



# Review of Responsible Dog Ownership in Wales A Report Submitted to the Welsh Government March 2016



Photos: RSPCA Cymru



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# 1. Introduction

The RSPCA is grateful for the opportunity to conduct a short review of responsible dog ownership in Wales and this report of the project is hereby submitted on 4th March 2016.

The Review was officially announced<sup>1</sup> by the Deputy Minister for Farming and Food, Rebecca Evans AM, in April 2015, following agreement on the Terms of Reference for the Review (please see page 5). The RSPCA then began an independent project management role involving key stakeholders, the details of which will be outlined within this report.

## 1.1 Structure

This report is organised so as to present the terms of reference, methodology and definitions in the first chapters. We follow this with an objective analysis of all relevant legislation and enforcement issues. There next follows a short chapter on education and intervention followed by a wider chapter of our analysis of the both the written and verbal evidence we received from the wider list of stakeholders. We then discuss the issue of data within this field, before a final chapter presents our collective recommendations to the Deputy Minister. Due to the complexity of the subject matter and the limited inquiry we have been able to pursue, it was not possible to produce an executive summary. We hope the report will instead be read in its entirety.

This report has been constructed and written by a small group of specialists to whom the RSPCA is very grateful for both their time and their expertise. These skills and knowledge encompass legislation, enforcement, social science, campaigns and education, as well as dog behaviour and welfare. Details of how the Core Group and the wider base of stakeholders were engaged in this project follow in the first part of the report.

## 1.2 Constraints

Time will feature as a theme and a caveat throughout this report. From the outset time was limited and we acknowledge that many of those we would like to have been involved in this project either couldn't respond within our required window or they were not able to be as comprehensive in their written and verbal submissions as perhaps they would have preferred. In an ideal situation there would have been sufficient time to converse with stakeholders in more depth and re-consult each expert and organisation on some interim findings. The Core Group was also conscious that the project - although planned carefully from the outset - nevertheless evolved and as a consequence, for instance, the structure of the verbal and written sessions are not mirror images. Whilst the areas covered in both were relatively comprehensive there are at least two negative consequences to this method in that some organisations may have missed an opportunity to respond on a particular issue as this was not prompted by us, and it also made the analysis and writing up far more complicated for members of the Core Group.

This report however is designed to be signposting in nature. It is as comprehensive and consultative as is possible with the deadlines requested by the office of the Deputy Minister. For this reason we have aimed the contents at the commissioning body, that of the Welsh Government, and it is not designed specifically for the NGOs and experts of this sector. Nevertheless given the methodology employed we

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<sup>1</sup> <http://gov.wales/newsroom/environmentandcountryside/2015/rspca-cymru-tasked-to-review-responsible-dog-ownership-in-wales/?lang=en>  
(Accessed 21.7.15)

would hope the vast majority of the sector will endorse this report and regard it as a true and accurate reflection of the issues surrounding responsible dog ownership.

### 1.3 Responsible dog ownership

Dog ownership is significant and often overlooked by policy-makers in other fields such as health and education. The Welsh Government's own National Survey for Wales which includes data on dog ownership, procurement, insurance and identification reveals that 47% of households in Wales have a pet with 62% of those owning a dog, which was by far the most popular animal<sup>2</sup>.

Sadly however, there is undoubtedly a problem of dogs in society but the nature and cause of these problems is perhaps exacerbated by perceptions versus reality. There is an inherent value of course, which we hope to have reflected this report, of perceptions, and particularly those of the experts and NGOs working with dogs in society, but this does not assist with the quantification of the 'problem' - something both governments and the media regularly call out for. This may appear as a sub-theme of the evidence we received, if sometimes a little subtle, and one which we return to in our recommendations for data collection and the ability to track changes for indications of scale, improvements and any emerging or worsening problems.

For the Core Group the challenge of defining the social construction of 'responsible dog ownership' was initially all-consuming such that only through self-discipline were we able to curtail the debate, adopt a working definition and move on to the business of gathering evidence. What we then found, and what we have sought to make recommendations on, proved to be far more complicated than we had thought at the outset, and that in turn challenged the long-standing knowledge and expertise of the members of the Core Group. It should be said though that if the solutions to reducing society's burdens and improving dog welfare had been easy to formulate then those solutions would likely have been implemented some time ago.

