to include grazed common land.

2. The 1953 Act does not adequately address the cause of the problem, namely that it is dogs off leads or out of control which worry livestock. The 1953 Act, section 1(2)(c) makes it an offence for a dog to be at large in a field or enclosure in which there are sheep. It does not make this an offence on land to which the public has freedom to roam, ie registered common land.

3. On Dartmoor we are fortunate that the common land is governed by the Dartmoor Commons Act 1985 (the 1985 Act), which is a private Act. This makes provision in section 10(6) for the Dartmoor National Park Authority to post notices stating that section 1(2)(c) of the 1953 Act shall apply to dogs on the common as though the common was a field or enclosure. Therefore, where the 1953 Act is applied on the Dartmoor commons, it is a criminal offence for a dog to be at large. On most other commons it is merely treated as trespass, a civil offence.<sup>(3)</sup>

4. However, the Dartmoor National Park Authority rarely uses this provision, and we submit that it should be much more ready to do so, in order to protect the Dartmoor livestock from dog worrying. In addition, it should be swift to enforce transgressions of this provision. If the 1953 Act were to be invoked and enforced, it would be a clear statement to dog owners that they must not allow their dogs to worry livestock, and with suitable publicity it could be an effective deterrent.

5. The law should be changed to introduce a similar power for access authorities (county or unitary council) on commons with public access under the Countryside and Rights of Way Act. This would enable livestock to be protected in areas where there is heavy public use.

6. The Dangerous Dogs Act 1991 section 3 makes it an offence to have a dog dangerously out of control in a public place. The definition of public place includes land to which the public has access, and therefore it includes registered common land (where the public has a right of access, whether under the Countryside and Rights of Way Act 2000 or other legislation). However, it appears that “dangerously out of control” is not defined and it would assist if this could be clarified.

7. The courts should have the power to impose dog destruction orders in cases brought under both the 1953 Acts (not only under The Dangerous Dogs Act 1991 as at present).

8. There should be provision for charging on-the-spot fines for dogs (i) chasing/injuring livestock, (ii) running out of control, (iii) being off a lead in an on-lead area.

9. It would become possible to impose on-the-spot fines if micro-chipping of dogs was compulsory, because owners of offending dogs could be positively identified by means of a chip reader. There should therefore be compulsory micro-chipping of dogs.

## NOTES

1. The Dartmoor Livestock Protection Society (DLPS) was founded in 1963. DLPS helps sick and injured ponies, sheep and cattle on Dartmoor and the animal casualties of moorland road accidents. DLPS is actively involved with the problem of out-of-control dogs and sheep-worrying on the common land. The Dartmoor Commoners’ Council and the DLPS together employ a Dartmoor Livestock Protection Officer whose role is to be on call at all times for incidents of dog attacks and sheep-worrying. The Dartmoor Livestock Protection Officer liaises between the public and farmers, and with the police where information is logged and further steps taken in the more serious cases.

2. Common land is land which has an owner and is subject to the rights of commoners, to graze animals, collect wood, dig peat etc. In the uplands especially, common grazings are vital to the livelihood of the graziers. Most common land is recorded on registers held by the county or unitary councils. The public has the right to walk on all commons and to ride on many of them.

3. On most commons the public right of access is under the Countryside and Rights of Way Act 2000. On these commons, dogs must be kept on short leads from 1 March to 31 July and at all times when in the vicinity of livestock (Schedule 2 para 5). However, if a member of the public disobeys this rule, he becomes a trespasser. It is not a criminal offence.

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### Written evidence submitted by Felicity Lynch

1. The measures on Tackling Irresponsible Dog Ownership announced for consultation by Defra on the 23 April completely failed to address the biggest floor in the dangerous dogs act. The needs to be a complete overhaul of the dangerous dogs act and the repeal of breed specific legislation. Breed specific legislation has been detrimental to our society in a number of ways whilst failing to provide any protection to the public. Breed specific legislation has not been proven to reduce the incidence of dog bites in any part of the world. Many places with long standing breed specific legislation have repealed it as it failed to reduce dog attacks such as Italy, the Netherlands and Winnipeg. The results of the first dangerous dog consultation shows that an overwhelming majority, 71%, the kennel club and the RSPCA want breed specific legislation to be repealed.

2. Supporters of the dangerous dogs act often claim that there is no effective alternative to breed specific legislation. Nothing could be further from the truth. Well written and enforced breed neutral laws and educational programs have been shown to be extremely effective in places like Calgary Canada which has had a 70% reduction in canine aggression incidents since passing their dog by-law. Similar breed neutral laws and educational programs in the UK is the solution to the problems we are having.

3. Numerous breeds and crossbreeds can produce an illegal type dog, so the types contain within the dangerous dogs act will never be eradicated. Thousands of responsible owners will still be unfairly targeted if breed specific legislation remains. Breed specific legislation has failed and will continue to fail to reduce dog attacks because it is a knee jerk response to selective and sensationalised media reports and is not based on facts or causes of canine aggression.

4. There is a belief that pit bulls are responsible for a majority of attacks that is used to defend this ban. However the study entitled "Does the Dangerous Dogs Act protect against animal attacks: a prospective study of mammalian bites in the Accident and Emergency department" proves that pit bulls were only responsible for a small proportion of attacks both before and after the introduction of the act.

5. The American temperament test society has tested thousands of dogs from hundreds of different breeds. Pit bulls have a pass rate of 86%, higher than golden retriever with 84.6% and collie with 79.7%. So poor temperaments are not general in pit bulls. Another reason for the ban is the belief that pit bulls attack without warning, this is simply not true. Schalke *et al.*, "Is breed specific legislation justified? Study of the results of the temperament test of Lower Saxony", and Ott *et al.*, "Is there a difference? Comparison of golden retrievers and dogs affected by breed specific legislation regarding aggressive behaviour", both concluded that Dogs of the targeted breeds signal their intent just like other dogs and that Dogs of the targeted breeds are statistically no more likely to show inappropriate aggressive behaviour than are Golden Retrievers.

6. Another belief is that pit bulls cause higher levels of injuries than other breeds and this is often cited as a reason to maintain breed specific legislation. However, a review (Hockey 2003) done in Australia shows that this is not true. Two studies were reviewed to reach this conclusion. One study by Lockwood *et al* (1987). The study found the difference in severity of injuries between pit bulls and other breeds was not statistically significant. The other study reviewed by Hockey (2003) involved reports of 2,132 animal bites in to animal control authorities (Palm Beach County, 1993). All bites were graded for Severity from 1–5, with one being the lowest. 16% of pit bull attacks had a severity of three or above (requiring medical attention). Both Golden Retriever and Labradors also had 16% of attacks with severity of three or above. The review showed that compared to other breeds the risk for Pit Bulls is not excessive.

7. Many supporters of breed specific legislation claim that the pit bull ban is necessary to tackle illegal dog fighting. However, the dangerous dogs act does not give the police or courts any powers they haven't got under the animal welfare act 2006 to target this offence so section 1 of the dangerous dogs act is unnecessary to target illegally dog fighting.

8. There is no justification for breed specific legislation to remain although DEFRA claim that police stated that dog attacks would increase if breed specific legislation was repealed, this is a personal opinion of non-dog behaviour professionals and there no evidence to support this. Many places where breed specific legislation was repealed have not have increases in dog attacks. It is also the only law in the UK where the burden of proof is reversed and because of this it is one of the biggest threats to the rights and freedoms of responsible dog owners today. The dangerous dogs act 1991 as amended in 1997, must be completely overhauled and replaced with effective breed neutral laws such as those passed by Calgary Canada.

### **Written evidence submitted by Mandy Dumont**

1. Compulsory microchipping and licenses for all dogs similar to horse passports. Paid for initially by breeder or rescue centre with contact details for breeder/rescue as well as owner. Details MUST be updated with any change of ownership. Reduced fee for renewals with proof of neutering to discourage breeding. Microchip and/or license MUST be proof of ownership. All dogs and ownership to be checked on first visit to any vet. Any legislation only effective if enforced so fines for non compliance. Owners and/or breeders responsible for the lifetime of a dog. Compulsory chipping should apply to all dogs as soon as possible not just puppies.

2. No sale of puppies through third parties ie dealers or pet shops. Puppies should only be sold from where they are born or a bona fide rescue. This would have a massive impact on puppy farming. Puppies should not be transported across the country with all the stress and risk of infection from this. Education about always seeing a puppy with its mother has not worked so legislation is necessary.

3. Councils should ensure that licensed breeders follow their license conditions. A yearly inspection if the breeder has been warned beforehand is not sufficient. Anyone breeding too many dogs without a license should be fined.

4. No commercial importation of dogs from abroad. Puppies are now coming in from Eastern Europe for pet shops or sale in lay-bys. How long before rabies is also imported?

5. Ban online or newspaper advertising of dogs and puppies. Far too many people breeding dogs purely for profit with no concern for temperament, health or welfare. This is adding to all the dogs in rescue and being destroyed daily. Dogs are also stolen and sold on.

6. It is much too easy to get a dog nowadays and they are seen by too many people as an easy come easy go option. People should be made aware that a dog is a lifetime commitment.

7. Repeal the Dangerous Dogs Act. This has not worked as regards pit bulls. Dogs should not be seized or destroyed purely on looks or a tape measure. Action should be taken on out of control dangerous dogs that are actually causing a problem including serious attacks on other dogs.

*June 2012*

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### **Written evidence submitted by Canine Action UK**

#### **1. SUMMARY**

Many of the current problems relating to dogs can be linked directly to the way they are bred and sold. In particular, the commercial trade in puppies through third party sellers such as dealers and pet shops is an unnecessary and outdated practice, likely to have considerable negative implications for owners and for the welfare of breeding dogs and puppies. Existing legislation therefore needs amending to make it unlawful for this trade to continue.

#### **2. Assessment of existing situation**

- (a) There are no accurate figures for the commercial dog breeding industry, which makes it difficult to assess the scale of the business or identify and tackle the problems at source. Additionally, many dogs that are sold in the UK have been imported from Europe and it is impossible to ascertain whether they have been bred and transported in acceptable conditions.
- (b) The welfare of breeding dogs at many commercial breeding establishments is a cause for deep concern because existing legislation relies too heavily upon subjective judgements and is not rigorously applied.
- (c) Buyers may be duped into purchasing a dog from a source they would have otherwise avoided due to the absence of any real regulation of pet advertising and the anonymous nature of internet advertisements. Few internet classified sites carry any advice for buyers meaning a vital opportunity to educate on good purchasing protocol is lost.
- (d) Traditionally, dog breeding has been regarded as no different from any other business or livestock enterprise, which has resulted in a number of problems:
  - (i) The escalating numbers of unwanted dogs and puppies is undoubtedly due in part to the overproduction of dogs bred for the pet market and the ease with which dogs can be purchased. Owners can be unprepared for the ongoing costs and commitment that come with dog ownership and discarding the dog is frequently the easiest option.
  - (ii) The dog breeding industry is also unique because the buyer rapidly forms an emotional attachment to the puppy. This allows sellers to abdicate responsibility as the purchaser will be unwilling to return or replace the puppy if problems should subsequently develop. Those who buy puppies from sources where issues commonly arise are often the least able to manage or resolve the problems, leading to dogs being abandoned or euthanised. Commercial breeders and

sellers are also far less likely to offer any post sales support to new owners or refuse a sale on the grounds of unsuitability.

- (iii) Unlike other industries, people will have different reasons for breeding dogs and this will inevitably lead to variations in methods and standards of welfare. Buyers also have different priorities, which will lead them to make certain choices when purchasing a puppy. There is very little protection for buyers who have to rely on their own knowledge and judgement to make a good purchase.
- (e) Commercial breeders with the poorest standards of welfare usually rely on third parties to sell their puppies. Research and extensive evidence have shown that this practice has no beneficial attributes and frequently has a considerable, long-term detrimental impact on the physical and/or mental health of the dog. This will inevitably have negative financial and emotional consequences for the owner. Across the World, the recommended buying advice is to see the puppies with their mother and this is never contradicted. Selling dogs through shops in particular encourages impulse purchasing, which subsequently is often the reason why dogs are either abandoned or neglected. The unique position that pet dogs have in modern Britain means they are ill suited to being reared as livestock and sold as general goods.

### 3. POSSIBLE ACTIONS FOR GOVERNMENT

- (a) The administrations for Wales and Northern Ireland are considering changing primary legislation to include more detailed requirements for breeders. However, this would be unworkable due to the huge variation in dog breeding methods and situations.
- (b) Ending the sale of dogs from third party agents such as pet shops and dealers would not require new legislation to implement and would be popular with the public as well as being wholeheartedly supported by welfare organisations. Removing the reference to pet shops in existing legislation means that licensed breeders would need to deal directly with prospective new owners. This should provide considerable incentive to ensure good practice is adhered to and that the highest rather than minimum standards are met. Breeding dogs for commercial gain would remain a legitimate business for those that are able to meet improved standards of welfare and quality. Amending the Pet Animals Act (1951) to prohibit the sale of dogs bred outside the UK would close the loophole for commercially importing puppies. These measures would effectively cut off the supply of dogs to third party sellers and may be easier to implement than an outright ban. It is likely that pet shop owners and puppy dealers would protest against such changes on the basis of restriction of trade. However, this does not provide sufficient justification when set against overwhelming evidence of the negative consequences of this practice. Ending the sale of dogs through pet shops and dealers would be the most significant improvement in dog breeding welfare for decades.
- (c) There should additionally be a mandatory requirement for commercial breeders to be a member of an officially recognised Breeder Accreditation Scheme to enable consumers to confidently identify responsible breeders
- (d) Most puppies are bred by casual rather than commercial breeders, but enforcing breeding legislation would be impossible in private homes. Casual breeders are a lower welfare risk and would benefit more from guidance through a Code of Practice than legislation especially as for many, breeding is a one off experience.
- (e) Advertising of dogs for sale needs more stringent regulation to ensure buyers are not misled and are given sufficient advice to make an informed choice.

A more detailed appraisal of the current problems and suggestions outlined in this submission can be found in the *Independent Report into the Breeding and Sale of Dogs in the UK* and accompanying *Study into Online Advertising of Puppies in the UK*. These documents can be downloaded from <http://canineactionuk.wordpress.com/>.

June 2012

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#### Written evidence submitted by Anonymous Contributor

While as a Canadian Citizen I am personally not in a position to participate in the questions regarding Dog Control and Welfare in the United Kingdom, it is nevertheless our hope that “fair” and “just” controls be developed and implemented to help prevent arbitrary practices, and dispel incentives, to sentence individual innocent pets to death for what is intended to be a benefit to the human collective.

One such example of an unpopular practice involves a well known case playing out in plain world view today with 168,370 signatures to date and counting... all individuals petitioning the release of a dog now two years on death row with convictions *not* based on any specific action or behaviour, but rather on the premise of what the dog might do with the teeth he possesses.

If I may, and in brief, herewith is the story for your reference:

Caroline Barnes,—an upstanding law abiding citizen of the United Kingdom, a Veterinary assistant who fostered dogs and worked for the Belfast City Council,—brought home one day—seven years ago, an American Bulldog/Labrador Cross puppy to comfort her daughter Brooke, a child afflicted with asthma and physical disabilities, then six years old. The dog, subsequently named Lennox, was vaccinated, neutered, micro chipped, and insured according to the laws of the United Kingdom.

Lennox was an exemplary pet who never bit, nor attacked, nor threatened anyone throughout his entire life with the family, in fact Lennox never had any complaints issued against him. The dog served as a great comfort to the little girl who relied upon him for her safety and wellbeing.

Thereafter, five years later, in May 2010, members of the Belfast City Council arrived by error at the doorstep of the Barnes family, shared tea and cigarettes, unearthed a measuring tape, declared the two dogs (Lennox and another dog from the same litter) “of type” and absconded with them to an undisclosed kennel destination. Within a period of time, one pet was returned, Lennox however was confiscated and deemed a candidate for euthanasiation.

The Barnes family refused to sign the requisite documents to do away with the life of their pet and proceeded to fight in court to have him returned. Today—following two years and three court decisions later (all based on contradictory evidence)—Lennox remains condemned to death based on appearance and the probability of future aggression. The family appealed to the Belfast City Council to be permitted access to Lennox and to have an independent Veterinarian examine him. The Belfast City Council promptly and steadfastly denied all requests. The family and the little girl in particular are left bereft and in despair.

In the interim, there have been many letters and appeals written to various authorities in Northern Ireland and England, but all to no avail. In addition many organisations outside of Northern Ireland have offered to adopt Lennox in an effort to spare his life. The Barnes family has agreed to consider these options.

As it is, Lennox remains in custody living under extreme duress, in a dark corner, covered in saw dust, amid his own feces, without due veterinary care, an injured neck, an unattended bleeding foot, clumps of hair falling out of his body, medicated daily to keep his anxiety and stress under control, and his human family denied access to him since the day he was taken in May 2010.

As well, and of note, the outcome of the events as they ensued in court gives pause as to something terribly amiss at hand. This, given the history of the passive nature of the dog while living with his human family (for five years prior), in addition to two examinations and testimonies by independent professional experts in dog behavior asserting to his calm predisposition, and many evidence photos of the dog behaving in an overtly friendly manner toward the Dog Warden, Ms. Lightfoot, who then proceeded to testify against him. An article titled “Private Investigation of Lennox Wardens Warranted” was published 22 June 2012 by *The North Country Gazette*.

The gravity of Lennox’s fate is felt every passing day with the family exhausting all legal recourses to free him. Website: [www.savelennox.co.uk](http://www.savelennox.co.uk); [www.savelennox.com](http://www.savelennox.com); [www.savelennoxpetition.co.uk](http://www.savelennoxpetition.co.uk); [www.boycottbelfast.com](http://www.boycottbelfast.com); [savelennoxfacebook.co.uk](http://savelennoxfacebook.co.uk);



In conclusion, thank you for the initiative to review, update, and improve the current controls in place to safeguard the lives of both human and canine alike.

In the event you wish to review additional information, please note the following link for your reference: [www.examiner.com/article/breed-specific-legislation-failing-globally](http://www.examiner.com/article/breed-specific-legislation-failing-globally).

Thank you for your time and consideration.

June 2012

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**Written evidence submitted by Simon JR Adams BSc, BVMS, MRCVS, Veterinarian and Welfare Adviser**

Simon J R Adams, originator of the BVA-AWF/RSPCA Standard Puppy Sales Contract, whilst Trustee of the BVA-AWF (until November 2011). Chairman of the Association of Greyhound Track Vets (AGTV). Founder member of Dogs First/Pedigree Dogs Exposed, dog welfare reform lobby group.

*Whether the Government's proposed approaches will deliver the right legal framework, enforcement regime and educational support to reduce irresponsible dog ownership and tackle out of control dogs*

I believe the Governments current approach will not deliver a workable solution. My concern is that they are listening only to vested money interests in dog control ie Police on one side and dog charities on the other, who are all jockeying for position to have financial control of a new Dog Licence.

I believe there is a much simpler alternative that will allow the public via the courts to effectively "police" dog control rather than the authorities, at no cost to state, merely to dog owners, as would seem appropriate. The original Standard Puppy Sales Contract I produced was designed to enable the public to seek legal compensation for both irresponsible; Dog Breeders; and Dog owners (ie includes dangerous dogs, stock worrying, barking, dog fouling, causes of RTA's etc, etc).

To effect this control mechanism, all that Government need to do is to make Microchip identification of all dogs, and a minimal pet insurance policy compulsory for all UK Dog Owners from a specific Date. The minimal Pet Insurance should be specified and negotiated with the UK Pet Insurance Industry to include three essential components: No win-no fee, legal cover (so that anyone who buys an unhealthy puppy can sue the breeder); plus third Party liability cover (so that anyone injured by the owners dog can sue them for damages); plus an emergency welfare veterinary cover, to ensure that any injured dog can at least get emergency veterinary treatment, (at least humane euthanasia available at the nearest vet).

This "catch all" simple package should reform all forms of irresponsible dog ownership and dangerous dog problems very quickly, using existing consumer protection legislation. See Appendix I attached at the end of this document for a more detailed explanation.

**CONCERNS ABOUT THE WELFARE OF DOGS LINKED TO BREEDING APPROACHES**

There has been little real change since Pedigree Dogs Exposed was first televised four years ago. The solution outlined above would quickly and effectively close all Puppy farms and remove irresponsible Pedigree Dog breeders equally, as they would be sued out of existence.

The major problem is the Governments continued support of the Kennel Club as the current Regulatory Body. The Kennel Club cannot ever fulfill this regulatory role in dog breeding as it is utterly compromised by its members ie Pedigree Dog Breeders. This is therefore merely Self-regulation which never works.

We need a new Regulatory Body for Pedigree dogs, entirely independent of the the current pedigree dog breeders club, ie the Kennel Club.

**DOG CONTROL**

*Are the approaches proposed by Defra in its announcement on "Tackling Irresponsible Dog Ownership" on 23 April 2012 sufficient to ensure that there is a reduction in the number of attacks by dogs on people and animals?*

*Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

Yes, unless the proposed Puppy contract linked with compulsory Microchipping and Minimal Pet Insurance package, proposed above, is developed by Government.

*Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

No, the proposed package will enable the public to effectively use the courts to sue owners of aggressive dogs.

*Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme also be considered?*

No, better to make microchipping compulsory for all dogs from a specific date, so that improvements are instant as opposed to taking 15 years to become effective.

*Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

Yes.

*Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

Unlikely to be effective. Using the Standard Dog Sales contract, owners sign to prove that they have all relevant dog knowledge and so can be held accountable by law.

*Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

No, very confused. RSPCA should have statutory powers to seize dogs, as in many other countries.

#### DOG WELFARE

*In respect to concerns expressed in Professor Bateson's report over poor welfare that has arisen in the course of breeding dogs:*

1. *Has the response by dog breeders and the veterinary profession been effective?*

No, the Kennel Club (KC) has used its influence to minimise the veterinary professions ability to respond effectively (ex member of the BVA Dog Breeding Reform Stakeholder group). KC cannot fulfill a regulatory body role due to conflict of interest with their Pedigree Breeder membership.

2. *What actions should Government take to address these issues?*

Appoint a new Dog Breeding Regulatory Body independent of the Kennel Club. Use the proposed Package of Dog Sales Contract and compulsory microchipping and insurance cover to enable the public (consumers) to "police" and the courts to enforce via litigation.

3. *Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

Not if the proposed package is developed, otherwise yes a huge and complicated mass of legislation changes.

#### APPENDIX I

*The Potential Benefits of a Pet insurance link-up to enable and potentiate the effect of a Standard Puppy Sales Contract*

With reference to the Standard Puppy Contract, the real benefit for Government may well be, that if we can persuade them to consider making, at least, 3rd party Liability Insurance a must by law, under the AWA for Dogs (at first)? Then this could be an effective alternative to the "Politically Courageous" and potentially highly unpopular, re-instigation of *both* the Dog license, and DDA, without the need for a costly and v unpopular Controlling Body to oversee and issue licensing. I believe that this is at the bottom of all the wrangling and posturing by KC and stakeholders, who all want to control this potentially lucrative new body and obtain absolute power by default.

The whole issue of Dangerous Dogs and Irresponsible Dog owners, and Breeders, is slowly but surely pushing Gov down this route to win this "goal" for the main political lobbyists, as I'm sure KC, DT and RSPCA see it?!

*How the Standard Puppy Contract with Insurance link up could be a viable, cheap and effective alternative, which promotes Animal Welfare Standards too?*

If the Gov can appreciate that all they have to do, is to extend to Dog Buyers a legal requirement to have their Dogs covered by third party (at least) Insurance (annual premium cover, just like buyers of cars under Consumer law). Then this effectively becomes a dog license controlled and run, at no cost to Government by the Insurance Industry. It protects the public from dangerous dogs and irresponsible owners at one stroke who can be held accountable and sued effectively, when appropriate. Obviously the Insurance Industry will benefit as all dog owners need to have cover. The *Quid Pro quo* from the insurance Industry, would be that with Gov backing and pressure, that they could also be persuaded to also provide a "basic" default health cover plan, to say cover RSPCA/PDSA vet cover contributions, plus a "bolt on", "off the shelf" legal "No win No Fee Cover" to enable any litigation over inherited diseases when necessary. This Default base Insurance package, could be the minimum with their existing Premium Pet Health Cover packages as the top of the line, where any practice could be used. Obviously we would want the more expensive premium packages to all provide these three covers too (ie third party liability, no win no fee for inheritable diseases and more elaborate Pet cover).

*How Does the Standard Puppy Contract Fit in?*

The new owner, legally acknowledges and signs to agree to the standard owners conditions of the contract, which is that:

- (a) the dog must be microchipped;

- (b) the contract is their certificate of ownership linked to the microchip, which legally makes them accountable; and
- (c) they acknowledge and sign that they understand and agree to their “Duty of care” under the AWA including the need to keep the dog insured annually.

Thus most of the current difficulties of proving dog ownership in cases of liability prosecution are overcome via the Sales contract (effectively duplicated and recorded with microchip and held on a central database.) If a dog changes ownership they use the Standard puppy Contract and send a copy off to the microchip database to re-register the new owner of that dog. If they don't then any liability defaults to them, just in the same way as selling a car, but you don't need the DVLA, just the microchip database, which is already there.

If you like, the Puppy contract also acts to prove the owner understands their commitments and has legally signed to acknowledge this, like an “Anesthetic permission form” preventing them from claiming “I didn't know”, or “the dog isn't mine”, which is how currently owners avoid their responsibilities under the current law, leading to all the current problems.

In summary, the Standard puppy sales Contract, ties the dog to an existing identifiable owner for legally accountable purposes and allows the authorities or courts to hold them accountable

I realise that this still amounts to an annual “tax” on dog ownership, but it ensures that the fee protects the public and covers basic welfare costs for that dog if it needs treatment. The insurance companies and courts will regulate and oversee the system as opposed to a costly alternative DOG LICENSING body where the funds will be used to run the Licensing quango and the individual dogs and will not see a penny and get no benefit.

I see this as a viable win:win scenario for all, to facilitate responsible Dog Breeding, ownership and improved welfare cover for all UK Dogs at one stroke. All the Government has to do is make third party Insurance cover mandatory under the AWA, with no further costs to the public purse!

*Why The KC's ABS cannot achieve this?*

It is “exclusive”, as opposed to “inclusive” ie only the “Top” small percentage of Pedigree dogs would be protected by a much less stringent ABS. Actually the ABS and Standard Puppy Contract can be rolled out “Hand in Hand” if you like, as long as they have the same Standard Base legal format. Obviously the ABS, would probably be more elaborate and probably less “balanced” and more of a Breeders Disclaimer! However, at least all dog buyers, as opposed to only some Pedigree buyers, would be protected and so by default their dogs!

*Why not just do this via a Dog license?*

You could, but then you lose the benefits to another nightmare Quango who will be ineffective and screw it all up again! And most importantly to the Gov, it will turn all dog owners against them!!!

I hope I have made this clear? Am I mad, or isn't this a viable solution to all the current dog problems? At least I have had the opportunity to explain all this.

*June 2012*

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#### **Written evidence submitted by Naomi Mignone**

1. I am very happy to have an opportunity to request that Breed Specific Legislation be repealed. BSL has been used to hold innocent dogs hostage and to wrongfully tear them away from their homes and cost them their lives. This is heartbreaking and permanently harms the families involved.

2. The Belfast City Council and its dog wardens have twisted BSL to suit their own political purposes. They have wrongfully taken Lennox away from his family and held him hostage in a filthy cement cell for more than two years. They have cruelly refused to allow the family to see Lennox or even to have their veterinarian check his health status.

3. Lennox has never shown any signs of aggression and has never bit a human or any other animal. He has never run loose nor caused any problem. Lennox is an American Bull Dog/Labrador Retriever mix. He is not dangerous and needs to be returned to his family immediately before Belfast cruelly and illegally kill him. The testimony of dog behavioral and training specialists verified that Lennox is no danger to anyone. The dog handler and dog warden are prejudiced against any dog that bears even a slight resemblance to a Pit Bull Dog. Lennox has been photographed licking the face of his captor, the prejudiced dog warden.

4. Please save Lennox from this cruel, inhumane hostage situation and force Belfast City Council to release Lennox back to his family. Please don't let them kill this innocent dog. Lennox is the therapy dog to a twelve year old girl. She misses Lennox desperately and her health has suffered and so has Lennox's.

5. There is far too much cruelty to animals and they need greater protections. Please do away with BSL and save Lennox. Please have harsher penalties and lengthy jail times for those who abuse, torture, and/or kill animals.

6. Puppy farms should be shut down to stop the cruelty to the animals and good homes should be found for the dogs and puppies. There are too many dogs and cats being euthanised in shelters due to overpopulation. People need to have their pets spayed or neutered and be responsible for their care. Without puppy mills or backyard breeders, the animals in shelters will have a better chance at being adopted.

