

WRITTEN MINISTERIAL STATEMENT

DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS

TACKLING IRRESPONSIBLE DOG OWNERSHIP

Date: 6 February 2013

The Secretary of State for Environment, Food and Rural Affairs (Owen Paterson)

I am pleased to announce a package of measures to tackle welfare and irresponsible dog ownership on which Defra consulted last year.

In that consultation from April to June, we put forward a number of possible measures to encourage more responsible behaviour and deal with the consequences that irresponsible dog ownership has on everyone else. There was an overwhelming reaction to the consultation, with over 27,000 responses. I am today publishing the results of the consultation, including the proposed way forward and have placed a copy in the Libraries of the House. Following the results of an earlier consultation in 2010, the 2012 consultation sought views on four specific proposals:

- A requirement that dogs are microchipped with details of the owner.
- A change in the criminal law in section 3 of Dangerous Dogs Act 1991 to extend the offence of a dog being dangerously out of control to all places, including private property.
- Allow owners of dogs seized as suspected dangerous dogs or prohibited types to retain possession of their dogs until the outcome of court proceedings.
- Increase the application fee for prohibited dogs to be placed on the Index of Exempted Dogs

Microchipping of all dogs

The responses to the consultation show there is overwhelming support, from some 96% of respondents, for some form of compulsory microchipping of all dogs. Microchipping makes a clear link between a dog and its owner. Over 100,000 dogs either stray, are lost or stolen each year with many having to be kept in kennels before being re-homed. Having a microchip means they can be reunited quickly with their owners, reducing the stress for dog and owner alike. It will also lead to substantial savings for local authorities and welfare charities who spend some £57 million a year on kennelling costs and will mean that fewer dogs are destroyed. Some 6,000 dogs have to be put down each year, because their owner cannot be found.

We have listened to the views of those who responded to the consultation particularly on the question of practicality for owners and those dealing with stray or lost dogs. Only 10% favoured the option of microchipping puppies. The 10–12 year delay before all dogs would be microchipped is considered too long to wait to get the benefits and the police and others did not feel it was practical.

So we will introduce regulations to require the microchipping of all dogs in England from 6 April 2016. From that date owners will need to have their dog microchipped and registered on one of the authorised commercial databases available; and they will have to register the details of any new owner before they sell or give the dog away. Owners will be required to keep their contact details up to date on the microchip databases.

Defra is now working with database providers and microchip suppliers to ensure minimum standards of service for commercial databases and standards of microchips, and that there is updated implantation guidance and training available as well as a one-stop 24 hour enquiry point for microchipped lost and found dogs.

I wish to thank the Dogs Trust for their very generous support which means a free microchip will be available for all unchipped dogs throughout England. The Government is working with the Dogs Trust to ensure that free microchips will be offered by the Dogs Trust to local authorities, housing associations and veterinary surgeries. A number of other animal welfare charities are offering free microchipping at their centres including Battersea Dogs and Cats Home and Blue Cross.

We expect there to be a high compliance rate with the microchipping requirement.

Amendments to the Dangerous Dogs Act

Tackling dangerous and out of control dogs was an important part of the measures put forward by Defra last year. The Government has decided to toughen up the existing law. The ban on owning or selling some types of dogs bred for fighting will remain for public safety reasons. We agree with advice from the police that the ban on the Pit Bull Terrier, Japanese Tosa, *Dogo Argentino* and *Fila Brasileiro* should remain in place to protect the public and to help deal with potentially dangerous dogs. However, we also accept that any dog can become dangerous and that owners are ultimately responsible for the behaviour of their dogs. The Government's approach is one of tackling both deed and breed.

Incidents involving dangerous dogs are on the rise, and it is wrong that the police cannot investigate offences and put them forward for prosecution simply because a dog attack occurred on private property. Eight children and six adults have been killed in dog attacks since 2005, with many of these attacks taking place in the home; five of the victims were children under the age of four years. Concerns have also been raised about dog attacks on postal workers and health visitors and social workers during home visits. People just doing their job should not be subject to dog attacks. The public agree. The consultation has shown wide support for the proposal to extend the scope of the offence in section 3 of the Dangerous Dogs Act 1991 to all places, including private property. Extending the law will help give protection both to children in their homes, and to people who have to visit private properties such as healthcare, postal and utility workers. Postal workers in particular have suffered some terrible attacks, and the proposed change to the 1991 Act will close the loophole that has meant these attacks go unpunished. However, the proposed extension to the criminal law will not provide

protection to trespassers who have entered a private property whom the householder believes has unlawful intentions. Defra will bring forward amendments to the Dangerous Dogs Act 1991 as soon as Parliamentary time permits to effect this change in the law.

The Government is also concerned to ensure that irresponsible dog ownership is tackled before a serious incident has occurred. As well as the ban on certain breeds of fighting dog, Defra is working closely with the Home Office and other authorities to introduce new powers to help frontline professionals tackle anti-social behaviour involving dogs. The measures proposed in the draft Anti-Social Behaviour Bill published on 13 December 2012 will provide a set of flexible, effective tools and powers to enable police and local authorities to tackle a wide range of anti-social behaviour including dog-related incidents.

Seizure and kennelling of suspected dangerous dogs

To ensure the welfare of suspected prohibited dogs that have become the subject of court proceedings and to ease the substantial costs to the police service, Government has also decided that it should no longer be necessary for the police to seize and kennel such dogs pending the outcome of court proceedings where the police do not consider the dog presents a risk to the public. The police will have discretion to release a suspected prohibited dog where they are completely satisfied that it is in the care of a responsible owner. They will be allowed to put extra restrictions on the owner e.g. requiring the dog to be muzzled and on a lead when in public. These changes will be made by way of amendments to the exemption scheme and can be made through secondary legislation.

We consider that allowing suspected prohibited dogs to be exempted from seizure in these circumstances strikes the right balance between protecting the public from such potentially dangerous dogs and ensuring that safe and properly looked after dogs are not unnecessarily removed from their homes.

Dangerous Dogs Index Fee

We propose to raise the fee payable by the owner for placing prohibited dogs on the Index of Exempted Dogs to £77 plus VAT from the level that was set in 1997 (£20 plus VAT), to reflect the costs involved in administering these dogs for their lifetime better and thereby reduce the burden on the taxpayer.

Other measures to address irresponsible dog ownership

Irresponsible dog ownership is a complex problem and there is no single solution. The primary responsibility for ensuring that dogs are kept under proper control must rest with individual owners who should only acquire a dog if they are prepared to look after it properly and make sure that it does not become a nuisance or a danger to others. A key concern of Government is the ease with which it is possible to buy a dog or other pet over the internet. There is a rise in the trend for pets to be advertised for sale in this way, and Defra is working closely with the animal welfare charities to develop codes of conduct for website operators and to provide guidance for buyers on the potential pitfalls of buying pets in this way. We look forward to cooperation from the industry to the benefit of all.

We consider that education also has a significant role to play in reducing the problems associated with irresponsible dog ownership. Government has provided funding of £50,000 shared between the RSPCA, Battersea Cats and Dogs Home and the Dogs Trust to foster innovative local community projects to encourage responsible dog ownership in areas where there are high instances of dog-related problems. The funding was provided on the basis that the interventions will be carefully evaluated and the learning disseminated to help others working with local communities including local authorities. That evaluation is underway. Funding has been given to the Association of Chief Police Officers to support the training that they provide for officers with knowledge of dog control legislation in order to ensure that there is a centre for such expertise in every police force.

Overall this is a practical and balanced package of measures which encourages responsible dog ownership and supports local communities.