### 1.4 Next steps

The recommendations at the end of this report are based on the collective expertise and knowledge of the Core Group as well as the evidence supplied by the stakeholders we consulted, however the Core Group is conscious that many of these recommendations are in need of greater exploration. A deeper study of many of the issues raised was not possible however we have retained and documented all of the information collected during this process which has been faithfully reproduced in the annexes of this report. Should the Deputy Minister see fit to commission a second stage to this project the evidence is therefore catalogued and ready to be utilised, removing the need to revisit this time-consuming process. That said there are additional areas, that could and should be explored, such as the wider body of academic literature.

The Core Group are committed to this process as a whole and would be very happy to continue the work that has begun with this Review, should the Deputy Minister wish that to happen. This Review could be regarded as stage one, with stage two taking the form of a more in-depth analysis of recommendations to include impact assessments, costings and coalition-building across the sector from enforcement bodies to animals welfare NGOs as well as the many other parties that have expressed an interest.

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<sup>2</sup> <http://gov.wales/statistics-and-research/national-survey/?lang=en> (Accessed 10.12.15)



## 2. Terms of Reference

The Welsh Government provided, in consultation with RSPCA Cymru, the following Terms of Reference for the project:

### **Review of Responsible Dog Ownership in Wales, Terms of Reference**

#### **The review should:**

- Take account of the provisions as set out in the Animal Welfare Act 2006 to review and make recommendations about responsible dog ownership in Wales including enforcement, with a view to promoting welfare provision for dogs.
- Take account of any relevant literature including the “Rapid Review of Deaths of Children from Dog Bites or Strikes Report” undertaken by the Public Health Wales in July 2014
- Encompass both physical and mental aspects of welfare associated with the keeping of dogs as pets.
- Provide advice on the relevant existing legislation for the control of dogs, including the Anti-social Behaviour, Crime and Policing Act, and its accompanying guidance, regarding whether this fully meets the policy intent of raising standards of dog ownership.
- Provide advice on whether any aspects of the withdrawn Control of Dogs (Wales) Bill could be utilised in Wales i.e., the work undertaken on education, as an example.

#### **Timeline of the Review**

- The Group will present their draft findings to officials before the summer recess date of 20th July 2015 with the final report and recommendations being presented to the Deputy Minister for Farming and Food after the summer recess ends on 13 September 2015 but not later than the 30 September 2015..

#### **Composition of the Review Group**

- The Review Group will be led by the RSPCA and actively involve the Dogs Trust in Wales. It should also have input from any other interested parties. This might include (but should not be limited to) third sector organisations, Local Authorities, schools, community centres and, vets.

#### **Key Outputs**

A short, focussed report with options/actions to:

- Raise children and young people’s awareness about responsible dog ownership – possibly via the education system (try to get upstream on the issue);
- Improve the understanding of the general public and their role and responsibility as a dog owner;
- Ensure effective messages are given at a community level – especially in areas of social deprivation and those that may have the highest incidence of dog attacks;
- Ensure local authority education/communication and enforcement would be more focussed;
- Develop and increase third sector engagement and the sharing of best practice.

### 3. Methodology

#### 3.1 Core Group

Due to the scale of the issue under Review and the number of interested parties, a model was adopted whereby the RSPCA chaired a relatively small 'Core Group' of stakeholders comprising organisations and representatives for the production of the final report (Table 1).

Table 1 Core Group of stakeholders

Role/Organisation	Representative
Chair	Claire Lawson, Assistant Director External Relations - Wales, RSPCA
RSPCA	Dr Samantha Gaines, Head of Companion Animals and Claire Robinson, Public Affairs Manager
Dogs Trust	Sian Edwards, Campaign Manager - Wales and Margaret Donnellan, Public Affairs Manager (up until August 2015)
Police	PC Keith Evans, Dangerous Dog Working Group and/or PC Walter Pennell, Dog Legislation Officer (DLO) Regional Representative on the Dangerous Dog Working Group
Local Authorities	Alison Hughes, Torfaen County Borough Council and Chair of the All-Wales Dog Warden Expert Panel

*All secretariat support was provided by Bethan Spear, RSPCA Cymru's Projects & Marketing Officer, to whom the Core Group would like to extend their sincere gratitude.*

#### 3.2 Wider stakeholder group

It was recognised that all voices involved or affected by irresponsible dog ownership, across both the animal and human sectors, should be heard to ensure any outcomes or recommendations encourages maximum engagement and buy-in from all parties. In addition not all relevant expertise and experience can be incorporated amongst its membership but any such knowledge or resources must nonetheless be drawn upon in order to reach robust findings. As such a list of stakeholders was identified. This was done through submissions to the Welsh Government's consultation on a draft Control of Dogs Bill as well as the membership of the Animal Welfare Network for Wales - where member organisations have self-defined an interest in dog welfare. The RSPCA issued a press release in response to the Deputy Minister's announcement which produced enquiries from additional stakeholders and all Core Group members were asked to both communicate the project to all relevant stakeholders as well as input any missing interested parties within a shared document of contacts. See Annex 1 for a list of the wider stakeholder group.