June 2012

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### **Written evidence submitted by Greater Merseyside Dog Welfare Forum**

#### **1. BACKGROUND TO THE MERSEYSIDE DOG WELFARE FORUM**

The Dog Forum was established in 2002 to consider the issue of dog welfare and to give organisations the opportunity to work together to promote responsible dog ownership in and around the Merseyside area.

Forum membership includes representatives from ten local authorities, two police forces, the Merseyside Guide Dogs Association and has the support of a number of national animal charities (RSPCA, Dogs Trust and PDSA) as well as other professionals working on the “front line” in all matters involving dogs and their care and welfare.

Each year The Forum hosts a three week dog welfare road-show, with events being held at various locations across the region, providing free health checks, free micro-chipping and offering advice on neutering opportunities and other aspects of dog ownership, care and welfare.

This is a great opportunity to promote responsible dog ownership in a very positive way.

The views contained in this submission are a summary of the thoughts and opinions expressed at forum meetings. The views have not been formally endorsed by each individual local authority or by the organisations that forum members represent, but nevertheless I believe them to be a true and accurate reflection of the strong feelings held by people who work on a daily basis with the issue of dog care and control.

#### **2. COMMENTS ON DOG CONTROL**

The Forum welcomes the proposals made by DEFRA on 23 April 2012 in its announcement on “Tackling Irresponsible Dog Ownership”. The proposals are a small step in the right direction but it is felt that this has been a missed opportunity and that the Government has not gone far enough.

It is hard to see how the proposals, as they stand, will effectively tackle the danger of irresponsible dog ownership to both people and other animals. The new proposals will not address the growing problem of irresponsible ownership and will not make any huge stride forward as far as dog welfare is concerned.

The Forum would make the following points:

- (a) Dog control legislation needs to be consolidated, updated and simplified. The proposal to protect people against dogs that are dangerously out of control on private property is a positive move but it will do nothing to prevent dog bites and attacks. Dog attacks on livestock and pets should be made criminal offences and special consideration should be given as to how best to deal with attacks on guide and or assistance dogs.
- (b) We do not believe that sufficient action is being taken to deal with pets raised as “status dogs”. We believe that more resources should be made available to improve the education of dog owners and children and young people should be taught the lessons and benefits of responsible dog ownership at an early age.
- (c) Whilst compulsory micro-chipping will not, on its own, be a catch-all solution for protecting the public from dangerous dogs and irresponsible dog owners, it would be a great way forward towards identifying owners and making them responsible for their dogs actions. Micro-chipping brings with it so many benefits, but to have the greatest impact Forum members believe that the option to have all dogs micro-chipped from a fixed date would be the best way forward. Further legislative provision also needs to be made to ensure that any changes of ownership and owner contact details are notified to the national data base whenever they occur. The idea of a dog licensing/registration scheme could be considered with the problems and benefits being fully explored.
- (d) The provisions of the Dangerous Dogs Act 1991 in respect of allowing a dog to be dangerously out of control should be extended to private property. There should not be any area or location exempt from this legislation (if a person has a legitimate right to be there whether in a business or social capacity).
- (e) DEFRA’s proposals for community and educational approaches to dealing with irresponsible ownership are welcomed. A multi-agency approach in engaging with the dog owners within our community is our best chance of making a real difference. However, the provision of £50,000 would

appear to be a totally inadequate response to supporting projects and initiatives across the country if real progress is to be made and a change of attitude is to be brought about. The proposal is “commendable” but could not be classed as “highly ambitious”.

- (f) The roles and responsibilities in issues surrounding the management of stray and abandoned dogs are a little unclear. Statutory responsibilities need to be re-classed as duties, legislation needs to be updated and simplified and the benefits of a multi-agency approach involving local authorities, the Police and animal charities must be recognised and encouraged at every opportunity.

### 3. COMMENTS ON DOG WELFARE

In respect of the concerns expressed by Professor Bateson’s Report over poor welfare that has occurred in the course of breeding dogs the Forum would make the following brief observations:

- (a) In general the response to the report from dog breeders and the veterinary profession has been slow and has appeared to have made little impact on improving dog welfare.
- (b) The matter of dog breeding must be addressed through animal welfare legislation. A specific code of practice should be introduced to cover the matter if any real progress is to be made
- (c) The problem of large numbers of stray and abandoned dogs will never be reduced until the unnecessary over breeding of dogs is controlled. As long as the legislative controls remain unclear and inadequate then people will continue to breed dogs, to sell and import them for financial gain with little or no regard whatsoever for the welfare of either the bitches or the puppies that are produced.

June 2012

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#### Written evidence submitted by Dr Kasia Szpakowska

1. There needs to be a complete overhaul of dog legislation and its enforcement. The current BSL laws have failed miserably here, and in other countries, because they do not attack the problem, but merely a perceived symptom. The current dog legislation which focuses on killing dogs based on their physical appearance has backfired and created a serious problem—one that did not exist to this extent before. Dog attacks on people have increased, and this is not really surprising. Irresponsible people who should never have been allowed to own a dog in the first place get them as status dogs, and encourage unnatural and vicious behaviour as a means to seem “tough.” The problem is with these irresponsible dog-owners. Anybody can now own a dog, but there are few penalties for those who are irresponsible, cruel and neglectful. Those individuals who purposefully take an animal and work to make it vicious against other people are not the ones being punished. When cases of animal cruelty do arise (and animals are made vicious by being treated cruelly) the punishment is so slight that it does not act as a deterrent.

2. All people should be educated as to what constitutes proper dog care and welfare. Those that cause the problem, irresponsible dog-owners and breeders, should be severely penalised and educated. Killing a dog because it looks a certain way has not resulted in any positive benefits. It has succeeded in devastating too many families, especially they children, whose innocent dogs have been destroyed for no other reason than they look a certain way.

3. Dog attacks on livestock and pets should not be treated the same as attacks on people. Many dogs chase animals. It is in their nature. It is even encouraged by humans (for example, greyhounds are trained to chase running furry things in races for the enjoyment of humans). When a dog then carries out this same behaviour elsewhere, a death penalty is not the answer. There is no link between a dog chasing or catching another animal, and later attacking a human. There is no link between a cat torturing a killing a mouse, and later killing a human. There is, however, a link between humans perpetuating animal cruelty and escalating into worse criminal behaviour against humans elsewhere (see for example, Sara C Haden and Angela Scarpa, “Childhood Animal Cruelty: A Review of Research, Assessment, and Therapeutic Issues,” *The Forensic Examiner* 14 (2005): 23–33). There is therefore great benefit in severely punishing and rehabilitating the humans responsible for being cruel or neglecting their dogs—it may deter them from further crimes against animals or humans. But this link and escalation does not exist in dogs. No animal should be condemned for acting out its nature. If a dog is left out of control of the owner and harms livestock, a fine on the owner to recompense the livestock owner is reasonable, in just the same way that the owner would be fined if he or she had directly killed the livestock. Seizing and killing the dog is unreasonable. No dog has in its innate nature attacking humans. Various breeds and hunting dogs were trained to bring down other animals, not humans.

4. Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities? As far as I can see nothing is being done. The media is allowed to “glamourise” certain dogs based on their physical characteristics (as outlined in the BSL), and it is this media attention in large part that creates the idea that they are “status” dogs. There seems to be no penalty for neglecting the welfare of dogs, nor is there any indication of any sort of educational campaign.

5. While microchipping of animals is certainly desirable, it is an issue completely unrelated to dog attacks in any way. Responsible owners already microchip their animals. Irresponsible owners will not microchip, nor

will they license their animals. What will work is serious fines and sentences for those who endanger others by criminal acts or negligence in relation to their dogs. At the moment, the punishment is so slight that it is not noticeable.

6. Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property? No. Owners should be liable for the behaviour of their dog (no matter the breed) on their own property. A dog should not lose its life for defending the life of its owner from the threat of physical harm by a burglar, rapist, or murderer.

7. All proposals for wider community and educational approaches to support responsible dog ownership should be ambitious and effective. Education is the key. Some dog owners are irresponsible simply because they do not know better. I have heard people say that their dog will become calm once bred. They honestly do not realise that there is a serious problem with over-population, nor are they aware of the many health benefits of spaying and neutering. Their ignorance is very much part of the problem. Why shouldn't responsible dog care be part of the education of all children?

8. Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime? No, only registered animal charities should manage stray dogs. The police should be dealing with human criminals, not attempting to read the future based on how a dog looks. Nor should the local authorities have any say in their treatment. Both groups have proven themselves less than successful, and again, they have added to the problem. The horrific physical and mental condition of the dogs currently seized and being held under BSL in hidden government sanctioned kennels is appalling. They emerge emaciated, ill, and suffering nervous ailments. The conditions in which they are being held are ones that would be considered animal cruelty if perpetuated by an individual.

9. Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies? Yes, puppy farms should be banned, and breeders should be strictly regulated not only in terms of the welfare of bitches, puppies, and studs, but also in terms of selling, and disposal of dogs that they deem do not fit the desired characteristics. The characteristics should be based on physical, psychological, and behavioural health rather than appearance and cosmetic. Again, the laws are far too lax in terms of what is allowed by the breeders (and who is allowed to breed) and it is the animals who suffer. Breeders should be licensed, and should have to pay, and should be liable to maintain the welfare of bitches and studs after their breeding usefulness has been expired.

10. Make spaying and neutering mandatory. This would help with the over-population problem. However, again there must be controls to ensure that it is not just the responsible dog-owners who are targeted.

11. The Dangerous Dogs Acts and BSL are expensive to run, and have been proven as utter failures. The government should stop wasting tax-payers money, repeal the laws (it is better to admit that a mistake was made, than to continue with a policy that is patently flawed), and invest instead in an educational campaign coupled with stiffer sentencing against irresponsible owners and breeders.

June 2012

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#### **Written evidence submitted by Universities Federation for Animal Welfare**

In respect to concerns expressed in Professor Bateson's report over poor welfare that has arisen in the course of breeding dogs:

- Has the response by dog breeders and the veterinary profession been effective?
- What actions should Government take to address these issues?
- Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?
- (i) Following the publication of CAWC's 2006 report on "Breeding and Welfare in Companion Animals", and other reports that followed on this topic, there have been a variety of new initiatives and efforts to help address these problems and it is hoped that these will be effective in time in improving the genetic health of dogs. To reduce the prevalence of many of the genetic welfare problems that occur will take time. It is probably too early to try to judge the efficacy of many of these.

An important factor in the perpetuation of genetic welfare problems has been lack of awareness of the welfare consequences of genetic conditions. In order to help address this, UFAW is developing a website that aims to provide clear information for prospective pet buyers and breeders, on the welfare effects of genetic diseases and conditions. This website is at <http://www.ufaw.org.uk/geneticwelfareproblems.php>.

It is hoped that, along with other initiatives listed at the website, including:

- the establishment of the Advisory Council on Welfare Issues of Dog Breeding (<http://dogadvisorycouncil.org.uk/>)
- the establishment of the BVA AWF/RSPCA Puppy Contract scheme, (<http://puppycontract.rspca.org.uk/home>)

- the development of an advisory website for puppy buyers ([www.dogbreedhealth.com](http://www.dogbreedhealth.com))
- joint BVA/Kennel Club initiatives for testing for genetic diseases (eg <http://www.bva.co.uk/atoz/1392.aspx>) (<http://www.bva.co.uk/news/2742.aspx>); and
- the development of new genetic tests ([http://www.aht.org.uk/cms-display/genetics\\_cares.html](http://www.aht.org.uk/cms-display/genetics_cares.html))

that this will help in reducing the prevalence of existing genetic welfare problems and in preventing others from arising.

- (ii) The Government should (through an appropriate body or bodies) monitor progress and be prepared to be responsive to requests for support for research and educational initiatives in topics of major animal welfare importance in this field.

As regards microchipping, this is likely to be beneficial for welfare in dealing with lost or stray dogs and, as part of a health surveillance scheme, in helping to identify strains with genetic diseases. A scheme could be funded by owners so would require no public funds.

June 2012

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### Written evidence submitted by the Companion Animal Welfare Council

*Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

Yes.

*Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

No.

*Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners?*

Yes, microchipping is likely to improve welfare, provided that the database is managed centrally and the puppies are microchipped before they leave the breeder, as it is essential that all puppies can be traced back to the breeder. The cost of microchipping is born by the breeder/owner and the prices charged range from zero (eg if subsidised by animal charities) to £40. If the cost was set appropriately, it should be possible to provide the financial support required to run an efficient scheme at no cost to Government. The design of the chip and the site for implantation need to minimise the risk of chip migration within the animal. Suitable microchips exist and are widely used already, as are guidelines on suitable implantation sites.

*Should a dog licensing scheme also be considered?*

No. The combination of a registration/licensing system for breeders and effective permanent identification by means of a microchip will be sufficient.

*Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

Yes and Government should take the opportunity to identify problems associated with the deed, rather than the breed.

*Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

No, there needs to be a publicity campaign involving all the bodies with dog welfare concerns. Education about animal welfare should be included in the school curriculum and should start with primary school children. Publicity about responsible dog ownership will need to be maintained.

*Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

Mostly, but for a variety of reasons, largely relating to lack of expertise and insufficient money, the system does not always work effectively. Training is important for the personnel involved. Some Local Authorities have expertise in this area and this should be shared among LAs.

## DOG WELFARE

*In respect to concerns expressed in Professor Bateson's report over poor welfare that has arisen in the course of breeding dogs:*

(i) Has the response by dog breeders and the veterinary profession been effective?

Following the publication of its report in 2006 on "Breeding and Welfare in Companion Animals", CAWC has continued to take a close interest in the subject of genetic welfare of dogs. There have been a variety of new initiatives and efforts\* to help address these problems and it is hoped that these will be effective in time in improving the genetic health of dogs. To reduce the prevalence of many of the genetic welfare problems that occur will take time. It is probably too early to try to judge the overall efficacy of the recent efforts.

\*New initiatives include:

The establishment of the Advisory Council on Welfare Issues of Dog Breeding (<http://dogadvisorycouncil.org.uk/>), the establishment of the BVA AWF/RSPCA Puppy Contract scheme (<http://puppycontract.rspca.org.uk/home>), the development of the UFAW website to provide information on genetic welfare problems in companion animals (<http://www.ufaw.org.uk/geneticwelfareproblems.php>), the development of an advisory website for puppy buyers ([www.dogbreedhealth.com](http://www.dogbreedhealth.com)), joint BVA/Kennel Club initiatives for testing for genetic diseases (eg <http://www.bva.co.uk/atoz/1392.aspx>; <http://www.bva.co.uk/news/2742.aspx> ) veterinary checks instituted by the Kennel Club for dogs at Crufts show this year (<http://www.thekennelclub.org.uk/item/4213>).

It is unlikely that the concerns expressed have made any difference to irresponsible breeders. Responsible breeders will have paid attention to the concerns and addressed them where necessary and there should be an accurate way of identifying those who do a really good job. How best to do this needs to be carefully considered—the Advisory Council on Dog Breeding has addressed this.

The veterinary profession has a very important role to play in tackling genetic welfare problems.

*What actions should Government take to address these issues?*

The Government should (through the Advisory Council on the Welfare Issues of Dog Breeding) monitor progress and be prepared to be responsive to requests for support for research and educational initiatives in topics of major animal welfare importance in this field.

*Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

Yes. The present situation makes it easy for people to breed large numbers of puppies, both in the UK and abroad, in inadequate or appalling conditions. Border controls should be better. All breeders should be registered, the breeding standard produced by the Advisory Council should be followed and a puppy contract issued for each owner of a new puppy. A public education campaign should address how best to inform and educate breeders and dog owners for life.

June 2012

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### **Written evidence submitted by the British Association for Shooting and Conservation**

1. This response is submitted on behalf of The British Association for Shooting and Conservation (BASC) by Glynn Evans, Head of Game and Gamekeeping with responsibility for BASC's gundog programme. BASC was founded in 1908 as the Wildfowlers' Association of Great Britain and Ireland (WAGBI). Constituted as an Industrial and Provident Society, it is the largest representative body for sporting shooting in the UK, with in excess of 130,000 members; more than 61,000 of these own one or more working dogs. In the latest BASC working dogs survey, of the 18,000 members who responded, 15% owned three or more working dogs.

2. The use of working dogs is an integral part of much countryside management and there are many different types of dogs with the function to work, being more than just a companion or pet; sheepdogs, terriers, hounds and a wide range of different breeds of gundogs for varying functions. BASC strongly recommends that anyone who goes shooting should be accompanied by a trained and competent gundog. Using a well-trained gundog ensures that everything possible has been done for the humane recovery of the quarry and shows a responsible attitude. Furthermore, the ownership and delight in working a well-trained gundog is an enjoyable pastime in itself. The recent independent *PACEC report* (2006) found that 480,000 people shoot live quarry, "Shooting" supports the equivalent of 70,000 full-time jobs and is worth £1.6 billion to the UK economy.

3. BASC supports Government aims to raise standards of ownership and the welfare of all dogs and has responded to recent consultations with respect to Dog breeding in Northern Ireland, Wales and also with respect to measures to tackle irresponsible dog ownership in England. However, it is highly unlikely that working gundogs or their owners would be associated with the bad practices and anti-social behaviour which these recent consultations seek to address and yet they risk being unfairly impacted upon by some of the proposed measures, suggested to address areas of genuine concern elsewhere.

4. There are clearly some areas of legislation which should not be applied to working dogs. For example under existing legislation there is an exemption which permits tail docking of certain working dogs.

5. In the independent inquiry into dog breeding by Professor Bateson there is only one reference to “hunting” (working gundogs). There is significant reference to breeding dogs for their looks but none to owners who breed dogs to develop their dog’s working ability, health and fitness to work and the temperament to be trained. The owners and breeders of these dogs have been striving to develop such good qualities for many years.

6. Whilst compared to the overall level of dog ownership, the number of those with working dogs may be small but it is a significant minority and as part of the wider perspective in conducting other legitimate activities is essential.

7. There should be participation by those representing working dog owners in relation to discussions and “working groups” regarding dogs, their welfare and future legislation. BASC would be willing to participate in any such future dialogue.

June 2012

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### **Supplementary written evidence submitted by the British Association for Shooting and Conservation**

We would greatly value being invited to give oral evidence to ensure that the committee hears the perspective of owners of working gundogs, particularly if the committee is to consider dog breeding regulations (BASC responses to recent consultations in Wales and NI attached). More than 61,000 BASC members own one or more working dogs. In the latest BASC working dogs survey, of the 18,000 members who responded, 15% owned three or more working dogs.

Professor Bateson’s report has one reference to “hunting” (working gundogs); “Hunting dogs were selected for setting or pointing when scenting gamebirds; others were bred for their abilities in retrieving or flushing game”.

The work and breeding of these dogs is still very much relevant to modern game shooting, an activity that annually support the equivalent of 70,000 full-time jobs and is worth £1.6 billion to the UK economy.

It is important to understand the need for working dogs within live quarry shooting. The desired aim is to harvest game in a sustainable and humane way. Working dogs are an important part of this process, BASC’s code of practice for picking up (quarry retrieval) states:

*A good team of pickers-up is essential to the enjoyment and success of a day’s shooting. It is also essential to avoid suffering by wounded birds and the wastage of game. Everyone who shoots live quarry should ensure that there is always a dog available for retrieving.*

*Organisers of shoots, too, must also ensure that adequate provision is made for retrieving shot game. Ideally one picker-up should be available for each Gun.*

*Traditionally, picking-up is carried out immediately after each drive. However, when a bird is wounded it should be picked up immediately to ensure there is no suffering, provided it is safe to do so.*

*Respect for the quarry is fundamental. Remember also that game is food. All freshly killed game should be handled in a way that ensures the meat is subsequently fit to eat.*

There are many different dogs doing a variety of work in the countryside. A good working gundog will display many different attributes, using a retriever as an example it’s job is to bring shot game back to its handler; it will have natural ability such as being able to mark (this is to see where game falls), it should not make any noise when working and sit quietly by the person shooting waiting until it is sent to retrieve, importantly it will have a “good nose” to swiftly find any wounded game, further it must have a soft mouth. By this we mean that it picks up game tenderly without damaging it, which is essential as shot game is ultimately destined for human consumption.

Whilst training will help develop these attributes, if a dog does not have them and the temperament to enable it to be trained then it will not be a good gundog. Responsible owners will only breed from those dogs which fulfil these criteria and avoid breeding from those which do not.

Alongside this natural working ability owners essentially will want to breed from dogs which are the healthiest and most able to work. Alongside the obvious facts of observing the health and fitness of individuals and a particular “strain”, there are modern health tests which are now used by to help assess this. Amongst these, hip, elbow and eye tests are commonly used.

In conclusion, ability, temperament and fitness to work are essential for a working gundog.

October 2012

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### Written evidence submitted by the Tailwaggers Club Trust

1. I adore dogs so you may be surprised that my suggestion is to tax dog breeding. One study says there are 10 million dogs in Britain—10 million households and as many as 20 million voters. This is also a proposition that unusually will be as attractive to dog lovers as dog haters.

2. If we are to chip every puppy born, this is the best possible time to bring this in as chipping alone won't change much at all.

3. I am the editor of *Dogs Today*—a newstand magazine for intelligent pet owners. I've been in the job for 22 years and before that I worked at The Kennel Club. I've been observing the situation closely for a very long time and have looked in depth at what has worked in other countries—many of whom don't have anything like the status dogs problems we have here.

#### WHAT WORKS AND WHAT DOESN'T?

4. The countries that make breeding dogs less attractive to passive people have much fewer dog problems. For example, in Sweden, every puppy has to be bought using a universal puppy contract that enables Sweden's excellent general consumer laws to click in. It means if anything goes wrong with a dog in the first three years the breeder has to pay to sort it out—a three year warranty in effect. Good breeders consequently do all they can to breed healthy well socialised dogs and only sell to responsible owners. They also take out insurance just in case something does go wrong as vet bills can run to many thousands of pounds. There are obviously much easier ways to make money, so only really dedicated folk breed dogs in Sweden. Rescues are close to empty. Dog bites are very, very rare.

5. However, in Britain, literally anyone can be a dog breeder and there are virtually no consequences. According to the recent University of Bristol survey, (the most scientific study so far on dog ownership) we now have very many more dogs in Britain than ever before. We know from talking to the charities that we have very many more dogs in rescue—which is straining to cope, and very many more healthy dogs are being killed in council pounds because no one wants them. According to the rescue world most of these dogs are status dogs.

6. The facts are there quite plainly. Far too many status dogs are being bred. Why? Because breeding dogs is something that ANYONE can do. It carries no risk and the money you make is mostly cash in hand.

7. If you are not a licenced breeder—and a minority of breeders are—then normal consumer legislation doesn't apply to you, either. The Sale of Goods Act and the Trade Descriptions Act need not trouble you as you are exempt unless you are a trader. And if a dog you breed goes on to bite someone, there's no come back to you. If a dog you breed ends up in a council pound and is put to sleep, no one will come after you to pay the costs.

8. How can we dissuade people from breeding lots of dogs that end up being owned by people who are generally passive irresponsible owners who don't train their dogs and then give them up and expect the council to put them to sleep? Quite simply, make it less profitable and more trouble than it is worth.

9. The BVA animal welfare committee—comprising of every serious animal charity and dog organisation there is—has spent quite some time working on a Universal Puppy Contract trying to produce something similar to the Swedish model, but without a subtle change to existing legislation it has no teeth.

10. It only needs a small amendment to the Animal Welfare Bill to say that all pups must be microchipped and that the Puppy Contract must to be used. I think there is something similar that regulates people who buy and sell cars as a trader rather than as a private individual. If you sell a litter make it that you need to be called a trader in the eyes of the law and suddenly dogs breeding becomes a lot less invisible.

11. Chipping alone will do very little. The National Dog Wardens Association recently said that already 40% of all lost or surrendered chipped dogs have either incomplete or inaccurate information stored on the central databases. We also know from some of the high profile cases of stolen chipped dogs that have been rehomed to blissfully unaware new owners that the chip is currently no proof of ownership in law! These issues needs to be urgently addressed before chipping becomes mandatory.

12. I propose that anyone selling a dog is compelled to use the universal puppy contract (which gives rights and responsibilities to both buyer and seller) with the microchip. We need the puppy contract to enable our existing consumer legislation (which it doesn't yet do but with a tweak will do!) and to enforce that the chip records be kept up to date with current breeder and owner's details. Massive fines could fund the dog warden doing random checks like the police make random checks on cars for road tax and MOT etc. It would make dog breeding much less attractive to people who just want to make a few quid without anyone noticing! It would put off exactly the sort of people who should be discouraged from breeding.

13. How could it be enforced? Just like when you sell a car you have a log book, we need the same consequences and fines for not keeping your dog's microchip records up to date. And if there is a breeding tax the money raised could fund the dog warden calling on litters to chip them and record the litter at the same time? Or for vets to do/check the paperwork—which can be downloaded free of charge over the Internet. Or

the RSPCA. Or if a private chipper is used they have to pass the details on to the database handler or lose their chipping licence.

14. If you live next door to someone who is having lots of litters or if you buy a dog you discover not to be chipped and contracted you can phone the dog warden or the RSPCA and they can check it. The people who hold the chip details need to open up a new field for breeder details which remains on the system together with the chain of ownership.

15. Perhaps the local authority could publish a list of litters that have been registered—a little like they publish on line planning applications. If litters are more visible people won't be able to hide the income. And if a litter is born that isn't registered with the local authority then neighbours/purchasers can call the dog warden/RSPCA.

16. Only chipped and contracted dogs should be allowed to be advertised for sale—and websites like Gumtree should face massive fines if they don't prevent unchipped and contracted pups from being advertised as so many status dogs are changing hands on high volume sites like this. The online marketplace needs a big fine to make sure they do more checking as they already break so many of their own voluntary rules. Maybe any dog passing through a site and later PTS could result in a fine for the retailer too? A bit like the way the performing rights people chase the copyright of a song. When anyone who has profited from the sale of a dog they need to pay part of the costs. Maybe then massive companies like Gumtree might stop effectively trading in status dogs and ultimately misery?

17. If a chipped dog is unclaimed at the pound how about the breeder is also contacted and given the option of taking the dog and paying the fine or paying for the dog to be rehomed or if unwanted PTS. Why shouldn't the breeder pay for this cost out of the profit of breeding the litter? Shouldn't that be part of their business plan? Good breeders would love to be contacted as they'd want to take their dog back rather than have it end up in rescue.

18. If the 1991 Dangerous Dogs Act had done what it said on the tin the Pit Bull would now be extinct, yet we now have very many more than we ever had before. The attempt to neuter every dog failed dismally and somehow the Act made the breed have even more of a cachet for those people on the edge of criminality. Proving what is or isn't a Pit Bull has proved a huge waste of everyone's time and resources led to lots of gentle big dogs in very safe hands being criminalised. While many people breed with unsocialised status dogs untroubled by the law—until one of their own dogs kills or maims one of their relatives.

19. Did the DDA actually make children any less prone to attack? No. Sadly, like pyramid selling, everyone with a status dog has already had lots of litters was such an attractive no risk proposition and we have extremely passive poor ownership.

20. It would seem that one way to tackle the dangerous dog situation is stop so many dogs being bred in the first place—by making breeding have more of a consequence. In affect we should have a tax on dog breeding—rather than dog ownership. Control the number of dogs produced so that fewer passive people acquire them. Let's slow down the production and leave only serious caring breeders intent of doing things properly to produce the next generation of dogs.

21. There are lots of other ideas I have that would work with this but I reckoned the dog breeding tax was possibly one not going to be proposed by anyone else so I'd concentrate on that one, main, strand.

*June 2012*

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### **Written evidence submitted by Care and Respect Includes All Dogs Campaign (C.A.R.I.A.D)**

#### **1. SUMMARY**

Puppy farms occur widely. Welfare conditions on such farms are most often poor with dogs kept in barren conditions, with minimal exercise, socialisation or health care. Such conditions lead to health and behaviour problems of breeding dogs and puppies. Later problems of dogs bought as puppies lead to increased risk of abandonment and contribute to the stray dog problem. Extant regulations have failed to address this issue. Local authorities are inconsistent in their application. Public information on breeders is inadequate. New regulations specifying high welfare standards are needed along with mechanisms for scrutiny of standards.

#### **2. C.A.R.I.A.D. (CARE AND RESPECT INCLUDES ALL DOGS)**

Is a voluntary organisation set up in September, 2011, in Wales, to campaign for the ending of puppy farming, and for improvements to the welfare of dogs involved in breeding. C.A.R.I.A.D. comprises a coalition of 29 dog rescue and animal welfare organisations in Wales.

Details of C.A.R.I.A.D. can be found at <http://cariadcampaign.co.uk>

### 3. EVIDENCE

#### 3.1 *The nature of puppy farming*

3.1.1 The puppy farming environment is characterised by:

- failure to provide veterinary care;
- failure to carry out preventative treatments, such as vaccination;
- keeping of breeding parents in barren, kennel accommodation;
- failure to provide even minimal levels of exercise or stimulation for dogs;
- failure to provide socialisation activities for puppies;
- repeated breeding of bitches to exhaustion; and
- disposal of unwanted breeding animals.

3.1.2 Evidence for such breeding operations comes from visits to unlicensed or licensed premises by local authority officers, periodic exposure of animal cruelty on such premises by the RSPCA, observations of those collecting dogs for rescue and other visitors, the observations of veterinary surgeons and rescue organisations in dealing with ex-puppy farm dogs, and under-cover investigations.

#### 3.2 *The effects of puppy farming*

3.2.1 Dog rescue organisations regularly take in dogs previously kept in a “puppy farm” environment, most commonly ex-breeding bitches. Commonly, such dogs exhibit a wide range of signs of neglect. These include untreated ear infections, tooth and gum infections, skin complaints, eye infections and more severe problems such as untreated tumours.

3.2.2 Most often, ex-puppy farm dogs taken on by rescue organisations exhibit a range of behavioural problems. These often include initial high levels of fearfulness and withdrawal. Such dogs may be unfamiliar with going outside, standing on grass or other such basic experiences. Adopters frequently report that rehabilitation takes a great length of time and that dogs may continue to show fear reactions over many years.

3.2.3 The observations of rescue organisations gain strong support from a recent study, in which a comparison was made between adult dogs brought up in a domestic environment with dogs of equivalent breed, age and other characteristics previously kept as breeding animals in puppy farm situations (n=664). Dogs previously kept in a puppy farm situation were found to be 42% more likely to experience physical health problems. They were significantly more likely to show fear in a range of situations. Such dogs were also more passive showing low levels of excitability and energy.

3.2.4 Negative consequences of puppy farm conditions of breeding are likely to extend to the behaviour and health of puppies reared in them. A “socialisation period”, after puppies leave the whelping box and up to around 12–14 weeks, is viewed as particularly important for the formation of social relationships which are likely to have long-term impacts on adult behaviour. Veterinary surgeons, canine behaviourists and welfare organisations all recommend exposure, over this period, to a wide range of stimuli with extensive social contact. In the puppy farm environment, this will seldom occur.

3.2.5 Puppies deprived of appropriate experience during sensitive periods show less friendliness and responsiveness to people, often higher levels of fear-based aggression, and generally lower trainability. In addition, puppies separated from their dams during this period show poorer health. Unfortunately, this is likely to lead to greater risk of being relinquished by owners, and to contribute to dog abandonment and the stray dog problem.

3.2.6 Puppy farmers most often lack commitment to avoiding health problems associated with in-breeding, failure to undertake genetic tests or inappropriate crossing. They are major contributors to the current epidemic of genetically-driven health problems.

3.2.7 The experience of breeding dogs in puppy farms will often be poor. There is strong evidence of poor welfare of dogs kept in a kenneled environment in terms of physiological measures of stress and abnormal behaviours. Lack of stimulation, exercise and of control over the environment have each been shown to have negative welfare consequences. Again, these are characteristic features of this environment. Much research indicates that dogs are likely to show particular responsiveness to human contact, and that welfare can be significantly enhanced by increased interaction with humans. Yet puppy farm environments are impoverished in this respect.

3.2.8 A comparison of the key welfare criteria that underpin the Animal Welfare Act, 2006, the “five freedoms”, in the light of the above evidence, suggests that where dogs are reared in puppy farms they will most often fail to have key welfare needs met. This is particularly the case with respect to *the freedom to express natural behaviour*, *freedom from fear and stress*, and *freedom from disease and injury*. Moreover, many dogs will not experience *freedom from discomfort* either, as provision for bedding, warmth and other environmental features will often be inadequate.

### 3.3 *How puppy farming works*

3.3.1 Puppy farms are most often run in rural areas associated with farm operations. Outbuildings, such as barns, are converted to kennels. However, there are many which operate from domestic premises with rooms used to house dogs, often confined to crates.

3.3.2 Puppy farms operate both illegally, in the sense that no local authority license is held, and “legally”, where the conditions correspond to most or all of those described above, yet a license has been awarded by the authority. The prevalence of such operations, particularly concentrated in some areas, is high. In Carmarthenshire and Ceredigion, where most breeding operations occur in Wales, there were 159 licensed premises in late 2011. While not all of these would be described as puppy farms, many are characterised by such conditions. For example, in Carmarthenshire a dog breeding operation with 196 breeding dogs has been continuously licensed for many years, yet a recent planning application states that there are only 1.5 full-time equivalent staff to look after these dogs.

3.3.3 It has been evident in Wales that “behind the scenes” there are likely to be a large number of unlicensed premises. Again in Carmarthenshire, an unlicensed breeding operation with 123 breeding dogs came to light early in 2012.

3.3.4 Puppy farms often sell puppies via the Internet. In some cases puppies are sold through classified advertisements, cards in shop windows and “road-side” mobile numbers. Very often puppies are also sold through dealers who sell on either directly to pet shops, or via a network of intermediaries.

3.3.5 Those operating puppy farms seldom allow purchasers to come on-site. Often buyers will obtain their puppy from a dealer, or will be required to meet the seller away from the farm or puppies may be delivered. Advice from all reputable quarters (eg the RSPCA) is that anyone purchasing a puppy should see the puppy where it has been bred, and see at least the mother, and ideally both parents. A recent study showed that risk of subsequent behavioural problems is approximately twice as great if only one parent has been seen, and approximately four times as great if neither parent has been seen.

### 3.4 *Limitations of the current legislative framework*

3.4.1 The Breeding of Dogs Act, 1973, requires that those with more than four breeding bitches have a license and specifies conditions for this. These conditions are both limited and overly broadly defined, and no statutory guidance is provided for their interpretation. Local authorities most often draft their own “licensing conditions” based on the regulation, but operate inconsistently in applying the legal framework. Some, if not most, place emphasis on basic hygiene and structural aspects using “tick box” guidelines, but fail to adequately appraise the behavioural requirements of dogs eg with respect to needs for exercise, human contact etc. While guidance for local authorities was produced (the “CIEH Guidance”), this has widely been ignored on the grounds that “it is not statutory”.

3.4.2 The Breeding and Sale of Dogs (Welfare) Act, 1999, sought to prevent sale of puppies by breeders to individuals who “sell on” ie dealers. However, it has totally failed in this. The regulation allows for sale to those with a “pet shop license”. However, many have easily obtained pet shop licenses (they don’t even need to have a pet shop. Moreover, many puppy farms sell to dealers who do not have such licenses, yet almost never has action been taken against them. For example, there have been only three convictions under the Act between 1999 and 2012 (Home Office data). Observational evidence is that puppies are often kept in poor conditions while awaiting sale in pet shops. They will most often have been transported there during the sensitive socialisation period, and not receive necessary stimulation. It would be better if sale to anyone “selling on”, and the sale of puppies from pet shops, was prohibited. Regulation of sale via the Internet is also now essential.

3.4.3 Routinely dog breeders in Wales are provided with licenses when it is evident that the conditions do not meet the minimum requirements of the Animal Welfare Act, 2006. This appears to reflect difficulty in applying requirements relating to expression of natural behaviour and the experience of fear and stress. A further problem is that currently some authorities are choosing not to take on the responsibility to apply the Animal Welfare Act.

3.4.4 Most licensing officials do not have the training to appraise the welfare needs of dogs. A specific qualification concerning dog welfare should be developed to support practice.

3.4.5 There is a need for a level of independent scrutiny of local authority practice. This might be in the form of a “Commissioner for Dogs” funded from a proportion of license fees, who may conduct inspections of local authority licensing procedures. Alternatively, it may be that regional licensing units could be set up to include purpose-trained staff, taking this responsibility away from local authorities.

3.4.6 A primary purpose of the current licensing framework is protection of the public as consumers. However, many authorities do not make information on licensed breeders public. A requirement that local authorities make available details of who is licensed, and of relevant licensing reports, on their web-sites would be a cost efficient way of doing this.

3.4.7 In Wales, there have been steps to address some of the limitations of extant dog breeding regulations with consultation on new draft regulations recently completed. The regulations are associated with statutory guidance related to the requirements of the Animal Welfare Act. However, there are limitations in the proposals, including the allowing of low staff to dog ratios. Moreover, these proposals do not address issues of sale. However, the new proposals are a step in the right direction, and may help inform development of regulations elsewhere across the United Kingdom.

#### 4. RECOMMENDATIONS

A. New regulations should be introduced across the United Kingdom which specify clearly defined minimum welfare conditions for the breeding of dogs. These should place a strong emphasis on exercise, opportunities to express natural behaviour, appropriate socialisation of puppies and health care. The regulations should be associated with statutory guidance.

B. An independent body or Commissioner should be established to ensure scrutiny of licensing standards applied by local authorities.

C. A qualification for licensing officers focusing on assessment of canine welfare should be developed.

D. All authorities should be required to make public details of licensed breeders on their web-sites.

E. Sale of dogs from pet shops should be prohibited.

F. It should be an offence for a breeder to knowingly sell puppies to someone who sells on.

G. There should be regulation of sale of companion animals on the Internet.



*For Gracie and Hattie—two ex-breeding bitches with multiple, chronic health problems.*

#### SOURCES:

1. McMillan, D, Duffy, L D and Serpell, J A (2011). Mental health of dogs formerly used as “breeding stock” in commercial breeding establishments. *Applied Animal Behaviour Science*. 135, 86–94.
2. Jones, A C (2007). Sensory development in puppies (*Canis lupus f.familiaris*): implications for improving canine welfare. *Animal Welfare*. 16(3), 319–329.
3. Boxall, J, Heath, S, Bate, S and Brautigam, J (2004). Modern concepts of socialisation for dogs: implications for their behaviour, welfare and use in scientific procedures. *Alternatives to Laboratory Animals*. 32(2), 81–93.
4. Appleby, D. , Bradshaw, J.W.S., and Casey, R.A. (2002) Relationship between aggressive and avoidance behaviour by dogs and their experience in the first 6 months of life. *Veterinary Record*. 150, 434–438
5. Slabbert, J M and Rasa, O A E (1993). The effect of early separation from the mother on pups in bonding to humans and pup health. *Journal of the South African Veterinary Association*. 64, 4–8.
6. Patronek, G J, Lawrence, T, Glickman, L T, Beck, A, McCabe, G and Ecker, C (1996). Risk factors for relinquishment of dogs to an animal shelter. *Journal of the American Veterinary Association*. 209, 572–581.
7. Stead, A C (1982). Euthanasia in the dog and cat. *Journal of Small Animal Practice*. 23, 37–47.
8. Beerda, B, Schilder, M B H, Van Hooff, J A, de Vries, H W and Mol, J A (1999). Chronic stress in dogs subjected to social and spatial restriction.!: Behavioral responses. *Physiology and Behavior* 66(2), 233–242.
9. Beerda, B, Schilder, M B H, Bernandina, W, Van Hooff, J A, de Vries, H W and Mol, J A (1999). Chronic stress in dogs subjected to social and spatial restriction. 2: Behavioral responses. *Physiology and Behavior* 66(2), 243–254.

10. Taylor, K D and Mills, D S (2007). The effect of the kennel environment on canine welfare : a critical review of experimental studies. *Animal Welfare*. 16, 435–447.
11. Prescott, M J, Morton, D B, Anderson, D, Buckwell, A, Heath, S, Hubrecht, R, Jennings, M, Robb, D, Ruane, B, Swallow, J, Thompson, P (2004). Eighth report of the BVAAWF/FRAME/RSPCA/UFAW joint working group on refinement. *Laboratory Animals*. 38 (Supplement 1).
12. Wells, D L (2004). A review of environmental enrichment for kenneled dogs, *Canis familiaris*. *Applied Animal Behaviour Science*. 85,307–317.
13. Farm Animal Welfare Council (1992). FAWC updates the five freedoms. *Veterinary Record*. 131, 357.
14. Westgarth, C, Reeve, K and Barclay, R (2012). Association between prospective owner viewing of the parents of a puppy and later referral for behavioural problems. *Veterinary Record*. 2012. 170: 517. doi: 10.1136/vr.100138
15. Breeding of Dogs Act 1973 and 1991, Breeding and Sale of Dogs (Welfare) Act 1999: Guidance for local authorities and their authorised officers and veterinary inspectors. (2000). London : *BVA Publications*.

June 2012

### Written evidence submitted by National Animal Welfare Trust

#### DOG CONTROL

1. There is definitely a need for a fundamental overhaul of dog legislation and its enforcement in all areas, not just in dog attacks. Over the centuries, dog related legislation has been piecemeal and often in response to a particular incident or situation, leaving us with a collection of legislation that lacks cohesion and synergy. It has been disappointing that Defra’s consultations in 2010 and 2012 seem to cover much of the same ground with no progress having been made in between.

2. Moreover with the media’s main focus being on Pit Bulls your average member of the public’s understanding of dog legislation is of Section 1 of the Dangerous Dogs Act (DDA) covering Banned Breeds. It is interesting to watch the reaction of pet dog owners attending one of Trevor Cooper’s Doglaw seminars as they slowly realise just how much of the DDA and 1871 Dogs Act relates to them and their legal responsibilities as a dog owner.

3. The 1871 Dogs Act is a good piece of legislation as it applies regardless of where the incident took place, and covers attacks on animals as well as people. Unfortunately awareness of the Act seems low, even amongst law enforcement agencies! This Act should be considered as part of any legislative review, although the DDA should also be extended to cover offences committed on private property.

4. The “headline” Section of the DDA—Section 1 relating to banned breeds is widely viewed as an ill thought through piece of legislation following an increase in dog attacks in 1990 and 1991. It has led to a significant increase in Police expenditure on seizing, assessing and kennelling suspected Pit Bull types. Moreover, these dogs are often kennelled for a long period of time—over a year in some cases, which can seriously impact their welfare and chances of returning to “normal life” as most animal welfare charities will agree that the bull breeds are more prone to kennel stress and the development of stereotypic behaviours.

5. Banning breeds is not the answer to preventing serious dog attacks—it only addresses one element of what Malcolm Gladwell describes as “a perfect storm of bad human-canine interactions”. A review of serious dog bite incidents over the years will show a list of elements that have all built up to the point when the serious attack occurs such as:

- a socially isolated or antisocial dog owner;
- a dog that has attacked previously;
- an unsupervised young child that unwittingly does something to provoke the dog;
- a dog in a high state of arousal due to something that happened just before the attack (injury, attack, fear, hunger, frustration etc);
- an irresponsible action by the dog’s owner; and

It will only be by addressing all elements of these situations that further dog attacks will be reduced—banning breeds will not solve the problems. Attached is a copy of Malcolm Gladwell’s thought provoking and highly relevant article from the New Yorker in 2006—*Troublemakers—What pit bulls can teach us about profiling*.

6. Legislation that focuses on what the dog looks like presents a particular problem for animal welfare charities, as by law we are required to kill any Pit Bulls that come into our care, irrespective of temperament, as we can neither gift nor sell them and it is inappropriate to keep a dog in kennels for the rest of its life. This “death sentence” is completely contrary to the NAWT’s policy that “no healthy animal will be put to sleep”. It is also extremely upsetting for staff and supporters and, in fact we had one incident where the night before a suspected Pit Bull type in our care was due to be formally assessed, it was stolen and never found.

7. This Breed Specific legislation and the media hype has been responsible for making a Pit Bull the dog of choice amongst some groups of society, as it is the one out of the four breed that is most easily obtained in the UK. It has also led to the development of numerous crosses with bull breeds and mastiff types to try to create a “legal” Pit Bull type, and resulted in new, powerful breeds increasing in popularity such as the South African Boerboel, a dog bred to bring down big game!

8. I have avoided calling these “status” dogs, as it has become an overused and incorrect term that puts the emphasis on the dog rather than the owner. A dictionary definition of “status” is “social standing” and “the relative standing of a person”. As such the use of dogs to increase an individual’s social standing is a social problem rather than a dog related problem and in that context a Chihuahua in a handbag is as much of a “status” dog as a Pit Bull. To deal with the “status” dog problem (and there are a good number of “handbag dogs” around with behavioural problems due to being used as a “status” dog) the Government needs to tackle the problem of why (mainly) young people feel so disadvantaged or on the margins that their problems can be solved by owning a particular breed of dog.

9. For many pet dog owners, in today’s society it is all about “instant gratification” and people don’t think through the consequences and responsibilities of owning a dog before purchase. Animal Welfare charities find they are now competing against websites where you can pick up your dog the next day rather than go through an “adoption” process where both parties can assess if this is the right match. Once through the tribulations of puppyhood, there is usually worse to come as the dog hits adolescence if there has been little training done, and this is the age a lot of dogs end up in rescue.

10. Whilst we don’t want to preclude people from the joys of dog ownership, education and legislation need to work together to make new owners aware of their responsibilities. They need advice on choosing the right breed for them, what exercise and mental stimulation is needed, how to socialise and train the dog, advice on microchipping, neutering, insurance and legislation, advice on general care and what to do if things start to go wrong. Advice should also be given on mixing dogs with children and never leaving children and dogs unsupervised together (or apart for that matter!). Most of the high profile attacks have occurred when the dogs and child were unsupervised.

11. If the dog is deemed to have behavioural problems there could be a number of approaches increasing in severity depending on the circumstances:

- Provide information on training or managing your dog’s behaviour.
- Issue an “improvement notice” requiring the owner to, for instance, seek training advice to modify the dog’s behaviour, or to keep the dog in at certain times. These could have a review date and be lifted if the owner has met the required standards.
- Issue a “control notice” requiring the dog to be on lead and muzzled when around people or other animals (public or private place).
- For more persistent “offenders” use multi agency groups such as BARK (Barnet Action for Responsible K9s) run by the police and involving housing authorities and animal rescue organisations to present a joined up approach to education and enforcement.

12. To implement the above activities it will require additional resources within local Councils but there is no consistent approach to education and enforcement at present and unless an ambitious, co-ordinated approach is taken across the country, dog and human behaviour will not improve and there will be more high profile attacks.

13. Compulsory microchipping will not solve any of the current problems but should be introduced as a way of being able to identify not only the current owner but previous owners. It will also help in keeping track of dogs that have come to the attention of the authorities. If the legislation made it illegal to sell or *buy* an un-microchipped dog and vets were required to scan the dog before treatment then enforcement would be more straightforward.

14. Dog Licensing would be an administrative burden that would provide little benefit as the responsible owners would comply and it would be hard to identify those who are not compliant.

15. As stated in the opening paragraph, dog legislation needs to be reviewed in its entirety including the Clean Neighbourhoods and Environment Act 2005 which transferred the responsibilities for stray dogs from the police to the local authorities. At NAWT we do not have any “stray contracts” where we take in and kennel strays on behalf of local authorities, but we do have very good relationships with our local dog wardens. If Dog Wardens are to take on a greater role in issuing improvement notices and dog control notices, they are under-resourced at present as most councils have just one person in the role. Additionally, a number of local authorities have contracted out the stray collection and kennelling services so we are starting to lose some of the personal contact that makes information sharing on dog control issues in the local area that much richer.

16. It will take a brave Government to repeal the breed related legislation in section 1 of the DDA as they will be seriously under scrutiny when the next Pit Bull attack happens, but well thought through alternative legislation can provide better protection for people and animals. A recent Facebook posting sums up the issues with the current breed specific legislation:

*“Police, open up”*

*“Police? What’s the trouble?”*

*“Is that your teenage boy in the garden?”*

*“Yes he is. Is there a problem?”*

*“He’ll have to come with us”*

*“What? Why?”*

*“He’s a dangerous criminal”*

*“What?!? He’s never been in any trouble at all. What do you mean “criminal”?”*

*“Well, it’s not that he’s done anything wrong YET. But he will. Look at him—he’s exactly the type. That longish hair, the provocative, shabby clothes. He looks like trouble to me”*

*“Well, he’s a teenager. They all look like that”*

*“Precisely, ma’am. That’s why we’re taking him in”.*

## DOG WELFARE AND BREEDING

We do not have much involvement with dog breeders in the course of our work and do not feel qualified to respond to the second section of this inquiry.

*June 2012*

### Written evidence submitted by Laraine Malvern

1. I have been a dog-owner for over 60 years. I have had 15 dogs of various breeds, 12 of which have been rescues. I first became a member of a dog-training club in 1962, and have been involved with a number of different types of training. I was Chairman of Malvern and District Dog-Training Club for a number of years, and also a Trainer there. I coached a number of dog-owners through the Kennel Club Good Citizen Scheme, up to and including Gold Level.

## 2. DOG CONTROL

2.1 *Attacks on people, livestock and pets.* The present rules are not sufficiently strong on dog attacks on other pets. I have been in two incidents recently which illustrate this.

2.1.1 Whilst riding my horse on common land a local small-holder deliberately sent his two collies at my horse, fortunately I was quick thinking and gobby enough to shout at them to go away, but if this had happened to a child or less dog-savvy adult the consequences could have been very dire. The police said they could not do anything, even though there were witnesses, as I was not harmed.

2.1.2 I had two Rottweilers attack one of my dogs on a public footpath. They were both on leads, but managed to pull away from the woman who was walking them. She was unable to pull the dogs off. I managed to get one off, but the other would not let go until I gave it a good kick in the balls. Fortunately the dog did not turn on me, but my dog, who was a similar size to the Rottweiler, had severe puncture wounds around its neck. Again I was told that nothing could be done as no person was hurt. These dogs would have killed a smaller dog. They are still being walked by the same woman with totally unsuitable restraint, on roads and public footpaths.

2.1.3 The present law allows farmers to shoot dogs on their land whether worrying livestock or not. There are no laws to protect dog attacks on other animals. I do not want to see dogs destroyed, but I do think that any dog which has attacked another animal, (and this has been witnessed by other people) should be made to wear a muzzle when in public areas.

2.2 *Pets raised as status dogs.* It is far too easy at present for anybody to breed puppies. Although I live in a small town, the breeding of Staffordshire Bull Terrier crosses is a problem on the local estates, and rescue centres are full of unwanted dogs who are either not fierce enough to be the required “status dog”, or are too fierce and have become uncontrollable.

2.3 *Compulsory Micro chipping.* I do not see how this will prevent dog attacks. At present the microchip is not proof of ownership. Unless this is combined with some sort of passport system where the onus is on the person transferring the dog/puppy to re-register the ownership details, then it will not have any impact whatsoever. A micro-chipped dog could severely bite someone and the person registered on the micro-chip could easily say the dog had been sold on given away. It should also be compulsory for all vets to scan any dog brought into their surgery to check ownership details on the chip.

2.4 *Dangerous Dogs Act/Private Property.* Many of us living in the countryside have dogs as a deterrent to intruders. My dogs are trained to bark at any strangers coming onto my property. It is amazing the number of people who come in despite a notice on the gate saying “Dogs Loose, Do Not Enter”, and then complain when the dogs run down the drive barking at them. Any new Act would need to be carefully worded to avoid money being made, or dogs wrongly destroyed due to the naturally litigious nature of some people and “no win, no fee” solicitors.

### 3. EDUCATION

3.1 The Kennel Club Good Citizen Scheme to promote responsible dog ownership is excellent, but my experience is that the people who really need the Kennel Club Good Citizen Scheme type of training do not use it. Despite the courses at my club costing only £2 per lesson, it was only responsible dog owners who came. The people who really needed it saw it as being “soft”, or could not be bothered. The drop-out rate was high among those with “problem” dogs who thought one hour a week with a trainer was the solution to all their problems, they could not see that we could only show them how to train their own dogs, they had to put the time in, we could not train their dogs for them.

3.2 At our Training Club we ran 12 puppy classes and six older dogs beginners classes each year. These were always over-subscribed and had waiting lists. All trainers did it on a purely voluntary basis. Do you know how many of the dog-owning public attend classes. How can you make the people who need it attend, and where will you get all the extra Trainers from?

3.3 Presently anyone can call themselves a dog-trainer. The KC run a rubbish accreditation scheme, that very few people have completed. As I said I was a trainer for a number of years. I had a number of years practical experience, a City and Guilds Further Education Teachers Certificate, OCN Level 2 in both Canine Behaviour and Dog Trainer Skills, and had attended a number of seminars with recognised dog behaviourists and trainers. I regularly see people advertising that they are trainers, who have no qualifications whatsoever. How do you propose to ensure that all people who provide education for dog-owners have the skills to do it?

### 4. WELFARE/BREEDING

I have very strong views on this. I have seen all the issues with breed standards producing dogs with inherent health problems. I have seen the heartbreak of families buying sick puppies from puppy farms. I have seen the prolific breeding of unwanted status dogs causing problems in our rescue centres. I really do think that anyone who wants to breed should have to apply for a licence, and the price should reflect the full administrative costs of any such scheme. I also think that any dogs that are not licensed for breeding should be neutered or if not all dogs, then at least all bitches. I understand the current veterinary guidance is that non-breeding bitches should be spayed as they can suffer in later life if not neutered, but that there is now evidence to suggest that castration can cause future health problems in male dogs.

*June 2012*

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#### **Written evidence submitted by Puppy Love Campaigns**

We have been campaigning against puppy farming since 2007. We work with TV companies to expose the trade in pups and conduct our own investigations when we receive complaints from members of the public about sick pups they have purchased. Puppy farming is a much neglected area of animal welfare and without doubt the biggest animal welfare scandal of our time. Reports written by Sir Patrick Bateson, RSPCA and others have confirmed this. Every day in the UK a dog is killed every hour in council run pounds. We, the tax payer, are paying local Government to kill healthy dogs, dogs who just need a home. Meanwhile, local councils are issuing more and more licenses to puppy factory farmers to breed more and more dogs. Councils are failing to properly inspect these puppy factories or enforce their license conditions or the animal welfare act. Our investigations show dogs suffering with hunger and thirst, living in filthy overcrowded conditions and some dogs needing urgent veterinary help.

Our response is limited to the factory farming of dogs/puppies.

1. The fact that puppies can be sold in pet shops and by vendors trading through the internet and newspaper advertisements is the reason that puppy farms exist. Every major independent organisation involved in animal welfare opposes the principle of puppies being sold as a retail commodity and recommends that puppies should only be purchased direct from a responsible breeder. Local authorities also license private residential premises to sell pups, in almost every town you will find someone selling pups from a shed in their garden or a room in the house. These vendors obtain pups from Wales or Ireland on weekly basis and sell on to the public at highly inflated prices. Pups are very often sick, weak and in some cases die within hours of purchase. Most of the profit made by these vendors is not declared income.

The legislation which governs the retail sale of pet animals was introduced 60 years ago and has had only minor amendments since then. When it was introduced there was no internet, no mobile phone network and less than 50% of households had a landline telephone. Five years ago, the Animal Welfare Act 2006 was passed and hailed by Defra as a major step forward which would raise standards in every area. It made the process of introducing secondary legislation to address specific issues relatively straightforward. One of the issues which were supposed to be addressed in this way within five years, at least in England, was the outdated Pet Animals Act 1951.

The lack of progress on this matter was highlighted as a concern in the Post Legislative Assessment of the Animal Welfare Act 2006 prepared for the Commons Select Committee overseeing Defra in December 2010.

When we approach DEFRA they placate us with the excuse that the Dog Advisory Council is looking into puppy farming. The DAC can only make recommendations, they have no powers, it's up to DEFRA to eliminate this wicked trade. DEFRA have done so little for companion animals, they ignore the issue in the hope it will go away.

1.(a) We would like to see puppy factory farming issues dealt with separately from dog control problems. These are two quite separate issues involving dogs, one involves irresponsible owners, the other involves a huge multi million pound mostly, unregulated industry where breeding dogs are treated worse than animals bred for the food chain. This is fact, we have witnessed it many times in England, Scotland and Wales. The Welsh Assembly Government have drawn up proposals to end the poor welfare practices of puppy farms and we would like to see their detailed proposals adopted by the national Government. We find it very telling that the national Government has not taken the lead on this but leaves it to the devolved assemblies to act first. This implies animal welfare, and in particular dog breeding, is very low on our Governments list of priorities. A shameful fact when we are meant to be a nation of dog lovers.

2. Puppy farms are large-scale breeding premises. The aim of puppy farms is to make money, no matter the cost to the dogs, who are kept in cramped and cruel conditions. The puppies are sold through pet shops, internet and newspaper ads.

Puppy farms in the UK have been found to have as many as 200 breeding dogs, most kept locked inside 24 hours a day, often in complete or semi darkness. Dog to staff ratio is totally inadequate. The dogs are forced to eat, sleep and give birth in the same area they urinate and defecate; something they would never do given the choice. In some cases they are treated worse than animals bred for the food chain. The general public keep up the demand for pups and so the cruelty continues, day after miserable day. Dogs on puppy farms are often neglected; matted coats, infected eyes and ears and rotten teeth are just a few of the painful conditions the dog suffer. When breeding dogs become too old and exhausted to continue producing puppies they are killed or a lucky few are given to rescues. The puppies also often have behavioral and psychological problems, such as aggression and fearfulness, because they are not exposed to the outside world at an early age.