### 3.3 Core Group processes

The original strategy was set for the Core Group to meet approximately eight times within the 6 month project window, with invitations for written evidence sent to the wider stakeholder group and four days dedicated to evidence sessions enabling any stakeholders willing to meet with the Group to do so. The timeline as presented in Table 2 was constructed and agreed by the Core Group. Please see Annex 2 for attendance at Core Group meetings.

Table 2 Core Group - Proposed Timeline

Month	Activity
April	Project launch Invitations to Core Group members Wider list of stakeholders sent requests for written evidence and/or relevant resources
May	First meeting of Core Group to define parameters, logistics and goals
June	Closing date for written evidence Second meeting of Core Group to review written evidence and plan stakeholder meetings
July	Interim report - submitted 21st July First two stakeholder meeting days (see information in section below)
August	Second two stakeholder meeting days
September	Draft <i>skeleton</i> report ready for Core Group meeting with submission to Deputy Minister by the end of the month

### 3.4 Evidence

#### 3.4.1 Written submissions

All stakeholders were invited to send written evidence or signposts to their relevant resources around the theme of responsible dog ownership and all were invited to meet with the Core Group. The Core Group was extremely pleased with, and grateful for, the engagement across the sector (please see annex 3). Some organisations have been very active across all the sub-themes of responsible dog ownership and were able to forward detailed responses whilst others, perhaps concerned with only one aspect, pointed towards their existing resources. The Core Group interrogated these submissions for common themes as the project's timescale did not allow for a thorough literature review. In some areas this was less problematic than in others simply because many of the stakeholders have been working together for some time, not just in policy/lobbying terms, but also operationally on the ground. We also interrogated solutions proposed by the stakeholders and any recommendations on the priority given to any related resources. These often differed in the written submissions and so, as such, the Core Group sought to channel the evidence supplied at the stakeholder meetings / verbal evidence sessions, by providing questions/themes in advance (these are detailed in the section below).

### 3.4.2 Oral submissions

The following details all the sessions over the four dedicated stakeholder days, which were held within the Welsh Government main building in Cathays Park, Cardiff.

Table 3 Original timetable for stakeholder meetings

	10:15 - 11:00	11:00 - 11:45	11:45 - 12:30	12:30	13:30 - 14:15	14:15 - 15:00	15:00 - 15:45
<b>July 29</b>	Countryside Alliance	Hope Rescue	British Association for Shooting and Conservation	Lunch	Battersea Dogs and Cats Home	Great Dane Care Charitable Trust	
<b>July 30</b>		PDSA	BHS	Lunch	Kendal Shepherd, Forensic behaviourist		Clr Dilwar Ali, CWU and Julie Morgan AM
<b>August 26</b>	League Against Cruel Sports	Kennel Club	National Working Terrier Federation	Lunch	BVA	Welsh Local Government Association	
<b>August 27</b>	IPC Dog Services and The Good Dog Partnership	Blue Cross	FUW	Lunch	Animal Behaviour Training Council	C.A.R.I.A.D	National Sheep Association

The following questions were circulated to all attendees in advance:-

1. *What does responsible dog ownership mean to your organisation?*
2. *What formal education (school-related) programmes are you aware of? a) how are they successful, b) how are they evaluated, and c) how can they be made better?*
3. *What informal education (out of school but also across all ages) and awareness programmes are you aware of? a) how are they successful, b) how are they evaluated, and c) how can they be made better?*
4. *What legislative changes, if any, are needed? (It is important to reiterate that we are specifically discussing legislation within Wales' purview and not the Dangerous Dog Act 1991 or the Anti Social Behaviour Crime and Policing Act 2014)*
5. *What would solve the problems your organisation deals with?*
6. *What solutions would you like to have if you could?*
7. *What can your organisation do in terms of delivery of the solution?*
8. *If the solutions have costs involved, how should this be funded realistically?*
9. *Does your organisation interact with the human welfare agencies (e.g. social services, health sector, etc) and if so what form does this take and could it help with the solutions we collectively seek?*
10. *Who else should be involved in terms of key stakeholders (in this process and) in the solution?*
11. *Although the Core Group does not wish to predetermine this Review or exclude any alternative solutions we have been discussing a shared online portal, with Welsh Government approval/status, for all levels of users - including agencies (statutory and third sectors), dog owners, general public, etc to be able to access agreed and unified information on all aspects of dog welfare, the law and responsibilities. Clearly such an entity could have other resources within it too. We mention this now because we are keen to hear your views on this possible recommendation when we meet.*