2.(a) Breeders have an important responsibility to provide socialisation and richness of experience for puppies in their care, the learning stage begins from three weeks of age. Now imagine a puppy in a puppy farm, he is one of many, his mother maybe one of a hundred bitches with pups on the premises. The first thing pup will feel is fear and misery, his mother is fearful of humans, she is most likely worn out from giving birth on every season. She will try to teach him as best she can but he will be whipped away from her far too early so he is ill equipped to deal with the world outside his concrete cell. He will be driven hundreds of miles to pet shop or dealer and be sold on as quickly as possible. He has never met children, heard TV or telephone, he is likely to cower in a corner and tremble. His future is uncertain, his new family may have time and patience to deal with his problems, or they may not, and he may end up in one of the thousands of voluntary rescues across the UK that pick up the pieces of this vile trade. Worse still he maybe ill treated, dumped at the roadside or taken to council pound to be destroyed. And so the cycle of abuse continues, it must end.

We urge the EFRA Select Committee to require DEFRA to take a more proactive role in this issue instead of sitting back and waiting for the Dog Advisory Council, with its very limited scope, to do all the work. How much longer will this scale of suffering be allowed to continue in our nation of animal lovers? Our country is awash with unwanted dogs, someone has to call a halt to the problem of overbreeding of dogs.

June 2012

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### Written evidence submitted by Patricia James

#### DOG CONTROL

*Are the approaches proposed by Defra in its announcement on "Tackling Irresponsible Dog Ownership" on 23 April 2012 sufficient to ensure that there is a reduction in the number of attacks by dogs on people and animals?*

No, not if Defra are reliant just on microchipping alone carried out by owners of dogs. The responsibility is always placed on the owner of a dog that attacks when sometimes the cause for the dog to be aggressive is the result of poor breeding practices by irresponsible dog breeders/individuals who are prepared to sell a puppy or a young dog to anyone that is prepared to pay the asking price. This can include some less than reputable rescues.

#### IN PARTICULAR:

*Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

Yes, dog legislation is inadequate and poorly administered in some cases by Councils. It is too easy to own, breed from and sell puppies and dogs. There needs to be a stricter control over who breeds dogs for sale. Legislation should be introduced to make it compulsory for anyone wishing to breed from their dog to apply to the Council for a licence to breed (casual licence) which would allow them to breed from their dog just once and then spayed. They must then produce verification of this having taken place from a veterinary surgeon

and deposited at the Council together with the microchip number of dog. This would limit backyard breeding and ensure the Council has the details of the dog and puppies produced who would need to be microchipped before sale.

*Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

No, but by the introduction of a casual dog breeding licence it would limit the breeding of status dogs as well as other breeds as they too become popular with back yard breeders.

*Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners?*

Compulsory microchipping of puppies by dog breeders is a necessity, to fall in line with Wales/N Ireland/Irish Republic who have or intend to introduce compulsory microchipping of puppies, making this the responsibility of the breeder before sale of a puppy.

*Should a dog licensing scheme also be considered?*

Would not be required if it was compulsory for every breeder to obtain a dog breeders licence and to microchip every puppy before sale.

*Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

Yes.

*Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

More emphasis must be placed on responsible dog breeding and selling by educating the public how to purchase a puppy. Avoid free ads, commercial dog breeding, dealers and pet shops.

*Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

Depends largely on the area where the matter is being studied. My Council area Rochford District Council does not employ a Dog Warden but relies upon an allocated dog kennel to collect any dogs reported straying who cover Castle Point and Basildon Councils too. We do not have a large problem in these areas. I do not have a great knowledge of the stray dog problem although very concerned for the large number of UK rescues that go to the Irish Republic on a very regular basis to bring back to the UK dogs from Irish pounds, unregulated and often doing so in part illegally. Many of the transporters are not compliant, border controls and Trading Standards need to be more affective in controlling this clandestine trade in stray dogs. This increases the numbers of dogs in the UK looking for homes and does not assist in finding homes for those already impounded here.

## DOG WELFARE

In respect to concerns expressed in Professor Bateson's report over poor welfare that has arisen in the course of breeding dogs:

*Has the response by dog breeders and the veterinary profession been effective?*

I can only make reference to my own knowledge as a campaigner against licensed and unlicensed commercial dog breeders (puppy farmers) dealers and pet shops who sell puppies. Third party selling known as puppy trafficking. There have been no changes in respect of the dog breeders that are the source of supply to dealers and pet shops. They have never used the health screening schemes available to dog breeders through the BVA and KC and are unlikely to do so in the future.

*What actions should Government take to address these issues?*

The Government should make it illegal for anyone to sell puppies other than from the breeders premises. By making it illegal for puppies to be sold by dealers and pet shops would eradicate the need for large commercial dog breeding premises who supply the pet trade through dealers and pet shops. Wales especially three Counties of Carmarthenshire, Ceredigion and Pembrokeshire have the largest concentration of licensed dog breeders (as well as unlicensed) the majority of the licensed dog breeders when asked on Council inspections reports who they sell to, replied with dealers and pet shops (info under FOI). England also has licensed dog breeders who supply the pet trade (pet shops) through dealers and direct to pet shops. Councils in England, Trading Standards, Consumer Direct and those of us that campaign against puppy trafficking are always in receipt of complaints of puppies sold with health issues relating to poor breeding practices and low animal welfare standards having unwittingly purchased a poorly puppy from a dealer or pet shop. It is

infrequent that I receive a complaint from someone that has purchased a puppy direct from a commercial breeder/puppy farmer (as they as a rule do not sell direct to the public) most complaints are from purchasers of puppies from third parties—dealers and pet shops.

The Government should make Councils place a ceiling on the numbers of dogs a person can own for the purpose of a dog breeders licence. One breeder in Wales is licensed for 197 breeding bitches, in England 100 breeding bitches is not uncommon either both supply pet shops and dealers.

The Government should make it illegal to grant pet shop licenses to individuals who do not actually have own a pet shop to sell their puppies from but require a licence to deal in puppies “buy deliver and sell to other pet shop licence holders”.

The Government should make it illegal to grant a pet shop licence to allow individuals to buy in and resell puppies from their homes. Puppies are purchased from puppy farms/licensed or unlicensed commercial breeders usually operating from Wales or the Irish Republic.

*Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

Yes, ensure purpose built kennels when Councils licence premises, not agriculture sheds/barns. Limit the numbers of dogs that a breeder can use for breeding under their licence conditions. Employ staff according to the number of dogs. Ensure all their dogs are microchipped and puppies before sale with the breeders details to accompany the puppy and dog breeding licence number, not as now sometimes with false or vague details of breeder when sold from third party outlets.

Stop pet shops importing puppies to be sold from Eastern Europe, such as those found in Aardvark Kennels London some sold with a pet passport.

#### FURTHER INFORMATION

Here is a link to my web site including a link to my Blog on the left hand side and an article I wrote of puppy trafficking.

<https://sites.google.com/site/puppyalert/>

*June 2012*

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#### **Written evidence submitted by Amanda Roche**

In response to the consultation I would like to comment on Dog Welfare and in particular dog breeding.

In reference to the welfare of pedigree dogs and the breeding thereof I would like to make a few comments that I wish the committee to consider.

1. All breeders, whether of pedigree or cross-breed dogs, should be required to keep complete records of whom they sold the pups to the amount.
2. All puppies should be micro-chipped and/or tattooed and registered with a national database—whether pedigree or cross-breed.
3. Limits should be imposed on the number of litters a particular dog can have and this should not be isolated to licensed breeders.

I believe that these measures will help put a stop to the unethical breeding or puppy farming of dogs and by imposing proper record keeping will enable recourse when investigating individuals involved in this activity.

A recent case of point was a story about Hungarian Vizsla puppies dumped and some washed up dead in a pumping station in Lincolnshire. As reported by the Lincolnshire Echo. Although the RSPCA and the council knew who the breeder was and he admitted to breeding these dogs, that by simply saying he had sold the puppies he was immediately beyond recourse of the law. Although if common sense prevailed, 10 puppies did not get dumped in pairs across three counties by a number of different “new” owners simultaneously. The dogs had been fed and were not underweight but the quality of their nutrition was clearly lacking. They were aged at seven months as they had adult teeth but skeletally they were four months old, some had medical conditions requiring operations. With a proper registration and database and encouraging the public to only purchase with the correct paperwork in place, then not only could there have been a prosecution against the breeder of these animals, Inland Revenue would also have proper records of the income this breeder has benefited from.

I hope the committee will take these recommendations under consideration and create robust legislation that will discourage volume breeding and protect the welfare of our four-legged friends be they pedigree or cross-breeds.

*July 2012*

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## Written evidence submitted by the Centre of Applied Pet Ethology's Association of Pet Behaviourists and Trainers

### DOG CONTROL

Are the approaches proposed by DEFRA sufficient to ensure there is a reduction in the number of attacks by dogs on people and animals?

No. The consultation document covers questions to do with;

1. Compulsory microchipping.
2. The extension of the dangerous Dog Act to private property.
3. The need to seize suspected prohibited dogs.
4. The fee for exemption application.

### Summary

While one and two are valid, three and four are not. Attention needs to be on all dogs, all owners, all breeders and a much more ambitious programme of community and educational approaches to support responsible dog ownership. A more fundamental overhaul of dog legislation (including breeding) and its enforcement is necessary.

Action on dogs being raised as status dogs remains largely in the hands of charitable organisations.

Compulsory microchipping of all dogs on change of ownership should be instituted immediately with a two year period given in which to microchip all dogs.

The Dangerous Dog Act should be extended to include offences committed on private property: the exception being persons entering the property unlawfully.

Wider community and educational approaches to support responsible dog ownership should be underpinned by the law and resources given. Prevention, rather than seizure and prosecution of four proscribed breeds, should be the thrust of governmental action.

With respect to dog welfare, further national controls are needed for dog breeders and those who sell and import dogs, both to ensure the welfare of bitches and puppies and to stem the irresponsible breeding of temperamentally, unsound dogs.

### Need for a fundamental overhaul of legislation and enforcement

1. The DEFRA consultation document does not address the core fault in the Dangerous Dog Act, which is the naming of specific breeds—all four of them—which, in and of itself, has contributed to the rise in the numbers of status dogs on the streets of the cities of the UK in the hands of those members of society which pride themselves in being outside conventional societal norms and/or the law and are using these dogs as weapons.

The staffie/pitbull types have proliferated and their owners take pride in owning a prohibited type dog, which seem both to enter the UK overly freely from both the continent and Ireland as well as to be bred, despite the legislation, freely. All too often these types of dogs are bred for and used as weapons.

DNA testing is not yet advanced enough to identify breed type to an acceptable standard. Instead, police and community resources, as well as court time, are taken up in the painstaking measurement of suspected dogs, their seizure and confinement for lengthy periods in kennels, to their welfare detriment, ending in prosecutions in court; all for four breeds. Dog legislation officers are relatively few in number. Large numbers of suspected prohibited dogs spend months in kennels on suspicion of being banned rather than because of dangerous behaviour.

CAPBT members come across these types of dogs in the hands of the more irresponsible dog owners. All too often they are kept in environments that are not conducive to their welfare in terms of the Animal Welfare Act.

Instead of naming breeds, any dog deemed to be dangerously out of control should fall under the gamut of the Act and the owner held to account.

We believe that using a dog of any breed as an offensive weapon should be a criminal act and liable to prosecution under the Prevention of Crime Act 1953. This Act should make this clear.

Breed does not predict behaviour, but there is some evidence that individual behavioural predisposition (personality) made up of the interaction of the dog's genetics and experience, does influence behaviour. This can be assessed to some degree. That said, any animal will express species-specific behaviour in response to appropriate environmental triggers and dog species-specific behaviour includes aggressive defence to perceived threats eg burglary. This is a biological given that applies to all dogs of any breed and one that society needs to take into account if we are to have dogs living amongst us.

A common standard of assessment can be developed from the work done in collaboration between re-homing charities and universities to develop assessment procedures to screen dogs up for re-homing. Such assessment should be by speciality assessors (a potential money-making role for the big charities who have such people) or registered and experienced animal behaviourists.

In addition, the assessor needs some protection should they deem a dog to be a low risk to public safety and it goes on to cause serious injury—again the owner also needs to be assessed and if an owner is deemed unfit they should be banned from keeping further dogs.

There would need to be a mandated source or sources for the courts to call on for expert assessment of dogs so prosecuted.

2. The Act needs to be extended to involve more than just the agencies of the police, courts and Crown Prosecution Service.

Other agencies include Local Authorities (Environmental Services Technician (Dog Warden) Service and Social Services) and the RSPCA. Although our members with this level of expertise believe that the Police should be the lead agencies in the investigation and prosecution of a dangerous dog's case, it should be done in closer liaison with partner agencies. As stated previously, Social Services already have new Safeguarding rules for children and vulnerable adults, but are left high and dry where their concerns relate to a dog within a home. The Environmental Services Technician and/or professionally registered Animal Behaviourist should assist Social Services in determining when they should be insisting on the removal of a dog from a home—thereby avoiding the need for Police involvement. Where the physical and emotional needs of the dog are not being met the Environmental Services Technician (Dog Warden) and/or a registered Animal Behaviourist and RSPCA can prevent problems from occurring by working with the owner to ensure the provisions of the Animal Welfare Act are being met—also preventing a problem without the involvement of the Police, CPS and Court Services.

It also should be recognised that police officers are most likely not to have the requisite knowledge, understanding or expertise in dog behaviour. There is a need to establish regulation in the area of dog behaviour so that there is a pool of recognised and appropriately qualified dog behaviourists who can be utilised.

Some animal charities are now offering an “outreach” service where they send trained staff into homes (particularly where status breeds reside) to work with the families with training, nutrition, neutering and health advice. Not only does this help to increase the hedonic budget of these dogs, it reduces the numbers handed in for re-homing. If these schemes were promoted as part of the changes to legislation, the financial impact would be reduced.

3. Only dogs that are deemed to have displayed dangerous behaviour should be held to account under this Act. Only dogs that present an ongoing danger to the public should be seized.

An assessment of the owner and their attitude towards their dog's misdemeanours is as important as the assessment of the dog. A responsible and remorseful owner is more likely to take immediate steps to prevent a reoccurrence than one who makes excuses for their dog and blames the injured party.

There is scientific evidence that kennelling is stressful, which backs up the consultation's reported anecdotal evidence.

Where a dog has caused injury, and the owner does not present as being responsible or having the ability to manage or modify their dog's behaviour then kennelling is absolutely necessary. Kennelling is likely to be more stressful on these types of dogs because the kennel staff have to handle them with extreme care so they are less likely to be walked and groomed as it is simply not safe for them to do so. However, people are more important than dangerous dogs and rather than not seizing the dog, we should concentrate on reducing the amount of time to get the case to court.

A control order can make provision for the owner to seek the advice of a registered animal behaviourist, but many owners will not have the means to do this.

In bringing the case to court more quickly, the dog owner's means should also be assessed to see if they are financially able to comply with a likely court order. An example of this from one of our members who works in this area: two Cane Corso were seized, who were kennelled for six months and Roger Mugford assessed them for the defence, The Control Order stated that the defendant needed to complete a six month training course with Roger Mugford and that the dogs would remain in custody until the first training session. What the Court did not consider was that the defendant did not have the means to pay for the training course and didn't have the transport to travel regularly from Cambridge to Surrey with his dogs so they ended up staying in kennels for a further six months before being destroyed.

Enforcement alone will not solve this issue. Care must be taken to ensure that kennelling a dog does not run the risk of failing to meet the welfare needs as outlined in the Animal Welfare Act; namely the ability to practice normal behaviour in interacting with people and other dogs.

Currently seized dogs are boarded for up to six months following seizure. It is necessary to seize the most dangerous dogs, and therefore clear guidelines need to be given to police forces with tight deadlines for

completing the investigation and getting the file to CPS, and deadlines for CPS to look at the file and apply to the Court. This will significantly reduce the cost of kennelling both in financial and welfare terms.

A two-tier penalty would also reduce the financial impact. Currently the dog is kept in the kennels until the court case and subsequent appeals have been concluded. If a dog owner has the dog destroyed, or signs the dog over to the authorities for destruction, he should be offered a lesser penalty. Currently the only incentive to do this would be that s/he will receive less costs should he be found guilty of the offence.

#### Status dogs

Concerted efforts at community level are required in ensuring that the welfare needs of such dogs are met at the same time as reducing their impact on the community. This would require all agencies working together and having sufficient resources. The volunteer and charitable arms have valuable expertise and experience to offer. The removal of the banned breeds would immediately affect a positive result. Plentiful research exists to show the negative impact of prohibition of a product; in this case a dog.

#### Microchipping

Microchipping of puppies alone is too limited and will mean an overly long time before all dogs are microchipped. Instead, the compulsory microchipping of all dogs, including puppies, on change of owner should be instituted. Then, within a period of two years, all dogs should be microchipped (option c of the DEFRA consultation). The average cost for microchipping is £15; a minimal amount. Licensing would be more onerous for all involved.

We need some means of effecting the mandatory registration of all dogs in order to be able to identify and deal with irresponsible owners and their dogs; to effect more immediate return of strays, thereby reducing their number with a concomitant reduction in local expenditure. Two years gives a more manageable lead in time for the micro chipping companies and to ensure all relevant authorities and bodies have scanners and use them. Policing the change of ownership requirement needs attention.

#### Extension of DDA to include offences on private property

The offence of allowing a dog to be dangerously out of control should be extended to all places, including where a dog has the right to be (inside and outside the home). The exception, which needs to be stated in the amended Act, addresses persons entering the property unlawfully.

Fairly recent events make a good case for the DDA to be extended to include all places, including where a dog has a right to be. Several children have been seriously maimed and killed by out of control dogs in the home. In the mid 90s, the elderly mother of a pit bull owner was killed when the dog, with which she and her son had lived happily, turned on her in what was described as an unprovoked attack. So children and vulnerable adults do need some level of protection from family pets, and extending the legislation would strengthen current safeguarding guidelines brought in following the Baby P enquiry. Our members with this expertise do not see that this would necessarily increase prosecutions against dangerous dogs, but would motivate professionals visiting the homes of children and vulnerable adults to report any concerns they have regarding the dog, and would give Social Services additional powers in relation to dogs when a Safeguarding referral has been received.

Furthermore, extending the Act to include "inside" the home, would give additional safety to the hundreds of work men and women whose jobs cause them the need to enter people's homes. Currently some employers give their employees the jurisdiction to walk away from a job if a dog owner refuses to shut a dog away, but some arrogant dog owners take the view that their dog can do what it wants in their own home. The threat of prosecution under the DDA should encourage these dog owners to be more responsible before inviting people into their homes.

The current Act states that "a public place means any street, road or other place (whether or not enclosed) to which the public have or are permitted to have access whether for payment or otherwise and includes the common parts of a building containing two or more separate dwellings".

Therefore, by means of example, if a farmer allows a field to be used for camping, he would be covered by the Act should his dog be dangerously out of control on any area of the farm to which the campers may wander. The farm remains the private property of the farmer, but in opening a field to campers he is permitting members of the public to have access to that land.

One area needing clarity, is the front garden of a house. There has always been a question mark over front gardens of a single house (a private place to which the public have access), as delivery people, and members of the emergency services have a deemed right of access to call at the front door of the property without hindrance. This certainly needs clarity (and inclusion) as it is currently open to interpretation.

Since the implementation of the Act, the problem has shifted. In the late 80's the serious reported dog attacks were in public places. The Act has, unfortunately, raised the profile of status dogs and caused an explosion of different status breeds. The physical and emotional needs of these dogs are simply not being met and therefore the dogs are performing breed specific behaviours with gruesome consequences.

The Act therefore needs to be tightened to include private places to give additional protection as described.

There needs to be an exemption where an intruder is injured by a dog when she/he enters a property. Section 3 of the current Act states;

“For the purposes of this Act a dog shall be regarded as dangerously out of control on any occasion on which there are grounds for reasonable apprehension that it will injure any person, whether or not it actually does so, but references to a dog injuring a person or there being grounds for reasonable apprehension that it will do so do not include references to any case in which the dog is being used for a lawful purpose by a constable or a person in the service of the Crown.”

This section could simply be extended to read .....or where a person has unlawfully entered any premises”

#### Promoting responsible dog ownership

With respect to the additional proposals outlined by DEFRA, CAPBT believes that preventative and educational measures are the proven routes to changing opinion and encouraging positive responsibility with respect to dog ownership.

CAPBT supports the following DEFRA proposals and believe they should be given more prominence in terms of legislation and resources.

- Evaluate and disseminate best practice in community based projects to encourage responsible dog ownership.
- Train more dog legislation officers (police officers specialising in dangerous dogs legislation).
- Revise the guidance to the courts on dangerous dogs’ offences.
- Work with the Home Office in reforming anti-social behaviour tools and powers (where this involves dogs).

#### DOG WELFARE

##### Dog breeders and veterinary profession’s response to report of poor welfare

The response has been of limited effect. There is no national standard of healthy dog breeding by which to measure and inspect. The Kennel Club’s accredited dog breeding scheme does not inspect nor demand veterinary certificates of health.

##### Government actions

There needs to be legislation that specifies breeding guidelines, linked to health issues and inbreeding. The medical effects of inbreeding are well documented. More controls are needed to increase the stringency of guidelines, the inspection of licensed breeders and importers and increase the penalties for not following the more stringent guidelines.

July 2012

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### Written evidence submitted by the Royal Veterinary College’s VetCompass Project

#### SUMMARY

Improved disorder prevalence data are needed to effectively combat dog welfare issues related to conformation and genetic health. The Bateson Report recommended the creation of a computer-based system for the collection of anonymised diagnoses from veterinary surgeries and suggested the Royal Veterinary College’s (RVC) VetCompass project as being best-placed to fulfil this need. An RVC PhD study supported by the RSPCA is running from 2010–13 that aims to develop the VetCompass project as a comprehensive primary veterinary practice data resource for robust studies of canine breed-related effects on a range of important disorders. These results will fill many existing data gaps relating to disorder prevalence and breed predisposition as well as to any health implications from purebred/crossbred status. The interpretation of these studies will guide strategies to reform dog breeding practice and improve dog welfare.

#### SCOPE OF THIS RESPONSE

1. The overall EFRAcom Inquiry plans to consider two distinct issues: (a) effective dog control and measures to tackle irresponsible dog ownership and (b) ensuring good dog welfare and specifically the response to the recommendations from Professor Bateson’s Independent Inquiry into Dog Breeding (*Bateson 2010*). We feel that it is very important to ensure separate discussions take place for each of these topics as they are not directly related and will likely require divergent reforms.

2. This submission of evidence covers a major recommendation of the Bateson Report, namely the creation of a computer-based system for the collection of anonymised diagnoses from veterinary surgeries and the

specific recommendation that the Royal Veterinary College's VetCompass project was the best-placed resource to fulfil this need.

## BACKGROUND

3. The Bateson report stated that accurate, robust and UK-relevant disorder prevalence and incidence data are essential, both to underpin and guide the development of strategies to breed away from specific disorders and to provide the evidence on which decisions about future regulation can be based. However, the report concluded that robust well-controlled prevalence studies of specific disorders in specific breeds was largely lacking. Indeed, a more recent study showed that just 244/19,800 (1%) of 396 disorders identified in the top 50 dog breeds had prevalence information available. Moreover, even within this 1%, many of the prevalence estimates that were available were of low relevance to the UK situation for various reasons; they were based on non-UK populations, were not current, were based on biased populations (eg those subjected to screening by breeders before assessment for disease) or small sample sizes (*Collins, Asher et al 2011*).

4. The Bateson Report recommended that a means of collecting data from a broad spectrum of veterinary surgeries, referral practices, university veterinary hospitals and other major clinical centres is highly desirable and would enable scientists and other interested parties to assess what disorders are presented by particular pure or cross-bred dogs and at what ages.

5. The conclusion of the Bateson report was that primary veterinary surgeries in the UK already hold critical information relating to the health of the UK dog population and high priority should be given to the creation of a computer-based system for the collection of anonymised diagnoses from veterinary surgeries in order to provide statistically valid prevalence data for each breed. The report specifically recommended building upon the VetCompass Animal Surveillance System work that had already started by the Royal Veterinary College (RVC) at that time. The report identified that priority should initially be given to collecting data with respect to the conditions creating the greatest welfare challenges in terms of pain, impact on quality of life, capacity for correction, and early age of onset and should relate both to the incidence of inherited disease and to the incidence of veterinary procedures necessary to correct faults due to selection for extreme morphologies (eg Caesarean sections, corrections for entropion, soft palate resections, etc).

6. This submission of evidence aims to describe the progress that has been made on developing the RVC VetCompass project and the contribution that the project can make towards improving the welfare of the UK dog population. Information on the VetCompass project can be found at <http://www.rvc.ac.uk/VetCOMPASS>.

## EVIDENCE

7. It has been recognised for many years that there are many problems associated with pedigree dog breeding, for example limited gene pools and breed standards that encourage poor health (*McGreevy and Nicholas 1999*). Prior to the August 2008 BBC airing of the Pedigree Dogs Exposed program (*BBC 2008*) and the consequent Bateson report, the RVC had already commenced work to develop a primary veterinary practice data collection project, the VetCompass Animal Surveillance project (formerly called VEctAR), to gather vital evidence to inform on breed-related dog health. In 2007, McGreevy envisioned that a project such as VetCompass would monitor certain fields in veterinary practice management databases and collate these data centrally to enumerate breed-related disorders and the age at which they most commonly present to veterinarians. Such information would be disseminated at no charge to key stakeholders, including veterinarians, breeders and potential puppy purchasers and would illustrate the need for control programs aimed at the most prevalent disorders. Breed disorder predispositions related to body conformation or inheritance could indicate the need for revision of breed standards or opening of studbooks to permit the introduction of genes from other breeds (*McGreevy 2007*).

8. The RVC VetCompass project works with veterinary practice management systems (PMSs) to encourage the use of a standardised lexicon of veterinary terms, the VeNom Codes (*The VeNom Coding Group 2012*), to standardise clinical recording processes and facilitate analysis. Clinical data queries allow upload of de-identified clinical fields from PMSs to a master dataset retained securely at the RVC. Clinical data fields shared include encoded client and patient ID numbers, dates of birth and consult, species, breed, sex, neuter status, colour, insured status, microchip number, partial postcode, clinical notes and treatment. Data collection and storage are compliant with relevant UK data protection laws. The aims of VetCompass are supported by the RCVS.

9. A RVC VetCompass pilot phase (January 2007–December 2009) trialled, refined and validated data collection, storage and analysis. Clinical data relating to over 6,000 dogs were shared with three veterinary practices and over 98% of dogs and cats had breed and sex data recorded. The research utility of the database was shown by a peer-reviewed publication (*O'Neill, Hendricks et al 2012*).

10. In response to the BBC Pedigree Dogs Exposed program and the three subsequent reports (*APGAW 2009; Rooney 2009; Bateson 2010*), a three-year PhD study supported by the RSPCA has commenced at the RVC (October 2010–September 2013) to develop online surveillance of inherited and acquired disorders in dogs and cats. This study fulfils the Bateson Report recommendation and has extended the VetCompass project, offering participation to all UK primary veterinary practices and is supported by a wide range of veterinary, welfare and Canine organisations (SPVS, RSPCA, UFAW, APGAW, The Kennel Club, Dogs Trust).

11. The PhD study prioritises disorders where current data gaps are thought to affect dog welfare. A range of individual analyses will fill these data gaps with output formatted to be as useful as possible to both educate stakeholders as well as to scientifically inform and facilitate sensible breeding practice reforms. Further, the results of this research will be submitted for peer-review publication in scientific literature, ensuring the conduct and results of the research are of the highest quality. Disorder studies will focus on two main questions: namely, are health values different between purebred and crossbred dogs and which breeds are predisposed. A particular strength of the VetCompass database is that primary veterinary practices record useful data on other variables that may be associated with both breed and disorders values and act as important confounders. It is vital to adjust for these to prevent misinterpretation of the results. Examples of confounders measured and included in analyses by VetCompass studies include age, sex, neuter status, insured status, month and year of birth, coat colour, geographic location, shared ownership, veterinary surgery attended and treatment effects.

12. The response from the practicing arm of the veterinary profession has been very positive. To date (June 2012), over 200 practices are participating with VetCompass and data covering over 125,000 dogs have been shared. The secure VetCompass database developed at the RVC currently holds data relating to over 880,000 canine episodes of care. The project has received statements of support from a wide range of organisations including the Royal College of Veterinary Surgeons (RCVS), RSPCA, Universities Federation for Animal Welfare (UFAW), the Associate Parliamentary group for Animal Welfare (APGAW), The Kennel Club, Dogs Trust and Society for Practising Veterinary Surgeons (SPVS).

13. Although still in the phase of data collection, the PhD study is already resulting in useful information relating to UK dog demographics (breed breakdowns, levels of insurance, neutering, microchipping) that are freely available on the VetCompass website (*VetCompass 2012*). An interim canine longevity study poster has been published showing median longevity for common UK breeds and included almost 5,000 dogs.

14. In parallel with the PhD study, the developing VetCompass database has also been used to support MSc Veterinary Epidemiology studies investigating canine epilepsy, canine chronic kidney disease and canine diabetes mellitus. The VetCompass project aims to be entirely collaborative and is already beginning work with several other research centres, combining resources to better elucidate canine health matters. A 6-month project funded by The Kennel Club is investigating disorders affecting the Cavalier King Charles Spaniel breed and is collaborating with the Animal Health Trust.

15. Although the PhD study itself covers a set three-year term, the VetCompass project will run indefinitely, with extension of clinical data both numerically (increasing veterinary practice participation) and temporally (extending life period data stored on individual animals). Several future PhD studies are planned to continue to develop and mine this invaluable data source. Over time, this will allow disorder prevalence information to be supplemented with prevalence trends over time and thus to investigate the effectiveness of implemented reforms.

July 2012

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### Written evidence submitted by the Endangered Dogs Defence & Rescue Ltd

#### (1) EXTENSION OF DANGEROUS DOGS ACT 1991 TO INCLUDE OFFENCES COMMITTED ON PRIVATE PROPERTY

We are not convinced that this would be beneficial to those attacked and injured by a dog on private property, workable, or promote responsible dog ownership.

##### (a) *Extension of Dangerous Dogs Act Section Three*

Section Three of the DDA creates a presumption that a dog is presumed to be dangerously out of control if there are grounds for reasonable apprehension that it may injure any person, whether or not it actually does so—with an aggravated offence being committed if the dog, whilst out of control, injures any person, regardless of the circumstances, ie, in defence of a family member, accidentally, under provocation.

If section three of the Dangerous Dogs Act were to be extended to include private places where the dog is permitted to be, ie, inside the owners home, we may end up with a situation where responsible dog owners could be criminalised if their pet had jumped up at someone and scratched them (causing injury—an aggravated offence) or barked at someone and caused reasonable apprehension (a non-aggravated offence) inside the confines of their own home—including their enclosed garden.

##### (b) *Non-aggravated Offences*

Apprehension felt by someone inside the dog's home would be subjective and differ according to views held; one person's interpretation could be completely different to another's, yet it could result in criminal proceedings if the DDA was extended to include private places.

Where there are grounds for reasonable apprehension that a dog may injure a person—how would such a case be prepared for criminal proceedings to the standard of proof required? For example, a person invited into a home to read an electric meter makes a complaint that they believed a dog appeared dangerous and they felt

reasonable apprehension, would this constitute evidence “beyond a reasonable doubt” and would a non aggravated offence under section three of the legislation commence with the dog seized by the police?

*(c) Aggravated Offences*

As injury can be anything from a serious bite to an accidental scratch or a bump from being knocked over, extending Section Three to cover the inside of the dog’s home could in our opinion lead to more problems that it seeks to solve.

There are also the issues of intruders and trespassers in the dog’s garden, provocation and self-defence inside the owner’s own home.

Following a serious dog attack within a family unit it is often suggested that the DDA is flawed as it doesn’t enable criminal prosecution. We ask what would be the benefits of criminally prosecuting the parents of a child which has been bitten by their own family dog? It is far more productive to encourage education to help prevent dog bites within the home than to seek to criminally punish families where their own dogs have transgressed.

An extension of section three to include private places would we believe result in an increased number of dogs being seized for minor offences which are currently dealt with under civil law, an increase in the kennelling and associated costs for seized dogs, welfare implications for dogs held waiting criminal proceedings and increased numbers of ordinary dog owners receiving criminal records—this is in itself a serious consequence.

(2) DANGEROUS DOGS ACT—SECTION ONE:

*(a) Seizure & Welfare of Detained Dogs*

Defra’s April 2012 proposal includes giving the police more discretion by ending an anomaly requiring dogs be seized and held, whilst a decision is taken by the court on whether to allow exemption or destruction under the DDA. We believe it would make far more sense to repeal the breed specific elements of the DDA as part of any overhaul of dog legislation.

Jim Paice, Defra stated in April 2012:

“Our plans must strike the right balance between protecting the public from dangerous dogs and ensuring that safe and properly looked after pets don’t need to be wrenched from their home unnecessarily.”

In our experience, those “safe and properly looked after pets” some of whom are wrenched from their homes unnecessarily based on how they look—under section one of the DDA, are if spared a death sentence, also stigmatised by being placed, via court order, on a “dangerous dog” exemption list, they have little and in some cases no freedom to exhibit normal canine behaviour due to strict muzzling and leash restrictions, their owners cannot obtain any health insurance, some landlords and housing associations do not allow exempted dogs on their premises, exempted dogs are also restricted from many sites, public events and areas.

ALL dogs regardless as to whether a dog is held as a family pet, abuse case or so called “weapon dog” should be provided with suitable care and attention in line with the Animal Welfare Act and receive sufficient & suitable human contact.

We need to do a lot more than tinker with the current failed breed specific law as suggested by Defra, as the legislation continues to heap misery and suffering on thousands of innocent dogs, children and adults.

*Welfare Guidelines for Seized Dogs*

The Home Office last issued guidelines in 1994<sup>5</sup> referring to the welfare of dogs in custody and obviously our understanding of canine behaviour and welfare has evolved greatly in the past eighteen years.

We believe that the Government should urgently consult with canine behaviourists and welfare organisations to immediately issue national guidelines which run in line with the Welfare of Animals Act 2006.

There should be regular independent inspection and monitoring to make sure these guidelines are being strictly adhered too, someone needs to be held accountable and responsible when a dog is held under their jurisdiction and not adequately cared for.

*(b) Welfare Impact of Breed Specific Legislation*

All the main dog welfare charities support the “deed not breed” approach, yet 21 years since its introduction and the public, welfare organisations and those working with dogs are still stuck with what is widely held up to be failed legislation, at huge public expense, which dismally fails to promote dog control, dog welfare or responsible dog ownership on any level.

The Bateson Report includes a specific recommendation relating to the DDA and states the following:

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<sup>5</sup> Home Office Circular 9/1994.

“the Dangerous Dogs Act should be amended to apply to all dogs that have been shown to be dangerous rather than to specified breeds and should address the problem of dogs being bred and reared specifically as weapons or for fighting.”

Responsible pet dog owners are constantly affected by BSL; children have and continue to witness the distressing removal of their pets from their homes when seized on dawn raids and the trauma of legal proceedings.

Families are being put through distressful court hearings and endure a traumatic experience as their pet, a member of their family, is kept in isolation from them whilst awaiting a court decision on whether it will be allowed to live. We receive many enquiries from pet owners whose only crime is that they happen to own and love a dog of the wrong shape and size. We have dealt with owners who have suffered depression and become suicidal after their pet was seized from them as well as owners who could not cope with their pet being locked away in kennels and took the painful decision to have their dog destroyed. Owners will often contact us and other groups seeking advice, in floods of tears and distraught throughout the prosecution of their dog.

Thousands of rescue dogs are being caught up in the legislation resulting in the deaths of countless dogs, this is extremely frustrating and demoralising for the staff who dedicate their time towards the rescue and rehoming of dogs but have no say when a dog or puppy under their care is identified as a pit bull type and put to death despite its good nature. The enforced destruction of healthy innocent dogs condemned with a tape measure is a national disgrace. The plight of dogs condemned to death in council pounds, rescue centres and sanctuaries, due to BSL, should be the subject of a national enquiry.

### (3) DOG BITE INJURIES:

The number of dog bites per year is unfortunately not centrally recorded, so we have little evidence by which to gauge the effectiveness of *any* legislation.

There are often many factors identified in leading to a serious dog attack. Animal behaviourists and welfare groups agree that the main factors which may cause a dog to act dangerously include poor socialisation, improper upbringing and care, a lack of suitable training and control, existence of health issues, neglect and abuse and in some cases the encouragement of aggressive behaviour by those who keep dogs for anti-social or criminal purposes.

If we are serious about preventing dog bites and promoting responsible dog ownership then it surely must be important to realize that the majority of dog-related incidents actually happen in the home.

The figures widely reported relating to “dog attacks” refer to the statistics produced by the Hospital Episode Statistics (HES). It is important to recognise that the HES data does not separate dog bites from strikes—a dog knocking someone over accidentally is a lot different to a dog attacking someone yet both incidents would be recorded under the same heading. It is also important to note that the number of dogs in society in general and the number of families owning a dog may also be increasing and a rise or fall in dog population should also be taken in account.

### (4) EDUCATION-RESPONSIBLE DOG OWNERSHIP:

Defra proposes to give £50,000 for education, whilst this is a step in the right direction, it is nowhere near enough and when compared to the number of dogs in society is a minuscule amount.

If government is serious about preventing dog attacks, then it needs to put forward the funding to help educate where it is desperately needed.

EDDR supports research and discussion towards a nationwide awareness initiative for all dog owners on their obligations and responsibilities under current legislation.

We also would urge support for school based education of all our children—the dog owners of the future, covering topics such as responsible dog ownership and canine welfare, with bite prevention programmes delivered by staff trained in canine behaviour.

Government should provide funding for localized educational and training programmes, set up in areas identified as having problems within the dog owning community.

### (5) COMPULSORY MICRO-CHIPPING OF DOGS:

EDDR does support the compulsory micro-chipping of all dogs, providing a scheme could be phased in over a period of time and believes there would be several benefits.

We do not think that compulsory micro-chipping is a “cure-all” for the problem of dog attacks on people and/or other animals and it does not in itself address the serious problem of an overwhelming number of unwanted dogs currently being put to sleep due to indiscriminate and “back-yard” breeding.

The emphasis should be on government support in encouraging people to micro-chip their dogs and helping them to do so, rather than concentrating on a punitive approach once legislation has commenced.

July 2012

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### Written evidence submitted by Philippa Robinson, founder of The Karlton Index

#### DOG WELFARE

##### 1. *Has the response by dog breeders and the veterinary profession been effective?*

1.1 No. There are published veterinary papers notably those of Hodgman expressing concerns over pedigree dog health going as far back as 1961 and 1964. These warnings were unheeded then and only now following the Bateson Inquiry are things beginning to change. But progress is slow. The veterinary profession is too silent and inert on health and welfare matters probably through the misplaced motive of protecting their livelihoods.

1.2 My project [www.thekarltonindex.com](http://www.thekarltonindex.com) measures the progress being made on health by each breed club—the last publication was September 2011. A full report can be made available to your inquiry but in summary I scored each breed out of 100 on what they are doing visibly on health and out of the 188 breed groups scored I found:

20 breeds scored 0/100 because they are doing nothing visibly whatsoever on health—no health section on their website, very little health testing and no health surveillance.

60 breeds scored less than double figures. Meaning that they may have sketchy health sections on their club websites and only a tiny minority of breeders are health testing and they are not carrying out any health surveillance.

Only 22 breeds scored more than 20/100 on my scoring framework and of those only ONE breed community has a published health strategy that included ongoing health surveillance, contextualised health priorities and supporting resources. And that one breed group was Dachshunds. Their breed council is exemplary. They received the highest score of 40/100.

I will be scoring all the breed clubs again in March 2013 so will be able to report any progress. But if one breed community can be effective on health under the current system why can't they all be?

1.3 Vetcompass <http://www.rvc.ac.uk/VetCompass/Index.cfm> now exists through which better health surveillance can be maintained but I am disappointed to learn that out of an approximate UK population of 3300 (<http://www.vetdbase.com/>) vet practices only 200 or so are actually participating in the Vetcompass programme which costs them nothing to take part. This demonstrates significant apathy on the part of vets to help safeguard and improve canine health and welfare. But then it is not in their interests financially to improve the health of their canine patients. That is why they need to be compelled to do more through regulation.

1.4 The Kennel club is a major player in our national infrastructure supporting the health and welfare of dogs. They have a history of serious inertia in taking positive action but I believe this not to be solely their fault. The veterinary profession has been too quick to turn blind eyes to problems. Other agencies such as the RSPCA and Dogs Trust do not have a track-record in collaborative working but pursue their own self interested agendas. But under the new Chairmanship of Prof Steven Dean I have detected positive changes at the Kennel Club such as the vet checks at Crufts. They also have now published two annual health reports one in 2010 and one in 2011. But please remember that they were established in 1873! So it has taken them 137 years to get around to tackling health issues. But it is a start.

##### 2. *What actions should Government take to address these issues?*

2.1 Make all the stakeholders related to dog health and welfare accountable for their poor performance on health and welfare and make them accountable for improved collaborative partnership working. A national canine improvement strategy in which they all contribute and they can each fund (they are all reasonably well resourced organisations with annual budgets running into millions) should be drawn up overseen by a regulatory body. This should include all the veterinary professional bodies, the Animal Health Trust (though they are the poorest of these stakeholders), the Dogs Trust, the RSPCA and the Kennel Club. Each has existed for decades, over a hundred years in many cases. That they have allowed a system to be created by which the dogs have ended up suffering from increased levels of genetic problems and increased welfare risks is an appalling indictment on their approach. There needs to be greater accountability to government.

##### 3. *Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

3.1 The selling of puppies through pet shops should be outlawed as the pet stores provide no provenance for their puppy stock—the puppies origins are untraceable. Puppies should not be available to the public through the retail trade. Puppies should be kept with their mothers until they are sold to a new home.

3.2 All breeders should be licensed no matter how many litters they breed. All puppies should be microchipped.

3.3 The RSPCA has developed a Puppy Contract which is an excellent development and this should be made compulsory for all dog/puppy sellers no matter who they are.

July 2012

### Written evidence submitted by Emma Judson

1. I believe there is a need for a more fundamental overhaul of dog legislation, and particularly its enforcement.

Whilst I fully agree that although thoroughly misguided, Breed Specific Legislation is now in place and to scrap that would now lead to importation of the other three breeds currently prohibited, I think some serious amendment to the way in which banned breeds are identified is necessary.

1.1 The way the current law regarding dogs of "Pit Bull type" is written, we will *never* see the end of "type" dogs in the UK, because they can be produced by breeding two or more non-type/perfectly legal breeds together.

1.2 As long as this is the case, given no human can in fact predict the future, people will continue to purchase dogs that grow up to fulfil the DEFRA criteria on "type" dogs. In fact there are documented cases where some animals from a litter turn out "type" and some do not, yet they are full siblings.

1.3 If in cases where the animal is not being used to intimidate people and not being encouraged to behave aggressively, or the animal has no complaints regarding the way it is managed or its behaviour, I suggest that making behaviour (assessed by properly qualified persons, not just Police officers who have done a short course!) a more valuable criteria would end the unnecessary killing of totally innocent dogs, and the unnecessary criminalising of people who's only real crime is the inability to predict the future!

1.4 Furthermore, making whatever legislation is passed clearly written and passed to all local authorities would be a simple and yet very effective step. To my knowledge the last two LA's I resided within, had wildly inaccurate information on the issues surrounding banned dogs (both different but both made it appear as if one could take a dog to the police station, have it added to a register of exempt dogs and then provided one followed the guidelines, one could keep the dog perfectly legally).

1.5 If local authorities are NOT aware of the law, what hope is there for the average dog owner?

2. Attacks on people need to be taken in context—was the person provoking the animal, was the animal provoked by the owner to attack someone, were clear instructions by the owner disregarded by the victim? There is a world of difference between a dog nipping because someone has stepped heavily on his paw, or a dog nipping a stranger who has been told NOT to approach, but has done so anyway, and a dog being intentionally encouraged to attack, or an owner knowing full well their dogs propensity towards aggressive behaviour with humans, and allowing the dog the opportunity to bite. Not all dog bites are "attacks" and not all are the fault of the owner (or indeed the dog).

2.1 Attacks on other animals should be viewed as criminal damage and treated as such, with the owner being dealt with the same as they would if they repeatedly damaged or vandalised another's property by any other means.

3. Status dogs—More efforts need to be put into discovering *why* people need a status dog, and removing the cause. Better education into understanding dog behaviour and training methods would help certain communities, allowing people to own a dog that makes them feel safe without that dog being a danger to the rest of the community.

3.1 There *should* be much more strongly enforced action taken against those intentionally using dogs as weapons, and those breeding dogs for the same purpose.

4. Microchipping/Licensing—Microchipping is going to take too long to make a difference and is only of use to the authorities who carry scanning devices. It will not help the victim of a dog related crime identify the dog/its owner, and will not be enforceable amongst the most irresponsible of owners, namely those who treat their dogs as disposable "tools", as these people will happily kill and ditch a dog and get a new one rather than be caught out.

5. Dangerous Dogs Act 1991—I don't think this should be extended fully—I think reclassifying peoples front gardens/access to their front doors (where they do not have a gate intercom system) however COULD be done and would make a big difference to bite incidents with delivery people. It could then be an offence to keep a dog in such a way as it blocks access to a front door/mail box/letter box and for the purposes of action if an incident occurs, a front garden/access to a front door could be viewed as a public place.

5.1 Inside peoples homes, the majority of incidents occur with family/close friends—it won't stop serious incidents occurring, but likely will turn minor incidents into massive affairs that are costly and divisive.

6. Educational aims—I think DEFRA's proposal for educational and community support could be even MORE ambitious than they are. I think producing an education pack for *all* primary *and* secondary schools,

that covers how to behave around dogs, what to do/not to do, where to get a dog from/where *not* to get a dog from, and for secondary level, the ethical, legal and moral issues surrounding dog breeding would make a *huge* difference in a 10 year time frame.

6.1 A huge part of the canine problem in the UK is irresponsible purchase, people buying dogs on a whim, dogs that have come from the wrong breeding establishments, raised as livestock rather than family pets. Dogs that are entirely the wrong breed/type for a family home and lifestyle. The very *vast* majority of dogs in rescue centres are the unwanted rejects and by products of the puppy farm industry and the 'see it, want it, get it' must have attitude and culture.

7. I do not think the current system with regard to local authorities/police responsibilities towards stray dogs are appropriate. Charities are working hard and always have, but since the law changed regarding police involvement in stray dogs, local authorities have had *far* too much free reign in how they deal with the problem. As an example, Hereford and Worcester where I live, have currently, *one* dog warden for the entire of two counties. When called to assist with two stray dogs who had killed a cat, this dog warden could not attend and these dogs had to be left to roam the streets. Under the old system, they could have been taken to a police station and the risk of them killing more pets/livestock, harming or scaring a person, and of course causing a traffic accident would have been instantly removed.

8. Dog welfare/breeding—I fully believe that there is *no* place in the UK for dogs raised as livestock. There is plenty of scientific evidence that demonstrates the first 12 weeks of a dogs' life will irreversibly shape that dogs behaviour and temperament.

8.1 Within those eight to 12 weeks, a puppy needs to be exposed regularly to:

- Human contact.
- Variety of physical contact experiences (ie, humans touching legs, paws, tummies, ears, eyes, genitalia, being restrained, being brushed or combed).
- Household noises.
- Variety of substrate textures (carpet, concrete, grass, tarmac, wooden floors etc).
- Other species of animal.
- Adult dogs.
- Children.
- Variety of dog toys.
- Variety of foods (fish, raw meat, dry dog food).

Without the experiences listed, puppies are at a disadvantage by 12 weeks old, they may *never* learn to tolerate certain kinds of handling, they will be predisposed to fearful behaviour (which can lead to aggressive behaviour) triggered by certain sights and sounds. Missing out on any of these things means the animal in question is less than suitable for a pet dogs lifestyle, and as such is at much higher risk of becoming a problem animal within a community, and ending up in rescue.

8.2 During the first four weeks of a puppies life, they need almost constant supervision by a human, the mother needs access to the outdoors and ad lib food of whatever type she prefers.

8.3 No puppy farm in existence could provide the above, and by necessity, any puppy farm producing dogs is doing so by denying the animals that which they require. For the mother, she will be suffering extreme stress at not being allowed to come and go as she pleases, and not having human assistance on hand. Many bitches become fussy over food when lactating and need to be offered a variety to choose from, and to eat adlib—mass production in puppy farms means bitches starve or make themselves ill whilst feeding their litter.

8.4 The bottom line is, it is just *not* possible to produce a healthy, mentally well balanced puppy, suitable for a pet life, in the mass produced intensive farming environment. There's plenty of evidence that suggests this is *not* the ideal way to produce and keep actual farm livestock, why on *earth* would it be appropriate for an animal, in many cases capable of injuring or killing a human, who is intended to live as part of the family, in the family home?

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**Written evidence submitted by Richard Zakss**

I am responding to this as a dog owner, a dog trainer and as someone who has personally been involved in the case of a Section 1 dog (seized for being type and returned on restrictions).

1. To me it doesn't seem like the government are really interested in solving the current problem we face with irresponsible owners and dangerous dogs. They currently do very little to enforce dog laws (such as dog id tags and lead laws) but seem to concentrate on media led issues, trying to pass blame onto specific breeds and specific groups of people. They seem intent on ignoring advice by many animal welfare organisations and charities and instead follow media and police pressure when deciding laws relating to dogs. I am very dubious that they have the dedication to put in place and enforce any laws that will actually go some way to reducing the number of people killed and injured by dogs.

2. There is defiantly a need for a more fundamental overhaul of dog legislation and its enforcement. In my work as a dog trainer (which is done on a voluntary basis at a well established club) I see all type of problem dogs, all types of breed with owners of a varying degree of competence. I don't believe that targeting specific breeds or types of dog is beneficial at all. It gives the strong impression that those are the dangerous ones and the others aren't. All dogs can be dangerous, it depends on how the owner brings it up and deals with certain situations. If the money spent on seizing dogs which looked a certain way but had done nothing wrong, was spent on more proactive prevention this would be a start (I believe this figure to run into the millions). It seems to me that it is only the police who want to keep BSL and I wonder if it is just so they can keep their jobs?

3. Regarding the case of status dogs. In some areas people get dogs to stop themselves being attacked and mugged. If you take their dog away, they will get attacked. I don't agree with the way some of these dogs are treated and raised but if the police can't offer protection then I can't blame people for finding other ways. More work should be done with these groups to show them the positive side of owning a dog, the companionship and loyalty and dedication, in fact, I think dogs can be used to teach these kids responsibility and compassion. Instead we villainies these dogs, now any large muscular dog is seen as a "status dog" who people will cross the road from when really they may be a well behaved responsible dog. I own a Staffy and when passing a group of young school children in the park (on lead), quite rightly, the teacher told the children to keep their hands away from my dog. Further down the path the teacher had no problems with letting a Jack Russle run off lead around them. In my opinion the loose dog posed more of a threat to the children than mine did but other people just see stereo types!

4. I agree with compulsory microchipping for all dogs and it is something that should have been done years ago and I believe that this should then lead to a register where dogs can be traced back to the breeders. This would mean that specific cases can be built up on certain dogs and irresponsible breeding can be identified. If the government believe that simply microchipping dogs starting now will make any difference to the number of attacks etc. then they are mistaken. It will be good for rescues and owners as strays can be reunited. Although a good system, it will only solve a small number of problems. People who want to give up their dogs to rescue centres who can't take them because they are full, can't let them stray anymore so I wonder what will happen to these poor dogs. If people don't have the time and dedication to give a dog they shouldn't own one.

5. Offences committed on private properties should be covered under law but I don't trust how existing laws are enforced currently so I am sceptical.

6. I am unaware of Defra's educational approaches. I do not trust them as they have a habit of ignoring information they disagree with and seem to follow their own agenda. I would welcome compulsory puppy classes for all and training for dogs and owners who cause problems. This would be far better than just placing the dog under restrictions which seem to take away their ability to freely exercise and socialise which I believe could make the problem much worse. I don't know how this educational process would run as there is no legislation on dog training and some trainers do more damage than good.

7. I would like to see more dog wardens and if compulsory microchipping was introduced then you should see a reduction in this problem. However, as most dogs owned by responsible owners are not adhering to current i.d. tag laws, and no one in authority ever checks this, will you ever check if dogs are chipped?

8. Puppy farms should be banned. Puppies should be raised in a home environment to get them ready for their permanent home. Breeding should concentrate on temperament not how they look. Pedigree dog breeders can be as bad as puppy farms. With so many dogs being put to sleep in rescue centres we desperately need some measures to reduce the number of dogs bred, increase their health and temperament and stop people buying dogs on a whim. People should have to attend an awareness course before they can own a dog which will help them decide what dog to get, where from, how much work will be involved, how much it will cost and maybe they will decide it is all a bit too much for them and not get a dog. Better this than get a dog only to have it destroyed a year later because they couldn't cope with it or because it bit a child.

9. Repeal Section 1. End Breed Specific Legislation. It is a law that the police and government have to lie about in order to justify to the public that it is doing something to help.

### Written evidence submitted by Jessica Thomas-Day

I write to yourselves regarding the lack of criminal law that should provide protection for our community against dangerous dogs.

Icy is two years old and was attacked in our neighbours garden by their west highland terrier. The dog has ripped off half her eyelid, which has been anchored and stitched with micro stitches to her eyeball, the skin the dog bite off contained two thirds of her eyelashes (which will be now missing forever) and she is scarred to the top and the side of her eye, along with the added concern that she is at higher risk of eyesight complications because of the damage sustained to her eye was done at a crucial development stage of her sight. Icy is now under the care of GOS Hospital until she is eighteen, we have to wait for further surgery until she has finished growing and then they will operate again.

This took place on 24 July at which time the police were called and we were informed that they could not assist us due to the attack being on private property. The case was closed.

I feel that the police have not only let my family down but the wider community, this dog attacked without any warning whilst being offered a treat (something it was designed for). This dog walks the streets with no one knowing just how dangerous he can be. As far as the law is concerned as it hadn't previously attacked; it is still not deemed dangerous.

For these reasons I would like to discuss the situation with yourself, on the basis that whilst I am disgusted with the Police's behaviour, there is no criminal law which covers dog attacks in its own property. This dog attacked once and as a result in the massive hole in the law it can attack again and again. It is still not deemed dangerous even after ripping off my little girls eyelid.

Clearly there is quite a lot of interest in Dog Attacks at present and I am calling on your help to consider a change in the 1991 Dogs Act to propose an "all inclusive" law for all breeds and areas (public and private). This won't stop dog's first victim but would stop 2nd, 3rd and 4th attacks from happening.

*In answer to some of your questions on the proposed changes:*

1. I feel strongly that an overhaul of the law (lack of) regarding dogs is very much needed. A criminal law needs to be in place to cover all areas and all dogs. What is dangerous on the street ought to be deemed dangerous in a garden. A "Dog Owner" is that of choice and with that choice comes a total responsibility of the animal, including when it attacks and at present there is a major loophole in the criminal law.

2. Status dogs I have not personally found a problem with. I do know that as soon as a breed is associated with thugs it is not long before another breed will be selected, therefore creating an ever moving trend. I do however believe with so much media attention on Status dogs, many other aggressive dogs fall into "good pet" categories, a seemingly inaccurate account.

3. I believe Micro Chipping will have absolutely no effect on a dog's behaviour and will only solve the problem of stray and lost dogs at best. Most responsible dog owners already chip their animals. Something which I am sure the Westy that attacked Icy had had done already. It would provide only the location of the attack not stop it.

4. Extending the 1991 Act to include private property I believe is needed. If a human was to make an attack; it's location would have no bearing. I realise that not all dog incidents are attacks but those that result in the victim being admitted to hospital should be included in a criminal law. This would not stop a dog's first attack but it would work towards saving second and third ... victims. Also with an increased number of dangerous dogs being destroyed the opportunity for those dog's to go on to breed and pass on potentially aggressive genes would also be significantly reducing the number of harmful dog's in our community.

*The number of Postal workers attacked is in the thousands each year*

5. Regarding education; whilst in theory this could be an option to sit alongside law extensions, I am unsure as to how practical it is. I know that in our case, Wendy Butler, the dog's owner would consider herself an already educated woman. There are already numerous puppy classes available and yet attacks are on the increase.

6. I feel that whilst not solving the countries problems, I believe that if breeding regulations were able to be tightened, this would in the long term provide better bred dogs, ones with out in-breeding, genetic problems, disorders, bad temperaments. Crossing breeding for the moment seems to be very fashionable, with new breeds such as puggles and labradoodles appearing very regularly with no real knowledge of what is being produced or bought.

To conclude I believe an "all inclusive" would help reduce subsequent attacks, put greater onus on the dog owner to not only have control of their dog but also have a well trained dog. I believe that the law would not invade anymore rights than current Human laws. There has been discussion on how this would work regarding protection of property, I feel the answer is simple; if you are in an area where you are allowed to be then the dog and owner are accountable.

*I think we need to be asking:*

- How many of the hospitalised victims were in fact attacked on the dog's own land?
- And subsequently how much this costs the NHS each year?
- How many Postal workers are attacked each year, just doing their job? And of those; How many were re-occurring dog attacks?

*July 2012*

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**Written evidence submitted by the City Remembrancer, Parliamentary Agent to the City of London Corporation**

The City of London Corporation owns and manages around 11,000 acres of open space in and around Greater London. These areas are administered on a charitable basis for the purpose of public recreation and enjoyment. Many also provide important wildlife habitats.

Matters relating to the control of dogs form a significant part of the City Corporation's work in this area. Indeed, in recent years it has been evident that problems caused by the inadequate or irresponsible control of dogs are an increasingly prominent source of concern among local communities and other users of the open spaces. The City Corporation has accordingly been keen to explore initiatives which could enhance its ability to tackle the irresponsible or intimidating use of dogs.

The Government's recent proposals on micro-chipping and extending the scope of dangerous dogs legislation are therefore of considerable interest to the City Corporation. However, they raise complicated issues of policy and practicality, which are due to be discussed at forthcoming meetings of the City Corporation's Open Spaces Committees.

Meanwhile, I should like to take this opportunity briefly to draw attention to another aspect of the regime for the control of dogs which affects the City Corporation in particular. This concerns Dog Control Orders under Part 6 of the Clean Neighbourhoods and Environment Act 2005. Such Orders can cover one of five prescribed matters, namely failure to remove dog faeces, failure to keep dogs on a lead, failure to put dogs on a lead when directed to do so, taking dogs onto land from which they are excluded, and taking more than a specified number of dogs onto specified land. The Orders can be enforced by a fixed penalty notice, which gives the advantage of a more modern and convenient mode of enforcement than that available for bye-laws.

Dog Control Orders are made primarily by local authorities, as the "primary authorities" under the Part. However, there is also the power to designate other bodies who exercise statutory powers over land as "secondary authorities" in respect of that land. Secondary authorities are capable of making Dog Control Orders where the local authority has not done so in relation to the same subject-matter. After extensive discussions with DEFRA, the City Corporation has recently been designated as a secondary authority for the control of dogs in respect of the open spaces it administers outside of the City.

Having achieved this designation, and subject to the necessary internal approvals, the City Corporation is set shortly to begin trials of Dog Control Orders in order to satisfy itself that they will provide an effective means of addressing the problems which have been encountered. While I am thus not in a position to convey any certain conclusion, it seems likely that Dog Control Orders will offer a more effective means of enforcing the proper control of dogs than the current regime of bye-laws. Given that the City Corporation has far greater day-to-day involvement with its open spaces than the various local authorities in whose areas they fall, including the making and policing of bye-laws, it would appear sensible for the Corporation to be able to take the lead in this area where necessary—not least because some local authorities may not be able to devote the necessary resources to introducing and implementing the Orders.

An issue arises, however, from the recent White Paper of the Home Office, "Putting Victims First: More Effective Responses to Anti-social Behaviour" (Cm 8367, May 2012). This proposes to abolish Dog Control Orders and to include powers for the control of dogs in a new "Community Protection Order (Public Space)". It is not clear whether a "secondary authority" device such as that currently in place in respect of Dog Control Orders would be replicated in any new legislation. There would seem, however, to be merit in preserving the device. Although matters are at an early stage, it does appear that the ability to designate custodians of public land as secondary authorities capable of making statutory orders could prove a valuable tool for ensuring the proper control of dogs, and not one which should be lost without full deliberation.

It would not be appropriate for me to go into further detail at this point, given that new legislation seems to be some distance away, but I thought that it might be worthwhile to draw this matter to the attention of the Committee for the purpose of the current inquiry.

*July 2012*

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**Written evidence submitted by Charlotte Faulkner**

I would like to inform you of my negative experience regarding my pets and the RSPCA. They took my pets by unlawful seizure and it took me a year of distress and fighting through the courts before the judge finally declared justice. They are abusing their status and making people think they have powers to examine your pets and take them away.

I want you to look into a charities ombudsman that can oversee a powerful charities actions. I tried complaining to them many times but got nowhere are they are self regulating, and do not listen.

July 2012

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**Written evidence submitted by Lucy Riggs**

My five year old daughter was recently seriously injured in a vicious attack by two bullmastiff dogs as we walked home from school. Two other girls, aged five and seven, were also attacked and seriously injured. All three girls had to undergo operations in hospital to treat their injuries. All three are healing well physically, although they will carry scars for life, but we are also dealing with the psychological trauma of such an horrific incident. The psychological effects do not only touch the girls who were injured, but also their older siblings who witnessed the attack and the parents who were present at the time. Members of the public who kindly stopped to help have also commented on the vicious nature of the attack.

Although the proposed changes to the law are a step in the right direction, it is of great concern to me that the recent Defra consultation on the issue of dangerous dogs and irresponsible dog ownership places so little emphasis on introducing measures which would go a long way towards preventing injury. When looking at the statistics of dog attacks which cause serious injury, there are certain types which clearly should be kept on a lead and muzzled when out in a public place. Microchipping may help authorities trace a dog to its owner, but it will not prevent a dog attacking a child or indeed an adult.

My other concern is the Index of Exempted Dogs. A dog is either prohibited or not. A dog that is deemed "safe" at the point of assessment may not necessarily be so at a later date. Dogs can be unpredictable, even those that are not "prohibited". I am sure that there are many dog owners across the country who believe that their dog would never attack—until the day that it does.

There are unfortunately some irresponsible dog owners who train their dogs to be vicious and I believe that recent changes in guidelines to magistrates, as well as the proposals listed in the DEFRA consultation are going some way towards dealing with such people. However I do feel more could be done. Obviously there are financial implications to take into account, but there are also huge potential savings to the NHS, and beyond the finances, are the thousands of injured children and adults and their families who need to be kept in mind when government decisions are finally made.

July 2012

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**Written evidence submitted by Miss Hayley Parr**

I, like many others am increasingly alarmed by the number of dangerous dog attacks. It is seemingly OK to have a "status" dog. Only very rarely do we hear of them being put down.

Microchips would obviously be useless against irresponsible owners as they would never bother with having them done. Dangerous "weapon" dogs should and must be put down. How many more attacks must we put up with before something is done?

My dogs are *always* on leads in public places. I have had several "near misses" with loose dogs. Passports were brought out for horse owners like me. They were expensive—and useless to me. It was another tax on the "rich" sadly. Now there is talk on microchips. Please realise that microchipping will only be done by responsible dog owners. Not the idiots that we so desperately need to target.

I am a huge animal lover and dog owner, but sadly I see no other option but to put dangerous dogs down. I do not want to hear about any other pets or children being killed, or horribly injured.

Please take drastic action and let me walk my own dogs out in safety.

July 2012

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## Written evidence submitted by the Mayor of London

### INTRODUCTION

Addressing the proliferation of weapon dogs in London is a key priority for the Mayor of London as part of his pledge to reduce crime and make London safer for all. London has, and continues to experience, a serious rise in the number of dangerous and status dogs, which are increasingly being used for crime and as weapons. The Met's Status Dogs Unit was set up in 2009 and has already taken thousands of dangerous dogs off London's streets. The Mayor will provide the MPS Commissioner with funding to double the number of specialist officers in the unit.

The Mayor welcomes the recent announcements from the Government and the Sentencing Council on tackling irresponsible dog ownership but believes that more needs to be done, especially by introducing tougher sentences to act as a deterrent and suitable punishment for offenders.

The Mayor believes that the following changes would have a dramatic effect on tackling the growing menace of irresponsible owners and weapon dogs and urges the Government to support these initiatives:

1. Tougher sentences for using a dog as a weapon, having a dog that is out of control or owning a banned breed.
2. Extending the Dangerous Dogs Act to include attacks on private land.
3. Speeding up the court process and leaving dogs in situ in some situations to cut down the vast cost of kennelling to the public purse. In London alone, the annual cost of kennelling last year was £2.75 million.

The Mayor has been campaigning on this issue for over four years and in May last year presented a Greater London Authority petition to Downing Street calling on the Government to take action to deal with the problem of dangerous dogs, containing over 4,500 signatures.

The Mayor does however have concerns on the Government's proposals for compulsory microchipping. While he wholeheartedly supports voluntary schemes, he believes that compulsory chipping could simply be a burden on law abiding owners and would not address the issue relating to dangerous dogs.

*July 2012*

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## Written evidence submitted by Anonymous Contributor

### MICROCHIPPING

It is a very good idea for all dogs to be microchipped. I do not feel that price is a real barrier to this. It would have to be a reasonable time scale ie several years as impracticable to do all dogs at once. I feel that irresponsible people still won't comply. Eg if they have a vicious dog used for guarding etc. It is also true that many abandoned dogs are not microchipped.

Microchipping is good when it can reunite dogs with owners. However, some vets are reluctant to scan dogs found wandering without being paid. There also appears to be a problem with dogs found dead on roads or railway tracks not being scanned. The owners should be informed of what has happened: I read recently about a woman whose dog had been stolen. It was microchipped to her but was sold to someone else who then claimed it as their dog as they had paid for it. There should be some sort of proof, as in motor vehicles sales. Then the woman could have said that she had not given permission to anyone else and anyway she had reported the dog as lost.

### DANGEROUS DOGS

The legislation is too breed specific. Blame the deed and not the breed. Almost any dog can be vicious in the wrong hands. It is mostly down to training.

I do not believe that a dog which has bitten someone should be kennelled if the owner is prepared to muzzle the dog and possibly even keep it on lead until things are sorted out. Too much emphasis is placed on the dog and not on what caused it to bite in the first place—eg was it frightened?

In effect imprisoning a dog will cause psychological and sometimes even physical harm to the dog. When the dog is finally assessed it is much more disturbed. I appreciate that some people may not comply with the conditions and therefore the dog would have to be kennelled as in people who break bail conditions.

People also pick up their small dogs which is unnecessary as well behaved dogs won't attack and vicious ones will first grab the dog out of the person's arms anyway. The other week a woman actually picked up her not particularly small child because she wouldn't let it walk past a dog on a lead in a public place. The dog wasn't at all interested in the people!

People run through packs of dogs when there is plenty of room to run round. I find that if you do move your dog/dogs aside for people you are very rarely thanked. I thank people who move away from the dogs especially if I am with nervous dogs.

I feel that people no longer seem to want to take any responsibility for their own actions. They are completely and utterly unable to realise that dogs can be very frightened of people and their actions especially loud noises and quick movements especially ones which appear threatening.

I feel that the media are contributing to a hysteria about dogs. This was something which didn't happen in the 1990s. There were people who were scared but mostly they were polite. Now the media seem to imply that if you walk down a street or into a park then a dog will attack you. There is never any explanation about the background to the attack. I have noticed that a large number of reported attacks are by dogs known to the people and not random.

Now, due to this reporting people scream, shout insults, swear just because a dog is walking past them. I have witnessed people kicking dogs and jabbing umbrellas at them just because the dog is barking. I have seen owners of small dogs hit a dog with their lead just because it approached their dog. The small dog was not in any danger and the owner of the big dog was quite prepared to call it away, eg swinging arms especially with something in their hands. With the increase in rescue dogs and dogs which have been badly treated and/or not socialised at a young age I find this human behaviour extremely disturbing. I feel that much more education about how to behave around dogs is necessary for everyone. Also I feel that the media should stop whipping up hysteria just to sell papers. The nation's rescue dogs deserve better.

I am not quite sure whose remit this is but everyone needs to learn how to behave around dogs.

July 2012

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### **Written evidence submitted by Wood Green, The Animals Charity**

While there are some positive proposals from Government to tackling irresponsible dog ownership, Wood Green, The Animals Charity is particularly disappointed that the opportunity to make the changes that are so urgently needed to improve the welfare of dogs and to protect the general public and reduce anti-social behaviour has been missed.

At Wood Green we are actively working in our local communities to promote responsible pet ownership. In the last year alone we microchipped 1,000 dogs through our Outreach projects and gave training and behaviour advice and support to reduce antisocial behaviour associated with dogs. The clear message coming back from owners is that legislation associated with dogs is at best unclear and this latest announcement has done little to clear-up this confusion.

#### **DOG CONTROL**

Are the approaches proposed by Defra in its announcement on "Tackling Irresponsible Dog Ownership" on 23 April 2012 sufficient to ensure that there is a reduction in the number of attacks by dogs on people and animals?

In particular:

*1. Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

Wood Green is concerned that DEFRA have made no reference to preventative measures in these proposed changes to legislation. It's vital that measures are put in place at an early stage to try to prevent attacks from happening in the first place.

The Charity also feels that the legislation remains complicated and cumbersome making it difficult for frontline enforcers to use. This "piecemeal" approach to legislation is not tackling the wider issues associated with dangerous dogs and responsible pet ownership and we strongly feel that consolidation of the legislation will make it more effective and more widely enforced.

*2. Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

DEFRA's proposal does not go far enough to offer preventative measures to reduce antisocial behaviour associated with dog ownership.

Wood Green, like many other animal welfare organisations, is promoting responsible pet ownership in the local community. The Charity holds community roadshows offering low cost preventative treatment and behaviour and training advice as well and giving out donated leads, collars, harnesses, muzzles etc to ensure better control of dogs in public areas. This type of activity is particularly targeted to those areas where issues associated with status dogs are most problematic.

This type of outreach activity works well in addressing the issues at ground level; however significant investment is needed to extend the reach to all communities before society really start to see a difference.

Legislation including Dog Control Notices would also be a useful supporting measure for local authorities so that owners are accountable for their own dogs' actions.

*3. Will compulsory microchipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme also be considered?*

Wood Green believes that legislation should dictate that *all dogs* are microchipped within a year of the legislation coming into effect.

Microchipping is proven to be the most effective way of ensuring that lost dogs are returned to their owners. However of the 8.2 million pet dogs currently in the UK more than a third are unidentifiable. Consequently, their owners cannot be tracked to be held accountable for any irresponsible or dangerous behaviour.

If more dogs were microchipped, more could be returned to their owners and the cost to local authorities would be vastly reduced. Moreover, that microchipping would help with the enforcement of other existing legislation such as the Animal Welfare Act 2006 and the Dangerous Dogs Act 1991 or Dogs Act 1871.

We consider that the introduction of compulsory microchipping would help improve animal welfare, while at the same time providing the Government with a solution to a number of issues surrounding irresponsible dog ownership and easing financial pressures on local authorities at a time of financial austerity. Importantly, compulsory microchipping could be introduced via secondary regulations under the Animal Welfare Act (2006) and would, therefore, not require the introduction of any new primary legislation or a dog licensing scheme.

*4. Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

The extension of the legislation to cover private places is a positive move towards ensuring that owners take greater responsibility for keeping their dogs under control in any place. This should make the law more effective in preventing bad behaviour escalating to unacceptable levels ie bites occurring. This is particularly necessary to offer protection to those lawfully undertaking their duty at a property ie postal workers, health care assistants, utility inspectors etc.

Equally, the law must clearly protect pet owners from people intent on criminal activity. Exemptions must be included to cover such circumstances where attacks occur when a person is committing an offence or threatening unlawful activity ie an intruder. These exemptions should also be extended to be seen as a valid defence when an attack occurs in a public place eg during a mugging.

*5. Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

No. Resources for the proposals are extremely limited and seem to be working within what already exists as opposed to measuring the success of current interventions and extending the reach of those effective solutions to the most significantly affected areas.

*6. Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

Where local authorities are resourced correctly and efficiently the NDWA have proven that they can be extremely effective in managing stray dogs and irresponsible pet ownership. A number of authorities have introduced "Acceptable Behaviour Contracts"—offering a staged approach to dealing proactively with an issue in order to prevent escalation of unacceptable and anti-social behaviour.

Wood Green would recommend that adequate support to enforce dog control notices should be written in to legislation.

## DOG WELFARE

In respect to concerns expressed in Professor Bateson's report over poor welfare that has arisen in the course of breeding dogs:

*1. Has the response by dog breeders and the veterinary profession been effective?*

We have seen evidence that some of the most responsible breeders are working to reduce health issues associated with their breeds although we understand that it will take time for these improvements to be seen in the general populous. The exclusion of unacceptable examples from the Crufts ring this year was a strong "zero tolerance" message to those flouting the rules.

The Charity is however saddened that not all breeders and vets have taken the issues sufficiently seriously and that poor examples of certain breeds are still being allowed to reproduce leading to a continuation of suffering.

July 2012

### Written evidence submitted by the Scottish Government

The Scottish Government welcomes the opportunity to provide information to the Committee's Dog Control and Welfare Inquiry on the approach taken in Scotland in these areas.

#### DOG CONTROL

The Scottish Parliament recently legislated to modernise the law on control of dogs in order to tackle the problem of irresponsible dog ownership. The Control of Dogs (Scotland) Act 2010 ("the 2010 Act") received Royal Assent on 26 May 2010 and came into force on 26 February 2011. The 2010 Act was a members' Bill taken through the Scottish Parliament by Christine Grahame MSP and was supported by all political parties within the Parliament.

The legislation is designed to highlight the responsibilities of dog owners by putting in place a regime that will identify "out of control" dogs at an early juncture and provide measures to change the behaviour of these dogs and their owners before they become dangerous.

This is done by widening the scope for local authorities and the courts to take action against persons in charge of a dog where the dog's behaviour is deemed to be out of control. The 2010 Act created a Dog Control Notice (DCN) regime that permits (local authority appointed) authorised officers to issue DCNs to irresponsible owners of any dog that have been found to be out of control.

Under the 2010 Act, a dog is deemed to be "out of control" if:

- It is not being kept under control effectively and consistently (by whatever means) by the proper person (generally the proper person is the owner of the dog) that is in charge of the dog), and
- Its behaviour gives rise to alarm, or apprehensiveness on the part of any individual, and the individual's alarm or apprehensiveness is, in all circumstances, reasonable—apprehensiveness may be as to (any or all) the individuals own safety, the safety of some other person, or the safety of an animal other than the dog in question.

The DCN requires owners to comply with the terms of the DCN to the satisfaction of the local authority and to bring and keep the dog under control. One of the mandatory conditions of a DCN is that owners of out of control dogs are required to microchip their dogs.

The DCN can also impose a number of other conditions on the dog owner including:

- muzzling the dog whenever it is in a place to which the public have access;
- keeping the dog on a lead whenever it is in a place to which the public have access;
- If the dog is male, neutering it;
- keeping the dog away from a place, or category of places, specified in the notice; and
- the owner and their dog attending and completing a course of training in the control of dogs (the course may, but need not, be specified in the DCN).

The 2010 Act aims to tackle the issue of irresponsible dog ownership and does not seek to penalise responsible dog owners. The Scottish Parliament carefully considered the cost implications that would be placed on those who would be affected by the new DCN regime. If a dog owner is served with a DCN, inevitably there may some costs incurred by the person who has been served with the notice, for example, meeting the cost of attending dog training classes. Owning a dog is a great responsibility and owners will already be responsible for costs associated with the health and wellbeing of their dog. In light of all these considerations, the Scottish Parliament took the view that it is appropriate that dog owners should meet any costs incurred as a consequence of being served with a DCN under the 2010 Act.

The 2010 Act also amended section 3(1) of the Dangerous Dogs Act 1991. The widening of the section 3 offence ensures dog owners can be held criminally responsible for the dangerous actions of their dogs *wherever these actions may have taken place*. It is our view, and it was the view of the Scottish Parliament, that dog owners must take responsibility for the action of their dogs at all times in all places. The change to the 1991 Act should be seen in that context and this will help to encourage dog owners to take responsibility for their dogs.

The 2010 Act does not alter the present legislative position with regard to stray or abandoned dogs. Where a dog is unaccompanied in a public place the dog would be continue to be treated as a stray under section 3 of the Dogs Act 1906 or sections 149 or 150 of the Environmental Protection Act 1990.

The Scottish Government believes that the 2010 Act contains measures that will make our communities safer through effective preventative action being taken by against dogs which are out of control. While the new regime is still in its early stages of bedding in, the 2010 Act has been welcomed by local authorities and we believe that the legislation will have a positive impact in the months and years ahead. Early signs are encouraging with 92 DCNs issued and over 1,000 investigations undertaken by local authorities during the first 12 months of the Act coming into force. We will need to need to see how the 2010 Act operates for a period of time to see if improvements are made to the problem of irresponsible dog ownership.

In Scotland, we can also rely on other provisions to help to tackle the issue of dog control. Section 49(1) of the Civic Government (Scotland) Act 1982 makes it an offence for any person to allow any creature, including a dog, to cause injury or danger to any other person who is in a public place or to give that person reasonable cause for alarm or annoyance. Any person convicted for such an offence is liable to a fine not exceeding £500.

Scottish local authorities can also consider making byelaws under specific byelaw-making powers contained in individual Acts and under their general byelaw-making powers. If there is an area where dogs are often a repeated nuisance, the matter can be raised for consideration by the council, who can consider the use of powers to make appropriate bye-laws, for example, to keep dogs on leads in particular areas or to ban dogs from such places such as children's playground.

#### STATUS DOGS

The focus of the 2010 Act concentrates on the "deed not breed" approach in tackling irresponsible dog ownership. While the 2010 Act can tackle issues relating to the ownership and control of status dogs, the Scottish Government is also aware of problems that can arise with status dogs that may be used for the purposes of illegal dog fighting. Dog fighting is an issue that the Scottish Government takes very seriously and the Scottish Parliament has strengthened the law on animal fighting through the Animal Health and Welfare (Scotland) Act 2006 ("the 2006 Act") by making it an offence under this Act for any person to keep or train an animal for an animal fight or possess animal fighting equipment. The 2006 Act also makes it an offence to arrange, advertise or attend an animal fight, to bet or accept a bet on the outcome of an animal fight or to record or show a recording of an animal fight.

Animal fights are held in secret and it can be difficult to obtain sufficient evidence to ensure a conviction but the police, the Scottish SPCA and local authorities often work together and have had a number of successes in securing convictions. The 2006 Act gives the courts the power to imprison anyone convicted of any of these offences for up to 12 months and/or to impose a fine of up to £20,000 for each offence. The previous maximum penalty was six months imprisonment and/or a fine of up to £5,000 so the penalties have been considerably increased. These measures aim to ensure the welfare of the dog and to protect our communities from organised dog fighting.

The Scottish Government recognises that there is also a significant welfare issue arising from the irresponsible breeding, ill care (including inappropriate rearing and training) and abandonment of status dogs. There is robust legislation in place to deal with these activities. Section 29 of the 2006 Act makes it illegal to abandon an animal by taking it somewhere and leaving it. It is also an offence to leave an animal unattended and to fail to make adequate provision for its welfare. Section 19 of The Animal Health and Welfare (Scotland) Act 2006 makes it an offence to cause unnecessary suffering, either by taking action which causes unnecessary suffering, or by failing to take steps to prevent unnecessary suffering. Suffering includes mental as well as physical and suffering. Breeding is dealt with in a separate section.

The Scottish Government believes that enforcement of existing legislation and policies by local authorities is a key tool in alleviating problems with status dogs.

#### DOG BREEDING AND SALE

In Scotland, the Licensing of Animal Dealers (Young Cats and Young Dogs (Scotland) Regulations 2009, (the Animal Dealer Regulations) was introduced under the Animal Health and Welfare (Scotland) Act 2006. This legislation to licence puppy and kitten dealers is designed to regulate the trade in young cats and dogs, particularly those who transport animals from Ireland (both North and South) to Scotland. This effectively banned the trade in puppies being transported to Scotland from Ireland for sale. These regulations set a minimum age at which these animals can be sold (eight weeks) and require the animals to be examined by a vet when the dealer buys them, to remain with the dealer for a period of 10 days (to enable any latent disease to show) before being sold and for the dealer to provide for animals being kept at all times in suitable accommodation and to be supplied with suitable food, drink and bedding material, adequately exercised and visited at suitable intervals. Anyone who holds a licence under the Breeding of Dogs Act 1973 or the Pet Animals Act 1951, however, is exempted from this requirement. This legislation also does not apply to any person who sells no more than two young cats or two young dogs or one of each type of animal in any 12 month period.

In Scotland the commercial breeding of dogs is regulated by the Breeding of Dogs Act 1973, as amended by the Breeding of Dogs Act 1991 and the Breeding and Sale of Dogs (Welfare) Act 1999. Under these Acts, no person is permitted to keep a breeding establishment for dogs except under licence. Licences for breeding establishments are issued by local authorities following an inspection by a veterinary surgeon. Any person breeding more than three litters of puppies in a year without a licence has committed an offence. The Scottish Government plans to review this legislation. Unfortunately, due to other higher priority work in relation to rural affairs matters it is difficult to give a timetable for this work at this time. Ensuring that the existing legislation is being enforced effectively in the meantime is important.

The Scottish Government is also aware that the Kennel Club actively discourages the exaggeration of features in any breed and that in some cases the breed standards have been amended to ensure the breeding of healthy, well conformed dogs. We are aware that dog show judges are also educated to judge to those standards,

ensuring that dogs with obvious problems that could affect their quality of life do not win, and that the rewards go to fit, healthy dogs. In addition to these policies, veterinary checks of the Best of Breed (BoB) winners in each of the 15 high profile breeds were introduced at Crufts this year by the Kennel Club.

#### MICROCHIPPING

The Scottish Government agrees that microchipping is an effective method of identifying animals and recognises the benefits in helping to reunite dogs with their owners when dogs have been lost or stolen. This is reflected in Section 5.12 of the “Code of Practice for the Welfare of Dogs”, published in March 2010, which recommends microchipping. In addition, in Scotland, the owners of out of control dogs are already required to microchip their dogs by the issue of a DCN under the Control of Dogs (Scotland) Act 2010. We believe this is a proportionate approach so that those dogs that have proven to be out of control in the past and are the subject of a DCN are able to be easily identified and monitored in the future. The Dangerous Dogs Act 1991 also requires the owners of dog breeds bred specifically for fighting to obtain a certificate that permits them to retain such dogs, but only if certain conditions are met such as the dog being neutered or spayed and permanently identified with a tattoo or microchip.

However, the Scottish Government considers that the decision to microchip should in general be a voluntary one. Although many responsible owners in Scotland are already microchipping on a voluntary basis, introducing a widespread requirement for compulsory microchipping could be costly for owners, since any registration system and database would have to be self-sustaining financially. One of the main reasons that dog licences were abolished in the 1980’s was that the cost of the scheme was greater than the revenue raised. The potential cost of administering and enforcing any such scheme would require people to pay a substantial amount of money; this is likely to be disproportionate and unfair on people with lower incomes. Furthermore, irresponsible owners would be unlikely to comply with a compulsory requirement and effective enforcement would be difficult and resource intensive at a time when local authority resources are already limited.

At present the Scottish Government has no evidence to show that making microchipping compulsory for all dogs would effectively tackle welfare issues such as puppy farming or dog control issues such as dog attacks effectively and we are therefore not considering introducing this measure at present. However, we will be monitoring developments in other parts of the UK in relation to microchipping with interest.

#### EDUCATION

The Scottish Government believes that education is a key factor in encouraging responsible dog ownership and improving dog welfare. To this end we published a Code of Practice for the welfare of dogs in 2010 that outlines how to care for dogs. We are aware that various charities provide advice to dog owners in Scotland, including the Dogs Trust and the Scottish SSPCA. We are also aware that the SSPCA play a significant educational role on animal welfare in Scotland through their ‘prevention through education’ scheme. This scheme gives schools in Scotland free access to workshops and educational packs that fit into Scotland’s curriculum for excellence and includes a workshop on responsible pet ownership. The Advisory Council on the Welfare issues of dog breeding also provides advice on ‘how to buy a puppy’ through an interactive set of questions.

I hope that this information is helpful to the Committee. Should the Committee require further information on any specific issue, please feel to ask me for more detail.

*August 2012*

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### **Written evidence submitted by the Minister for Agriculture and Rural Development Northern Ireland**

#### BACKGROUND

- The issue of public safety and dog control is a key priority for my Department.
- The control of dogs here is legislated for by the Dogs Order 1983, which also provides for the licensing of dogs by Councils and other related enforcement matters. The Dogs Order 1983 is enforced by local Councils who are statutorily obliged to supply the Department with information regarding their enforcement of the Order.
- The Dangerous Dogs Order 1991 amended the Dogs Order 1983 to designate certain types of dogs that it is an offence to breed from, sell or exchange and (except in exceptional circumstances) to possess.
- The Dogs (Amendment) Act 2011 amended the Dogs Order 1983 to include a number of provisions including: increasing the dog licence fee (with concessions for certain classes of owner) and the level of fixed penalties; introducing compulsory microchipping of dogs; introducing an offence of allowing a dog to attack and injure another person’s pet; and empowering Council dog wardens to impose control conditions on an owner’s dog licence where a breach of the 1983 Dogs Order has occurred.

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- The Dogs Order 1983 (as amended) also includes provisions on dog attacks, straying and livestock worrying, and designates certain types of dogs such as the pit bull terrier, Japanese tosa, Dogo Argentino and Fila Brasileiro which it is an offence to possess, except under certain very strict conditions.
  - Therefore, the legislation relating to pit bulls and other dogs bred specifically for fighting is, in effect, the same as it is in England under the Dangerous Dogs Act 1991. The only difference is that, as the Dangerous Dogs Order 1991, which applies here, is simply an amendment to the Dogs Order 1983, which includes annual licensing, there is no need for the separate index of exempted dogs.
  - The dog licensing system serves dog owners and the wider public by providing a dog identification function and provides a crucial source of funding for the Dog Warden service. It also provides an annual point of contact between dog owners and enforcers.
  - Although the Dogs Order 1983 provided a useful framework for dog control in the north of Ireland, it clearly had not dealt with all the problems caused by irresponsible owners. More needed to be done to deal with the serious concerns that we face with stray dogs and dog attacks.
  - Tackling those issues has been a priority for me, and I firmly believe that the amendments introduced by the Dogs (Amendment) Act 2011 will ensure that dog control legislation here now fully reflects and addresses today's problems.
  - The Act essentially seeks to:
    - (i) protect the public;
    - (ii) promote responsible dog ownership and penalises irresponsible owners;
    - (iii) reduce the number of stray dogs by making it easier for dog wardens to identify stray dogs; and
    - (iv) allow dog wardens to respond more flexibly to problems with a dog's behaviour.
  - From 9 April 2012 dogs are required to be microchipped in order to obtain a valid dog licence. I strongly believe that this new requirement puts the north of Ireland at the forefront of dog control in these islands.
  - From this date, a dog licence will not be issued for a dog that has not been microchipped, unless that dog is exempt on health grounds. If, in a veterinary surgeon's professional opinion, microchipping would have a detrimental impact on a dog's health the veterinarian should provide the dog owner with a signed certificate to that effect.
  - On production of that certificate the local Council will license the dog without the need for a microchip.
  - It is an offence for anyone to own an unlicensed dog, unless the dog is specifically exempted under the legislation, puppies under six months old bred by the owner, assistance dogs, police dogs and dogs kept in licensed petshops.
  - A Council Dog Warden has the power to require the production of a dog licence for examination. Powers exist in the Order to either prosecute or issue a fixed penalty to the owner of any unlicensed dog. A person found guilty of an offence shall be liable on summary conviction to a fine not exceeding £1,000. These provisions apply equally to sheep dogs and farm dogs.
  - The introduction of microchipping will make it quicker and easier to identify lost or straying dogs and return them to their owners, reducing the number of unidentified dogs that need to be destroyed.
  - The Act addresses the concerns that the public have raised during the review of the dog control legislation.
  - The Act also empowers Council Dog Wardens to attach control conditions to the licence of a dog whose behaviour has led to a breach of the Dogs Order 1983.
  - As I said, microchipping will help to reduce straying and will reduce the number of unwanted dogs that are destroyed. It will also ensure that irresponsible owners are held accountable. Importantly, the Act will improve the ability of Council Dog Wardens to enforce dog control legislation by increasing to a more realistic level the licence fee and for the first time, Councils are allowed to retain the proceeds from fixed penalties to support their Dog Warden service.
  - The Act will reinforce the licensing system and make it easier to identify problem dogs. It will also make it easier to trace stolen dogs.
  - The Act also makes it an offence to own a dog that attacks and injures any domestic animal owned by another person.

#### LICENSING SYSTEM

- Prior to 1983, the dog licence fee was seen as being too small to act as a deterrent to casual dog ownership, or to encourage government to take proceedings against evaders.
- The licence fee was also disproportionately costly to collect. Therefore, the Dogs Order 1983 established a new licensing system in the north of Ireland and provided that the proceeds of which were used by Councils to establish and maintain statutory Dog Warden Services.

- The fee was further reviewed and increased in 2011 from £5 to £12.50, with reductions available for owners of neutered dogs; and for those in receipt of income related benefits.
- The licensing system here therefore differs in fundamental ways from that abolished in Britain during the 1980s: most crucially, the income is ring-fenced and therefore helps support a network of Dog Wardens across the north.
- The Dogs Amendment Act 2011 introduced a number of key changes including: compulsory microchipping of dogs, linked to the existing dog licensing system, which makes it more likely that problem dogs and their owners can be identified and dealt with.
- Local Councils provide my Department with statistics relating to enforcement of the Dogs Order 1983 on a quarterly basis. These statistics have shown a steady rise in the number of dog licences issued here each year. In 2005 over 95,000 licences were issued. This has increased every year with almost 135,000 licences issued in 2011.
- With an increase in resources for enforcement from the higher licence fee, coupled with the introduction of microchipping and the increased deterrent as a result of the higher fixed penalties, I would expect these figures to increase further.
- Microchipping of dogs became compulsory here from 9 April 2012 and is a condition of the dog licence. Dogs Trust has been hosting free microchipping for dog owners here and announced on 20 March this year that they will extend their free microchipping campaign until the end of 2012, having microchipped over 54,600 dogs here in the last 10 months.
- In 2010, 34% of stray dogs impounded were reclaimed by their owners. In 2009 and 2008 this figure was 31%. This would be expected to rise further with compulsory microchipping, meaning fewer dogs will be destroyed needlessly, while ensuring irresponsible owners can be identified and be held accountable.
- Licence fee payers benefit from the existing Dog Warden system. Stray dogs are a nuisance to responsible owners and the work wardens do in collecting and re-homing strays, part-funded through the licence fee, therefore protects responsible owners as well as the general public. The legislation seeks to strike a balance between dog owners bearing the costs of dog control and the benefits to all local ratepayers of having safe and well controlled dogs in their community.

#### CONTROL CONDITIONS

- The Act also provides scope for Council Dog Wardens to attach conditions to a dog licence when a dog's behaviour has led to a breach of the Dogs Order. This means that a problem dog can only be kept under certain conditions—for instance, always leashed when in public, or kept away from specified places. Wardens could require that a dog or its owner undergo training, or even, in extreme cases, that an aggressive dog be neutered.
- A breach of a control condition is an offence punishable by a fine of up to £2,500.
- The Act also made it an offence to keep a dog that attacks and injures another person's pet animal in order to further deter and penalise irresponsible ownership. The offence created by the Act is committed where an owner has controlled his or her dog so poorly that it has attacked and injured any animal owned by another person.
- The availability of control conditions shifts the focus on to the behaviour and management of individual problem dogs, whatever their breed. These measures are important in tackling the minority of irresponsible owners who undermine everything that is good and positive about dog ownership.
- They are also important because they send out the message that casual and careless dog ownership is not acceptable in our society.
- Control conditions will allow Council Dog Wardens to intervene early by putting controls on individual problem dogs. An attack on another person's pet now constitutes an offence. That recognises, for the first time, the grave pain and distress that such attacks can cause, and it will, again, ensure that irresponsible owners are held to account.

#### DOGS BRED FOR FIGHTING—EXEMPTION SCHEME

- The Dogs (Amendment) Act 2001 amended the Dogs Order to make the Exemption Scheme available again where specific dogs are deemed by a Court to pose no danger to the public. This means that the owner of any dog which is of a type specifically bred for fighting and for which a destruction order has been issued can avail of the Exemption Scheme.
- Exemptions are only available where a Magistrate has been persuaded that a dog, if kept under exemption conditions, will pose no danger to the public. There is no automatic right to an exemption, even where an owner commits to meeting the exemption conditions. The exemption conditions include:
  - That the dog is neutered;
  - That the dog is kept leashed and muzzled when in a public place;
  - That when not in a public place, that the dog is in sufficiently secure conditions;

- That the dog is made available to an authorised officer for inspection;
- That the Council is notified of any change of address of the dog, or of the death or export of the dog; and
- That third party insurance policy is in force in respect of the dog.
- In these circumstances the dog owner has two months to demonstrate that the exemption conditions have been met. If the exemption conditions are met the Council will issue a certificate of exemption and a licence for that dog can be issued.
- The Dogs (Amendment) Act 2011 also amended the Dogs Order to, amongst other things, clarify the status of exempted dogs ensuring that Councils license dogs once they have been exempted.
- The new provisions contained within the Dogs (Amendment) Act 2011, clarify that a dog may be exempted if the owner can meet the terms of an exemption scheme whether the owner has been prosecuted or not. This is dependent upon the District Judge being satisfied that the dog is not a danger to the public. The relevant provisions of the 2011 Act were commenced by the Dogs (Amendment) (2011 Act) (Commencement Order No. 1) Order 2011, which was made on 21 July 2011 and came into operation from 28 July 2011.

#### INCREASE IN FINES AND PENALTIES

- Certain fines and penalties were increased, and the legislation diverted the receipts from fixed penalty payments to Councils to use for the enforcement of dog control legislation.
- As the changes introduced by the Dogs (Amendment) Act 2011 have only been commenced over the last 12 months, they have not yet bedded in order to demonstrate how successful they have been.
- However, the changes were widely welcomed during the consultation period and scrutiny by the Assembly. At that time the Minister for Justice stated that the penalties were entirely appropriate and that he fully supported them. A copy of the Department's response to the consultation which took place in 2009–10 is attached.

#### DOG WELFARE

- A new Welfare of Animals Act was brought forward in 2011.
- From 2 April 2012, Councils here, for the first time, have lead responsibility for the enforcement of animal welfare for other animals, including domestic pets and horses.
- Local Councils have adopted a collaborative regional approach to the new legislation and have appointed and trained Animal Welfare Inspectors to enforce animal welfare in respect of domestic pets and horses across the north of Ireland. Councils have decided to review these arrangements at the end of the year.
- I have been very encouraged by the positive approach taken by Councils to their new responsibilities and by the close and effective partnership working between Councils and Departmental officials in putting the necessary arrangements in place for implementing these new powers in respect of both domestic pets and horses.
- I believe that the Welfare of Animals Act will transform animal welfare across the north. I look forward to seeing its full implementation and delivery on the ground.

#### DOG BREEDING

- Prior to the introduction of the Welfare of Animals Act being introduced to the Assembly in June 2010 there were calls from both elected representatives and members of the public to bring forward new legislation to stop so called “puppy farming”.
- In addition, during the passage of the Bill through the Assembly there were calls from a number of MLAs to stop “puppy farming” and to specify the welfare standards for dog breeding establishments on the face of the Bill. However, the level of detail which would have been required to do that was considered excessive for primary legislation.
- The previous DARD Minister, my Party colleague, Michelle Gildernew MP MLA, therefore gave an assurance to the Assembly that one of the first pieces of subordinate legislation to be made under the new Welfare of Animals Act (NI) 2011 would be in respect of dog breeding establishments. The draft Welfare of Animals (Dog Breeding Establishments) Regulations which my officials are currently bringing forward honours that commitment.

#### THE CURRENT LEGISLATION FOR DOG BREEDING ESTABLISHMENTS

- The current regulations dealing with dog breeding establishments are the Dogs (Breeding Establishments and Guard Dog Kennels) Regulations 1983. These Regulations were made under the 1983 Dogs Order and not under animal welfare legislation.
- The 1983 Regulations set out the information which must be supplied to a Council for the registration of dog breeding establishments and for guard dog kennels, and they specify the conditions under which such establishments must be constructed and operated.

- Whilst these Regulations provide basic welfare accommodation standards, they contain no specific welfare controls for bitches or pups. There is currently no fee to register with the Council as a breeding establishment.

#### PURPOSE OF THESE NEW REGULATIONS

- The purpose of the new Draft Dog Breeding Establishments Regulations is to regulate the commercial breeding of dogs in order to ensure the welfare of the dogs.
- Commercial dog breeding, irrespective of whether it is on a large or small scale, is a legitimate business, and these draft Regulations will not place any legal limitation on the size of any breeding establishment or the number of breeding bitches which can be held there.
- They aim to provide commercial breeders with clear minimum standards which must be met and maintained to ensure the welfare of all breeding bitches, stud dogs and pups in the establishment.
- The Regulations also provide enforcement officers with clear standards and strong powers to enforce these requirements.
- The Draft Dog Breeding Establishments Regulations were subject to a 12 week consultation period. Overall the proposed Regulations were welcomed by the vast majority of the respondents. However, some stakeholders questioned the need for the new Regulations and raised concerns about the draft guidance with a call to keep the current 1983 Regulations, which are made under the Dogs Order 1983, with the suggestion to build upon them as opposed to making new Regulations under the Welfare of Animals Act 2011.
- On 3 July 2012, my officials appraised the Agriculture and Rural Development Committee of stakeholder comments and our proposals to revise both the draft Regulations and the Guidance for Enforcement Officers.
- Following the agreement of the Committee the Regulations will be made under the Affirmative Resolution procedure of the Assembly towards the end of the year.
- Whilst some Members of the Legislative Assembly and the general public have called for stronger legislation to stop “puppy farming” it is important to define what “puppy farming” is. I see “puppy farming” as the breeding of dogs for financial gain at the detriment of their health and welfare—the size of the breeding establishment is irrelevant as is whether the breeder is registered or not.
- I appreciate that these Regulations alone will not stop so called “puppy farming”. This will take a concerted effort by members of the general public, future dog owners, good breeders and enforcement agencies to work together to identify breeders, licensed or unlicensed, who put financial gain before the welfare needs of their dogs and pups.
- However these Regulations will clearly set out the welfare standards with which commercial breeders must comply and they provide the powers to allow action to be taken where a breeder does not meet these standards.

#### TAIL DOCKING

- The Welfare of Animals Act 2011 banned the routine cosmetic docking of dogs’ tails and provides an exemption for certified working dogs.
- The Draft Welfare of Animals (Docking of Working Dogs’ Tails and Miscellaneous Amendments) Regulations (NI) 2012 were subject to consultation earlier this year.
- Stakeholder comments have been considered and the revised draft Regulations were presented to the Agriculture and Rural Development Committee for scrutiny on 12 June 2012.
- Following the Committee’s consideration of the Draft Regulations, in September after the Summer Recess, they will be debated under the Affirmative Resolution Procedure in the Assembly.
- Subject to the Assembly’s approval the Regulations will be introduced before the end of the year.

#### WELFARE CODE OF PRACTICE FOR DOGS

- My Department has produced a Welfare Code of Practice for Dogs.
- The purpose of the Code is to provide practical guidance to help comply with the provisions of Section 9 of the Welfare of Animals Act.
- A breach of a provision of this Code is not an offence in itself but, if proceedings are brought for an offence under Section 9 of the Act, the Court will look at whether or not the Code has been complied with in establishing liability.
- Codes of Practices for Dogs, Cats, Horses, Rabbits and non-human Primates have been prepared under powers in the Act and can be accessed at <http://www.dardni.gov.uk/codes-of-practice-for-non-farmed-animals>

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ACTS, ORDERS AND REGULATIONS IN FORCE IN THE NORTH OF IRELAND TO CONTROL  
DOGS AND PROMOTE DOG WELFARE

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<i>Primary legislation</i>	<i>Main Provisions</i>
The Dogs (NI) Order 1983. (S.I. 1983/764 N.I.8)	Established a network of local authority dog wardens in the north Ireland, to be funded by the dog licence; and tasked the wardens with enforcing the Order's rules on straying, attacks, livestock worrying etc. The Order also regulated breeding establishments and guard dog kennels.
The Dangerous Dogs (NI) Order 1991. (S.I. 1991/2292 N.I.21)	Designated certain breeds or types of dogs that it is an offence to possess (except under strict conditions), breed from, sell or exchange. The designated types are the pit bull terrier, the Japanese tosa. The Dangerous Dogs (Designated Types) Order (NI) 1991 (1991 No. 467) designated the Dogo Argentino and the Fila Brasileiro as banned types.
The Dogs (Amendment) Act (NI) 2001. (2001 c 1)	Re-introduced an exemption (under strict, court-ordered conditions) to the ban on possession of dogs otherwise prohibited by the Dangerous Dogs (NI) Order 1991.
The Dogs (Amendment) Act (NI) 2011. (2011 c 9)	Introduced compulsory microchipping (from spring 2012), a system of control conditions, increased licence fees and fixed penalties under the Dogs Order (from autumn 2011) and an offence of a dog attacking other animals, such as pets.
The Fines and Penalties (NI) Order 1984 (1984 No. 703 (N.I. 3))	Moved the fines and penalties in the Order to the standard scale. The Criminal Justice (NI) Order 1994 (No. 2795 (N.I. 15)) increased the standard scale to the monetary values referred to in the Departments guidance.
<i>Secondary legislation</i>	<i>Main effects</i>
The Dogs (Fixed Penalty) Regulations (NI) 2011	Details the increased level of fixed penalties to be paid for certain offences under the Dogs Order, and allows for local authorities to set fixed penalties at a different level and reduce fixed penalty levels for prompt payment.
The Dogs (Licensing and Identification) Regulations (NI) 2011	Sets out the various forms to be used for licences, licence applications and so on, and prescribes the information to be held on registers of licences kept by local authorities. Also provides a description of the collar identification to be worn by dogs. Updated in 2012 to deal with technical aspects of compulsory microchipping.
The Dangerous Dogs Compensation and Exemption Schemes Order (NI) 1991. (S.R. 1991 No. 466)	Regulates the circumstances in which a person may keep a dog of a type otherwise prohibited by the Dangerous Dogs (NI) Order 1991
The Dogs (Breeding Establishment and Guard Dog Kennels) Regulations (NI) 1983. (S.R. 1983 No. 380)	Set out standards for the construction and operation of breeding establishments and guard dog kennels, and details to be included in an application for registration.
The Guard Dogs (Specified Places) Order (NI) 1983. (S.R. 1983 No. 381)	Lists the type of places by reference to which a dog may be defined as a guard dog.
The Guard Dogs (Control) Order (NI) 1985. (S.R. 1985 No. 174)	Prohibits the use of a guard dog under certain conditions.
Dogs (Block Licence) (Registering Organisations) Order (NI) 1983. (S.R. 1983 No 379)	Extends the organisations that three dogs can be registered with for premises to be eligible for a block licence. Was Amended by the Dogs (Block Licence) (Registering Organisations) (Amendment) Order (NI) 1985 (SR 1985 No. 296) to include the International Sheep Dog Society.
The Welfare of Animals Act (NI) 2011	Overall purpose of the Act is to prevent unnecessary suffering to any vertebrate animal, it also sets out obligations on people to promote the welfare of animals, including domestic pets, for which they are responsible. It provides powers to allow action to be taken to prevent animals from suffering as opposed to, having to wait until they actually suffer before action can be taken. Enforcement powers contain within the Act provide for the issue of improvement

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*Secondary legislation**Main effects*

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notices, for which a person must comply, to improve the welfare of their animals.

The Department's Veterinary Service have responsibility for farmed animals; District Councils have responsibility for non-farmed animals (ie domestic pets and horses); and the PSNI have responsibility for animal fighting and other criminal activities.

The regulation powers within the Act enable possible activities to be considered for licensing or registration these include

- dog breeding establishments;
  - dog pounds;
  - circuses;
  - animal sanctuaries;
  - pet wholesalers; and
  - pet fairs.
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August 2012

**Written evidence submitted by Dogs Today Magazine**

EVIDENCE OF INSUFFICIENT MODERATION OF WEBSITES SELLING DOGS

1. It is illegal to breed Pit Bulls. I am not a Kennel Club spokesperson, but assume they would not be happy to have their name linked with training or registering an illegal breed. Gumtree's computer-based system, which picks out specific words, hasn't picked this up. (See advert below found on Gumtree website.)

*Kc Trained American Pitbull Terrier puppies for sale £350 Manchester*

We have lovely three American Pitbull Terrier puppies for sale. Two males and one female and they are well home trained puppies, now ready for a new home that is going to buy and take good care of any one of them and we are giving each for 350 pounds contact us for more details and photos.

2. The Jack Russell advertised below on [www.preloved.co.uk](http://www.preloved.co.uk), was born after the date when docking the tail of a non-working dog became illegal. The Preloved website had not seen or asked for any documentation to prove this dog's tail was legally docked.

*16 month old jack Russell girl for sale. Lovely little dog. Used to living outside, not spayed, tail is docked. Good home wanted for this girl.*

3. The advert below claims these German Shepherd puppies are "ready" for their new homes. This advert was found on 6th August 2012. This makes the puppies 21 days old. The youngest age recommended for pups to leave their mum is eight weeks, excepting some breeds in some circumstances where pups may leave at seven weeks.

*German Shepherd puppies for sale 250.00 Sheffield*

3 boys 2 girl born 15 July ready to go now. Black n tan. All been wormed and fleed all 250.00 each. good family dogs fantastic with children.

- (a) At three weeks a pup will have to be bottle-fed and would need help with defecation/elimination. Pups start to walk at about 21 days. Rapid physical and sensory independence occurs at this stage, so pups are still reliant on mum to learn.
- (b) Socialisation doesn't begin until four weeks, during which time they learn to play and learn to understand social behaviours.
- (c) There are cases where the mum dies and breeders react quickly by finding a foster bitch who has recently had a pup. Those breeders who go to the trouble of finding a foster mum clearly have the pups' welfare at heart. Those selling on pups at three weeks, arguably, do not.

4. Fox hunting with dogs. (See advert below found on Gumtree website.)

*Wanted working lurcher bitch bull x only Lisburn, Belfast*

I'm looking for a bull x lurcher working and all to help bring my pup on bull x only won't even look at anything else so don't waste ur time asking bull x bitch no dogs must be on rabbits and fox.

5. Facebook admits it is completely self-regulated. Dogs are sold as commodities alongside CDs and mobile phones. There are many, many other examples of this. Please do not hesitate to contact us if Dogs Today can be of any further assistance.

September 2012

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### Written evidence submitted by Stephan Toth

This is just my opinion on the subject of dangerous dog legislation.

Listening to your debate, I believe that it skirted around the problem and addressed numerous issues that was totally irrelevant to the core issue being discussed.

Logic and common sense dictates that the only real solution is to have stringent and punitive legislation that addresses dog on dog, dog on other animals and dog on human attacks. This legislation should include both financial and custodial punishment that is uni-formally applied across the country regardless of the persons means. The legislation should be broadly advertised so that everyone knows about its conditions and more importantly its consequences.

Mircochipping and personal liability insurance should be a key element of the legislation especially when it comes to the monitoring and control of dogs.

Local authorities should run responsible dog ownership and training courses that also educated the owners about the laws that apply.

Where the dog is not proved to be directly protecting its owner from an unprovoked attack, the rule should be that the dog must undergo a full obedience assessment and training course at the owners expense.

If the dog is formally assessed as being dangerously out of control (nervous bite and spook dogs) and cannot be re-trained then it should be put down.

With reference to dog on dog attacks. Most dog owners who know that their dog can become aggressive towards other dogs and therefore put the other dog owner in danger take the responsible action of crossing the road. However, in my experience, owners of dogs that have been conditioned to be aggressive against other dogs do not. This situation is made worse from my experience whereby the irresponsible dog owner has often faked a trip and let the dog go or pretended to be pulled out of control allowing their dog to come into close proximity of the victim dog and its owner. In this case many owners of well behaved dogs are themselves forced to cross the road in order to avoid the confrontation and to protect their dogs.

I believe that at the point of attack the dog becomes a lethal weapon and as such should be considered to be exactly that, with appropriate punishments that send a clear message to irresponsible owners that it is their responsibility to ensure that their dog is under control. Note, I did not say under restraint because having a dog on a lead is a restraint. However, if that dog is a 35 to 40 kilo bull mastiff and the owner is a seven stone child or woman that cannot through physical weight and strength restrain it, any physical restraining device cannot be considered a method of control.

At this point I would like to mention that in my fifty years experience of owning dogs and studying dog training, I have found that almost all dogs that have the word "bull" in their name to be of a schizophrenic nature. To explain this, imagine two boxers sparring in a ring and both know that this is practise, then one boxer begins to lose and in doing so loses his temper and starts boxing for real with the intention of hurting the other boxer. Dogs with the word "bull" in their name is just like this boxer, they like to play but if in that playing they sense that they are losing they lose their temper and very quickly become more competitive to the point of an all out attack. I personally, avoid all dogs with "bull" in their name and never let my highly trained and very placid Belgian Shepherd play with them. Unfortunately, the above also applies to the dog with "bull" in its name playing with children and this is a major cause of dog on child attacks. This situation with dogs with "bull" in its name and children is made many times worse when the dog has been conditioned to be aggressive or to fight other dogs.

At this point I would like to explain the four physiological types of dogs, confident, flight, bite and spook. Confident dogs are usually an alpha male or female, they psychologically well rounded and trustworthy. Flight dogs are nervous dogs who's innate disposition is to run away from all situations involving any form of confrontation. Flight dogs make ideal pets where small children are present because they will almost never become aggressive or bite. Bite dogs as with flight dogs have a nervous disposition with the difference that their first instinctive reaction is to snap or bite when confronted or when they feel threatened. After the initial display of aggression, these dogs will either run away or will settle down and become placid once they are confident that they are not going to be harmed. The spook dog is again a nervous dog that is totally unpredictable, when confronted or threatened it may on some occasions run away or on others react very aggressively with snapping and biting. These dogs are not suitable for households where young children are present. Obviously, the selection of the psychological type of dog becomes more important when choosing larger more powerful breeds and the condition in bite and spook dogs is made worse by aggression conditioning and attack training.

Unfortunately there has become a whole industry surrounding the issue of dog behaviour corrective training especially by dog charities. In my experience, this is a very dangerous illusion. Dogs that have been conditions over a great deal of time to be aggressive or to attack other dogs *cannot* be successfully and reliably reconditioned to be placid and compliant. These dogs are mentally damaged and the original conditioning will come evident when the circumstances surrounding their original conditioning occurs. In my opinion, charities that irresponsibly conduct this practise are sending very dangerous dogs out into the community, often to families with small children in them. Again in my opinion, there is no other solution to this problem other than

to take the dog out of public circulation by putting the it down. When it comes to this type of dog the government should make it illegal to put a reconditioned dog back into society.

When it comes to dog licensing, this license was originally introduced to pay for a war, it was very unpopular and proved to be very hard to collect and enforce. I believe that it would not have any effect on the control of dangerous dogs in society and would in fact only penalise the poor people.

When it comes to compulsory dog insurance as provided by the canine trust, as long as the insurance companies did not exploit the legislation and make the premiums prohibitive then it would be a good piece of legislation. However, it would not make on iota difference to people who bred and owned dangerous dogs because they operate outside of the law and wouldn't microchip or insure the dogs. The reason for this is because the dogs are nothing more than a money making tool which is readily discarded once it cannot function and these people are also prepared to dispose of the dog once it becomes a legal liability.

*September 2012*

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### **Written evidence submitted by The Welsh Assembly**

#### **COMPULSORY MICROCHIPPING OF DOGS**

The Welsh Government has recently held a public consultation on proposed ways of introducing compulsory microchipping of dogs in Wales. The proposals ranged from requiring all dogs in Wales to be microchipped as soon as the Regulations come into force, to microchipping upon transfer of ownership, to microchipping within an agreed period of time eg one year. The consultation also asked questions about cost impact, exemptions and data handling.

Approximately 120 unique responses were received, with a further 1,000 (approximate) campaign emails received. The responses are currently being analysed, but appear to be primarily positive to the concept of microchipping.

The Docking of Working Dogs' Tails (Wales) Regulations 2007 require all dogs, who have their tails docked, to be microchipped prior to 12 weeks of age. The draft Animal Welfare (Breeding of Dogs) (Wales) Regulations 2012 will also require all dogs on breeding establishments to be microchipped, as well as puppies before they are 56 days old or prior to transfer of ownership.

#### **CONTROL OF DOGS**

The First Minister announced during his annual legislative programme statement on 17 July 2012 that the Draft Control of Dogs (Wales) Bill would be published for consultation in the Autumn. The underlying principle to be enshrined in the Bill would be responsible ownership of dogs and active intervention where dogs are deemed to be out of control.

*September 2012*

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### **Written evidence submitted by Barry Faust**

The first thing that has to happen—and what I suggest, will put off 99% of people who buy animals but actually do not really want or care about them—is we should have nationwide licensing. This would not just be for a dog or a cat but for *all* pets. £100 for a licence. Why so high? Well you see it will have to pay for quite a few things, so the price, if you really want a pet, should be high. The licence would be renewed annually but for the following years the price would only be set at say £25 per year—the same as tax for your car really!

Now to obtain the animal you want you would have to satisfy a state registered (we don't have these either) pet shop or licensed breeder you have the facilities, the know how and are able to pay for vets bills, food and ongoing care, leads, creams etc depending on the pet. This will be judged on a case by case basis. You will need to have the correct licence for the animal you want and to apply for that licence you will need to pass the application/test (ie confirming the size of your home and facilities and your knowledge for example).

You might be saying now that's all well and good but what is to stop the breeder or shop as now, from selling to anybody to just make money? Well for one, they will be partially state owned or similar, so money won't be the main driver but after care for the pet will. For two, the animal, if abused or not looked after properly, will have what only dogs will be having now and that's a chip, this will be matched to the license of the breeder and the pet shop as well as the new owner so it will be very hard to evade this.

As mentioned, we will have to introduce state only breeders or specialist licensed breeders who satisfy certain criteria. For a start, all their animals must be able to be tracked from birth to death. Their license is only granted when their premises have been checked by a newly formed Animal Protection Officer which will compliment the work of the RSPCA and will give the APO's the powers which RSPCA officers do not have. Power of arrest, break and enter to rescue animals etc, inspection of premises.

The license and the chip payments will pay for all this, the yearly reduction in animals being cared for by the state will also help, it costs the government thousands of pounds a year to do this so now that money can go toward funding the newly formed Animal Protection Unit which will sit under Defra.

It won't stop everything but imagine this scenario; I am out and about with my Pitbull, with no chip (so bought illegally) and no license myself. Oops unlucky. APO/Police/RSPCA/Council suspect I have no licence or no chip, therefore *no dog*. If the Government and law insist on treating animals like property—and in law that is what they are—then I am afraid that when it comes to confiscation, I should be treated the same as if I do not have a licence or insurance for my car. No licence, no insurance, *no car*. It is no different.

Once *all* animals are being chipped and owners and breeders have licences, then the abusers and persons who use animals for their own ends will not bother to obtain licenses or chips which will mean instant removal of that animal. Once this starts happening, the word gets around and they just won't bother. (Well the majority wont, you always get the hardcore and the plain thick.)

All we need then is stronger animal legislation, protection, penalties and for that we should look stateside—in particular New York City. I am led to believe their laws are some of the strongest in the world.

*September 2012*

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#### **Further Written evidence submitted by David Ward**

I would like to submit some information regarding the regular online sales of banned breeds of dogs to be considered during your consultation on dog welfare. In particular I would like to draw your attention to huge loopholes within current legislation which means that website operators are not liable for the classified ads they host. It is also important to realise too that some online classified sites use automated systems to process these ads which means that they are *not* viewed by trained individuals prior to going live. As you can imagine this has meant the internet has become a very attractive outlet for unscrupulous breeders of banned breeds as they are rarely challenged by the website providers. Additionally some websites do not require users to register a home address or even a landline telephone number. This means the traceability of these breeders of banned dogs is more or less nil and breeders are largely getting away with selling these dogs and making a lot of money which is encouraging further breeding. On most websites stating the breed of a dog for sale is optional which has led to coded language being developed in order to communicate the (banned) breed). Examples of this coded language could be “red nose”, “American staff”, “U.S. dog” etc.

I noted during the recent EFRA committee meeting that all of the welfare groups who attended were also concerned about the largely unregulated sales of animals online and as part of PAAG have drafted a set of minimum standards they would like to see websites adopt. These would, however, be voluntary and this is where the efficacy of these guidelines will unravel as there are many unscrupulous breeders and animal traffickers who are unlikely to adjust their behaviour. This is why there needs to be a review of the laws and regulations governing the sale of animals online. The internet is quickly taking over from the traditional pet shops as a way for people to sell/purchase animals but the laws relating to pet shops are not appropriate to the internet sales sites. Puppy farmers and backyard breeders are regularly using the internet to sell puppies but it is very easy for them to pose as private sellers selling one off litters/puppies.

I am part of a group who regularly monitor the website gumtree, which is one of the UK's largest free classifieds websites offering animals for sale. We have evidence of pit bulls and other banned breeds being openly sold on the site on a regular basis. The breeds are blatantly announced and gumtree have done little to remove these ads when we report them. Some ads have reappeared soon after being removed with the wording slightly edited but the dogs are exactly the same dogs. We know this because the telephone numbers and pictures are exactly the same as the removed ads. This means banned breeds are being sold regularly and websites are not doing enough to prevent this. The Pet Advertising Advisory Group have tried to improve the situation but after 18 months of monitoring we are still finding banned breeds being openly trading on gumtree. There are banned breeds of dogs for sale right now on gum tree and this is likely to remain a very big problem unless legislation is introduced to hold the website owners to account. Currently they simply remove the ad but by the time the ads are removed the pups could have already been sold thus encouraging further breeding of banned breeds. These websites need to be seen as an urgent area for review as currently the regulations are not covering internet sales of animals.

*October 2012*

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### Written evidence submitted by The Dog Union

1.1 The Kennel Club have Petlog, a registration system, Mate Select, Health Testing and an Assured Breeders Scheme and more recently Health Testing of High Profile Breeds. They are the body most able to encourage the health and welfare of pedigree dogs.

1.2 The Kennel Club have for years invested in the health and welfare of pedigree dogs and have direct control and influence over approx 17,000 pedigree dog owners who participate in Kennel Club associated sports.

1.3 Since the Bateson Report the Kennel Club has made great strides to encourage responsible breeders to rectify many of the misgivings raised in the report. Their efforts have been constantly available to the public through their press releases, website, literature and events.

1.4 The dog breeders/kennels, excluding puppy farmers, are a very small group of people and in the main are responsible individuals as are the small breeders who produce only one or even less than one litter a year to provide their own show/working stock.

1.5 Most of these breeders big and small sell their puppies vet checked, vaccinated and with a contract to secure the future of the puppy through its lifetime. The majority also do the required health tests for their bitches or dogs prior to breeding.

1.6 In Prof Bateson's report he refers to a high priority being given to the creation of a computer based system for the collection of anonymised diagnoses from veterinary surgeries in order to provide statistically significant prevalence data of each breed.

The establishment of this database and the integration of the microchip and registration bases would go a long way to controlling the health and welfare of all pedigree dogs.

1.7 Research on the websites of the RCVS, BVA, BSAVA and the Royal Veterinary College give no indication to the public or it appears vets that there is any progress in establishing this database. It would be advantageous to all if practising vets and breeders were updated regularly with its progress.

1.8 The Kennel Club recently wrote to vets repeating a request for Caesarean sections to be reported to them—another recommendation in the report. It is widely known that vets are reluctant to conform to this request. Assurance must be given to the public that the veterinary profession support this recommendation of Prof Bateson.

2.1 The Kennel Club and its ABS members can, together with the co-operation of the veterinary profession, regulate themselves and pilot the way for the inclusion of all dogs without government intervention.

2.2 The government must consider legislation and a method of funding for the mandatory registration of all pedigree dogs with the Kennel Club to provide an inclusive control over all breeders with the proviso of 3.1.

3.1 The Bateson report does provide the blue print for the control of all pedigree and cross breed dogs and the breeding of dogs. The establishment of the veterinary database and the integration of the microchip, registration and Mate Select bases would go a long way to controlling the health and welfare of all pedigree dogs.

3.2 Although this inquiry is only concerned about pedigree dogs it must be aware that there are designer dogs such as the Labradoodle which have inherited diseases such as Hip Dysplasia, PRA, Epilepsy and others. Therefore there is a need to control recognised crossbreeds some of which sell for up to £1,600, a price that is far above that of most pedigree breeds and have a list of inheritable diseases greater than that of some purebreds.

3.3 There is an immediate need to control puppy farming of the worst type and this can be done within existing legislation and the introduction of compulsory microchipping.

3.4 Although it is easy to control the large and small breeders who are members of the ABS there are a very large number of pedigree dog "breeders" who have an occasional litter and are not controlled who do or don't register with the Kennel Club. One small survey from an advertising magazine indicated that out of 31 purebred litters only 14 were sold as KC registered.

Another survey indicated that from the people asked more people procured their dogs from friends than from breeders.

3.5 The health and welfare of all dogs is paramount in an effort to control the pedigree dog breeders, the costs to the responsible breeders could become prohibitive and therefore drive potential puppy buyers to the back street breeders who will have a completely different package to sell.

## Written evidence submitted by Gumtree.com

### BACKGROUND TO GUMTREE.COM

Gumtree.com is the UK's number one classifieds website. It has a presence in 48 cities across the UK and attracts eight times as many visits as its closest competitor. Gumtree helps to connect 13.7 million people across the UK to buy, sell, find or swap everything from cars, jobs and property, to goods and services in their local area.

The site receives 33.6 million visits per month, has 7.9 million monthly unique users, and at any one time there are approximately 1.8 million ads live on the website.

The website is split into a number of categories, the largest ones being motors, goods for sale, jobs, and property. One of the smaller categories is "Pets for Sale".

### PETS FOR SALE CATEGORY

The pets category on Gumtree has recently undergone a number of changes, and as a result it is much more tightly controlled than previously. The site currently surpasses all UK legal requirements, and the changes have been made in consultation with leading pets/animal charities. The changes aren't exhaustive, and are part of an ongoing upgrade programme across the site.

The changes have meant that the number of live ads on the site within the pets category has reduced dramatically. This time in 2011 there were approximately 70,000 live ads—compared to 15,000 today—and the site has grown by 30% this year. There appears to be a correlation with the decline in numbers on Gumtree and increased pet sections on other websites.

### RECENT DEVELOPMENTS IN THE PETS FOR SALE CATEGORY

#### *Reduced the number of categories*

Gumtree has limited the category to only allow birds, dogs, small furrries, cats, fish, and other listings. Categories that have been removed include farm animals and exotic animals. Shortly the small furrries section will be split further to organise ads by individual animals eg hamsters and gerbils.

#### *Compulsory user registration*

Every user that posts an advert within the "Pets for Sale" category needs to pre-register with Gumtree.com. Entering personal details is compulsory and will be shared with law enforcement authorities should it be requested.

#### *Updated rules for posting an advert*

When posting an advert in the category, all users see a pop-up box which outlines the posting rules. All users must agree to these before proceeding, and the agreement will be shared with law enforcement authorities if required. Key rules are:

- No animals under eight weeks.
- No commercial breeders and stud services.
- No puppy farms.
- No individuals involved in animal welfare abuses of any kind.

#### *Compulsory advert requirements*

All new adverts need to include a photo of their animal for sale.

#### *Introduced accounts for rehoming charities*

To help prevent puppy farmers and breeders from using the site, no user is allowed to post more than two litters of animals a year. The new exception to this is animal welfare charities that choose to use the site to help re-home pets, something that is proving successful since its introduction. All charities opting in to this are fully-verified before being accepted onto the programme.

#### *New on-site advice and guidance*

Gumtree.com now includes updated information and advice about buying animals online. This advice has been shaped with help from leading animal welfare organisations, and going forward Gumtree hopes to update this regularly with more animal-specific information. This aimed at both buyers and sellers.

On rotation, Gumtree also carries banner ads linking directly to a number of the charities that the site regularly consults.

## MONITORING OF THE SITE

Gumtree.com also has a dedicated team that monitors the site, they will remove adverts that they believe indicate animal cruelty or illegal practices and can share information with authorities for investigation if requested eg dogs listed with docked tails, animals suspected of being current working dogs.

## POTENTIAL IMPACT ON GUMTREE IF NEW LEGISLATION IS ENFORCED

Without knowing the detail of any potential new legislation, the below is just a range of options which Gumtree may consider should the law change.

- Gumtree.com has no legal responsibility over the ads posted to the site; the onus of responsibility is with the seller. However Gumtree chooses to enforce certain rules and regulations for sellers to abide by
- If the legislation requires a high level of management of ads and proactive checking of registers/licences etc it may render the category commercially unviable—and closure of the category would be a real option
- Systems can be programmed to reflect new changes where viable—the cost of making the changes will have to be factored in to the overall commercial viability of the category—closure could be an option
- Gumtree has no control over who buys via the site, only on the ads posted—therefore any controls impacting on the buying process would be extremely hard to manage
- If a blanket ban on the online sale of pets is enforced, this would mean immediate closure of the category. However we envisage some of the following may happen which we would need to heavily monitor and create new rules to prevent:
  - Pet listings move to other categories for sale
  - Ads appear but giving away animals or swapping for other items—therefore not “technically” selling them
  - A form of “code/understanding” develop, where a pet is listed in a different category for free—but payment may arise once the buyer and seller are in direct contact away from the site

November 2012

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### **Written evidence submitted by Anna-Lisa Browne of The Dog House, Dog Training and Behaviour**

“Whether the Government’s proposed approaches will deliver the right legal framework, enforcement regime and educational support to reduce irresponsible dog ownership and tackle out of control dogs;”

“Are the approaches proposed by Defra in its announcement on ‘Tackling Irresponsible Dog Ownership’ on 23 April 2012 sufficient to ensure that there is a reduction in the number of attacks by dogs on people and animals?”

- I support extending the criminal offence of allowing a dog to be dangerously out of control to private property (where the dog has a right to be); to cover private land as currently it does not protect people on private land or people who have been lied to as to the temperament of the dog. A recent experience involved a dog transported to me from a rescue shelter. We were told the dog was safe (with people, dogs, cats and children), however, this dog went on to savage my staff member in her own home. As she was technically “in charge” of the dog at the time and it occurred on her property a crime had not been committed, but had the rescue shelter owner disclosed that the dog was aggressive and had bitten previously then the dog would have been handled differently by us and the incident could have been avoided.
- Perhaps this should exclude incidences on private property where a dog is contained by a lockable secondary structure (kennel/dog crate/garage/shed/tethered etc). This would suggest to me that the owners have made reasonable attempts to contain a dog of questionable temperament in order to keep legitimate visitors to the property safe.
- Seemingly, we are hearing of several rescued dogs from shelters that have been rehomed under false pretences and once settled in the new home, begin to show questionable temperaments (towards people, other dogs, livestock, children etc) despite being assured by the shelter that the dog is good around these. It could simply be that the shelter hasn’t had the dog in their care for a long enough period to be able to assess them adequately, or it could be that the dog is housed in an unrealistic (kennel) environment for a suitable assessment to be carried out or the shelter has been informed yet does not declare this in order to get dogs in homes. Currently, many of the smaller rescues and foster based rescues are ill-informed of legal obligations and remain un-regulated.

- Similarly, dog training and behaviour remains un-regulated. We have more trainers and behaviourists than ever before in the UK yet dog bites and out of control dogs are also on the increase. This does not make sense if these “professionals” are doing their job correctly and educating owners. It is my belief that if the puppy training class the dog first attends is offering adequate training in a suitable environment then many problem behaviours can be avoided. Perhaps classes and behaviourists should be regulated in some way? The Kennel Club offer an accreditation scheme for trainers and behaviourists already.
- Most responsible trainers and behaviourists (including myself) would be happy to be regulated and inspected. I would like to see a study of problem dogs to include which classes, if any, the dog attended in order to highlight any problem areas and areas requiring improvement. Perhaps some dog training classes are causing problems with some dogs depending on what training methods are used and how much information the tutor is able to pass to the students? Or perhaps problem dogs may be less (or more) likely to have attended any classes at all?
- Dog licensing may well be an option in controlling problem dogs, if it is executed properly. I propose having a system in place much like our car tax system, with a coloured disc or plate to place on the dog’s collar as this can be instantly identified by other dog owners, officials and members of the public. I have also seen this work effectively with horse permits at Windsor Great Park. Most responsible dog owners are keen for other dogs to also be under proper control as many dog-friendly areas are currently under threat due to badly behaved dogs causing problems and leading to local authorities banning dogs from several areas. There could be a hotline set up for dog owners and members of the public to report suspected out of control dogs and dog fighting. This disc or badge can contain the dog’s microchip number (and able to be checked with a microchip reader) In addition, it could contain a barcode, which can be read by a smart phone app—this would be easy for officials to carry with them and check on location and can easily be seen if the disc has expired as it could be colour coded for each year (like tax discs).

I would think vets would be happy to issue licenses, and I’m also confident that responsible dog trainers running classes, and willing to be licensed and inspected, would also be happy to issue licenses on dogs successfully completing a training course with them to an acceptable standard.

Many dog enthusiasts consider that spending money is part of being a dog owner and if a person cannot afford to attend classes, pay vet bills, buy dog food etc. then perhaps a dog is not the correct pet for that person. Adding a dog license fee to dog ownership may help discourage impulse buying of dogs and encourage a more responsible attitude towards owning a dog including the costs associated with this responsibility.

Perhaps there may be an opportunity for insurance companies to offer discounts for owners who microchip and license their dogs upon completing a training course with an approved training school.

- My main concern regarding compulsory microchipping is simply that irresponsible owners are the owners that are less likely to take their dogs to the vet for injections, microchipping, parasite control etc. and as there is no visible clue that a dog is or is not microchipped it could be difficult to identify offenders until after an incident has occurred. If a problem dog is not microchipped then it would be relatively simple for the owner to release the dog (as a stray) or have it destroyed once it has bitten and thus avoid any fines, prison terms etc...

Many thanks for allowing us to have our say and contribute to the discussion.

June 2012

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### **Supplementary written evidence submitted by Canine Action UK**

I am writing to correct a misinterpretation of my written evidence submission to the Inquiry.

During the oral evidence session with Lord De Mauley, Q423 refers to Canine Action UK suggesting “*you would restrict sales only from people who are registered breeders or rescue centres. Secondly that you would effectively ban the sale of dogs that have been bred outside the UK.*”

Unfortunately neither of these were my suggestions and regrettably they were also put to Mr Neil Parish MP (Qs 161 and 161) and raised again by Mr George Eustice MP (Q350).

My suggestions were as follows, with the exact proposals highlighted:

- (a) *Ending the sale of dogs from third party agents such as pet shops and dealers* would not require new legislation to implement and would be popular with the public as well as being wholeheartedly supported by welfare organisations. Removing the reference to pet shops in existing legislation means that licensed breeders would need to deal directly with prospective new owners. This should provide considerable incentive to ensure good practice is adhered to

and that the highest rather than minimum standards are met. Breeding dogs for commercial gain would remain a legitimate business for those that are able to meet improved standards of welfare and quality. Amending the Pet Animals Act (1951) to prohibit the sale of dogs bred outside the UK would close the loophole for commercially importing puppies. These measures would effectively cut off the supply of dogs to third party sellers and may be easier to implement than an outright ban. It is likely that pet shop owners and puppy dealers would protest against such changes on the basis of restriction of trade. However, this does not provide sufficient justification when set against overwhelming evidence of the negative consequences of this practice. *Ending the sale of dogs through pet shops and dealers would be the most significant improvement in dog breeding welfare for decades.*

My suggestions were to restrict licensed breeders to selling directly to the new owner rather than to a pet shop or dealer. People would still be able to purchase puppies from whatever source they chose. I would also only wish to see the sale of commercially imported puppies ended. Individual private imports are often of great value to responsible breeders to widen genepools so a complete ban would be unwise even if it were possible.

Since submitting my written evidence, I have refined my suggestions further and now propose precise amendments to the Breeding and Sale of Dogs (Welfare) Act 1999. I have attached a document that outlines these in more detail.

December 2012

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### **Written evidence submitted by Frances Ellis and Margaret Brady, Animals in Need**

We would like you to consider the following comments concerning the measures on tackling irresponsible dog ownership.

We are retired research scientists and trustees of Animals In Need. We have worked at the Sanctuary for over 20yrs. We have experience of rescuing dogs of all types, including recently rising numbers of bull breeds. We do regular checks on homes to assess suitability of new owners.

We work closely with the RSPCA and Dogs Trust and liaise with dog wardens. Police officers have often referred members of the public with dog related issues to us. We have also re-homed bull terriers for the police (after being classed as not Pit Bull type). We offer a neutering and micro-chipping service as well as practical advice on responsible dog ownership and management of bull terriers. This includes home checking for safety. Our home checks are to a high standard and our judgement is trusted by other organisation as well as police officers who have requested that we re-home dogs on their behalf. The courts have also released dog into our care for re-homing.

In response to your bullet points:

*Is there a need for a more fundamental overhaul of dog legislation, and its enforcement, including that relating to dog attacks on people, livestock and pets?*

The dangerous dog legislation has been in force for over 20yrs and yet it has not been used to target the right people and dogs. Many friendly obedient and family pets have been seized and subjected to months and months in police kennels, often suffering welfare issues, all this because they resemble a banned breed. They have never offended and neither have their owners. Yet they are dragged through the courts at great costs to the tax payer, the owner and most importantly the dog's welfare. The law should be targeted at owners whose dogs are out of control and injure livestock and pets as well as humans.

*Is sufficient action being taken on pets raised as status dogs to ensure their welfare and reduce their impact on communities?*

In our experience nearly all these dogs can be retrained. If owners are unwilling to comply remove the dog and re-home it. If appropriate, ban the owner under the animal welfare act. The RSPCA have the power to do this. Parents and family members should take responsibility for the choice of dog that they bring into their home and for the access they allow for children in relation to the dog. The buck should stop with family members to choose the right pet and safe guard their children in the family home. Owners should be encouraged to undergo training with their dogs and this should be made available through local councils and animal welfare groups. This is something that Animals In Need is actively promoting. Dogs are graded and carefully placed with appropriate owners.

At the end of the day, dogs do not commit premeditated acts of violence; they respond to a stimulus and to what is expected of them by their owner.

*Will compulsory micro-chipping of puppies improve dog welfare and help prevent dog attacks at an affordable cost to dog owners? Should a dog licensing scheme also be considered?*

A voluntary licensing with neutering and micro-chipping incentives is a starting point to distinguish between the most responsible and those that need guidance or a push in the right directions. Why can't we offer this in the first instance?

We are very pro micro-chipping on welfare grounds. Chipping enables us to trace the dogs we re-home. This exists throughout the dog's life as they remain registered to Animals In Need. The same protection won't exist for privately owned dogs because we find that many dogs are given away indiscriminately. The new owner doesn't register the dog with their details and often the original owner had disappeared. It leaves a dog with a chip but with no one willing to claim it.

We regularly assist and re-home dogs from dog pounds, although micro-chipped, many of these middle aged dogs are not claimed. We need to understand the reasons behind this. Micro-chipping will not prevent dogs from being abandoned or being used inappropriately. It needs to be asked "Why are so many dogs being abandoned?".

*Should the Dangerous Dogs Act 1991 be extended to include offences committed on private property?*

The present Act doesn't always target the right people. There is already misuse of the Act. Responsible law abiding people are caught up in a Draconian law. We don't need to add to this, common sense should prevail and good guidance should be in place.

*Are Defra's proposals for wider community and educational approaches to support responsible dog ownership sufficiently ambitious?*

*Do local authorities, the police and animal welfare charities have the right roles in managing stray dogs under the current legislative regime?*

Yes, if the welfare organisations such as ourselves are consulted, we are in the front line. We know only too well what happens on a day to day basis. We need to be empowered. We have access to home and people will talk to us about dog related issues before it becomes a major problem. They are often afraid to talk to officials of authority.

It is very important, at this stage, that animal welfare organisations have a prominent role. This will avoid the inhumane consequences when the dangerous dog act was implemented to target specific breeds. We have seen firsthand in court how this doesn't work. It would seem that most right thinking people agree that the present breed specific legislation is not addressing the problem. To extend it would be compounding an existing injustice. No one breed is bad.

As we who run animal sanctuaries know, it's not entire breeds that are vicious; individuals of any breed can prove to be aggressive.

The act has enabled dogs and their owners to be pursued in a way that can only be described as a "witch hunt". It is lunacy to throw public money and police resources at dogs that are not vicious and who have responsible owners. The money and human resources could be better used to target bad owners and vicious dogs.

The full force of the law should not be used to seize dogs when there hasn't been any criminal activity. The owner should be given guidance on registration. The animal welfare organisations could assume this role, ie arranging micro-chipping, neutering, control and training. This has been done successfully in the past on Merseyside.

*In respect to concerns expressed in Professor Bateson's report over poor welfare that has arisen in the course of breeding dogs*

Most responsible dog owners already comply and others do with guidance. But its rogue breeders that need to be targeted. Individuals will breed dogs in their own gardens and kitchens as a cash crop. They don't pay taxes. They are not interested in welfare at all. The dogs are sold in pubs, pet shops, advertised in shop windows, on websites such as Gumtree and in puppy farms for further breeding. Controlling the problem of dogs can only be done by controlling breeding. Only registered welfare-checked responsible breeders and rescue organisations should be allowed to re-home dogs. Steps can then be taken to ensure that the dogs are placed in a correct environment, micro-chipped and neutered where their needs, correct training and vet care are provided.

Sadly, what is overlooked are dogs being destroyed in their 1000s throughout the country. Dog rescues centres are overwhelmed with numbers and are finding it difficult to find homes for all breeds. Yet breeders still insist on adding to this problem by producing more litters in particular Staffordshire Bull Terriers. Crosses of this breed get caught up in the Pit Bull legislation. We believe there are seven to eight million dogs in the

country and it's something like .05% of those dogs that offend. Some of those offences are minor only the sensational cases reach the headlines. Every day we read of children being brutalised and murdered by individuals parents and entrusted family members. In these cases the law seeks to punish the perpetrator not just someone that happens to be the same colour, size and similar in appearance.

*Has the response by dog breeders and the veterinary profession been effective?*

No.

*What actions should Government take to address these issues?*

Empower the animal welfare organizations. Consult us.

*Are further controls required on dog breeders, including puppy farms, and those selling or importing dogs to ensure the welfare of bitches and puppies?*

We have already covered some of this in micro-chipping and licensing. But would further like to state that there should be no sale of dogs from pet shops and puppy farms, as neutering and micro-chipping is very rarely enforced. Responsible breeders must apply for a licence each time and licences be denied if there are too many of a specific breed, ie the bull breeds. There are enough of these dogs in animal welfare organisations throughout the country to supply any need. A crack down on breeding in council houses and private homes is urgently needed. Welfare organisations have a vested interest in helping and supporting. We see the suffering firsthand. A controlled census with major input from animal welfare organisations offering neutering and micro-chipping. As stated before a voluntary is a starting point.

To summarise, this is not just a dog problem. There are major social implications. Dogs have played a big role in family life, but family life is not as it used to be.

It's time for common sense to prevail and for the law to be applied with full force to the person holding or not holding the lead. The law as it stands is clearly not working.

July 2012

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#### **Written evidence submitted by Sheila Atter, Ridley Cesky Terriers**

I have been following with interest the EFRA hearings and evidence on the breeding of pedigree dogs, particularly the discussions around genetic diversity and Coefficients of Inbreeding (COI). I thought it important to share with you some research that highlights the dangers of taking a superficial approach to COI and the assumption that a low COI is always desirable.

I am not a vet, a scientist nor a geneticist. I am just an ordinary dog breeder. I try very hard to breed healthy puppies of good temperament that nevertheless look typical of their breed.

Like all good breeders I have an in-depth knowledge of my breed, its bloodlines and its health status. The Cesky Terrier is a numerically very small breed (only 24 puppies were registered with the KC in 2011), and since all Cesky Terriers are descended from just four individuals, genetic diversity has to be one of the foremost considerations in my breeding programme.

Much has been made in the current debate on dog breeding of the desirability of lowering Coefficients of Inbreeding in order to maintain as much genetic diversity as possible. In a breed that is as genetically compromised as the Cesky Terrier this is not necessarily the best approach. Because all our dogs are so similar genetically every tiny bit of genetic material is important. Some years ago I started a project to DNA profile as many Cesky Terriers as possible, and it soon became evident that a low COI is not always indicative of genetic diversity. Using the profiles it is possible to identify individuals that have more diversity—this is an approach that is used by zoos to choose breeding pairs that will maximise the overall diversity of an endangered species.

Put simply, a dog with a low COI may actually be far more homozygous than a dog with a higher COI and the latter would be a better choice in order to maximise diversity. I am therefore extremely concerned that any decision to impose limits for Coefficients of Inbreeding would be counter-productive in my breed and, indeed, in others that have a similar limited genetic makeup.

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<sup>6</sup> A fuller explanation of the project can be found here: <http://www.ceskyterrier.co.uk/section240114.html>

If you would like more information on the Cesky Terrier Genetic Diversity Project I would be happy to meet you and explain its findings.<sup>7</sup>

*December 2012*

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**Written evidence submitted by the Association of British Insurers (ABI)**

**CORRESPONDENCE BETWEEN COMMITTEE SPECIALIST AND ASSOCIATION OF BRITISH INSURERS**

Email extract from EFRA Senior Committee Specialist, dated 24 October 2012 to ABI:

“One of the issues [the Committee] may wish to explore is whether insurance companies should be required to provide health data to bodies investigating inherited and other dog diseases.”

“Would the insurance companies as a matter of principle provide data on inherited or other diseases—is there a data protection issue, do companies have philosophical objections or commercial objections?”

Extract from Andrew Woolgar, Policy Assistant, ABI, email reply dated 25 October 2012:

“The ABI only collate industry data for pet insurance, on exposure, premiums and claims. This information may be provided to academics for research purposes. We are not aware of any of our members collecting information relating to inherited or other diseases. This information may be more readily available from the British Veterinary Association or Royal College of Veterinary Surgeons.”

“If any of our members could provide this data, we would need to extrapolate the information to industry level in order to ensure there are no commercial objections. Depending on the original sample size, this would affect the reliability of the data. It is unlikely that insurers would refuse to provide available data, as long as it would be on an anonymous basis. I hope this helps to answer your question.”

*October 2012*

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<sup>7</sup> A fuller explanation of the project can be found here: <http://www.ceskyterrier.co.uk/section240114.html>