### **3.5 Stakeholder meetings**

All stakeholders were reminded of the Review's Terms of Reference and the need to apply their evidence during the verbal evidence sessions to those parameters, and that it might be advisable to limit any discussion around the Dangerous Dog Act and Breed Specific Legislation given it is under Westminster's purview. Although all stakeholders were advised that the meetings were open discussions, the Core Group wanted to give fair warning of the areas of questions likely to be raised. This also had the benefit of allowing a direct comparison across the various sessions, when we came to interrogate the data.

Finally the full list of stakeholders was shared opening and accompanied with a request for feedback on its membership - this therefore provided another opportunity to discover if any interested parties had been inadvertently excluded from this Review.

The Core Group is very pleased with the response to the call for evidence and the invitation to meet. The only area of concern is amongst those organisations and structures responsible for human welfare of which engagement was unfortunately lacking (please see Annex 1). We recognise and appreciate the efforts of the Deputy Minister's team (responsible for animal welfare) to engage these other departments and we will likely call on that assistance again to publicise the final report within those sectors, in the autumn.

### **3.6 Cost and responsibility sharing**

As is hopefully apparent in the questions outline above, the Core Group attempted to steer stakeholders towards solutions which involve collective responsibilities whether that be through resources or financial burden-sharing. Whilst viable legislative solutions were also invited and indeed do feature in the recommendations chapter, the Core Group recognised early on in this process that huge behaviour-change amongst certain sectors of the public, is most certainly needed and as such requires all parties to commit time, energy and sometimes financial resources.

### **3.7 Development of the report**

Although the Welsh Government tasked the RSPCA with the commission of this Review, there was also a clear desire to see all key stakeholders included, which the RSPCA shared. For this reason it was agreed that all attempts would be made to ensure the final report was signed off by each sector represented as a unanimous report would ensure focus stayed on the issues and not on the process or the conflicts which may or may not exist between Core Group members. If, however, agreement could not be reached on any particular aspect or point, all views would be represented accurately, so that the report remained a true and accurate reflection of the Group's work.

### **3.8 Progress**

Unfortunately, from August onwards, it was not possible to adhere to the original timetable, but the reason for this was linked directly to the veracity of the final report. During the verbal evidence sessions the Core Group became acutely aware of the richness of information and testimony being given by the various stakeholders who were engaging with the process. Given the Group had also become aware that the final report would be confined in depth and breadth by the restricted timetable, it was felt that the verbal evidence sessions should be captured for the next phases of policy development in this area. As such we were grateful to Dogs Trust who paid for each of the recorded stakeholder sessions to be

transcribed. As this wasn't included as part of the original process and therefore not something we had briefed the wider stakeholders of, it was fundamentally important that each individual/organisation be permitted to redact any testimony they did not want made public [please see Annex 4 for further information on this]. This process forced a significant, but necessary, delay to proceedings with the October meeting of the Core Group cancelled while we awaited the returned transcripts from stakeholders. It was not until the end of October 2015 that we received the final authorisation from each organisation. This caused subsequent delays while the Core Group reviewed the information contained within the transcripts to ensure the most salient points had been captured in the body of the report.

As a result the Core Group rescheduled to meet on 10th November. It was acknowledged that this was outside of the original project's timelines and as such it was important to note that members were very busy with other scheduled matters. The Deputy Minister's policy team were kept aware of the delay at every step in the process, with the associated revised timings, and the reasoning behind them.

## 4. Definition of responsible dog ownership

### 4.1 The problem of defining the term

From the outset, the ability to define 'responsible dog ownership' was central to the Core Group's debates. As highlighted by Westgarth and Cooke in their written evidence, views on what is acceptable dog owner behaviour are not clear cut and there is no clear definition of the desired behaviours associated with responsible dog ownership although they cited a range of characteristics from a variety of sources which may be included: control over the dog, exercise levels, exercise type, feeding, dog training class attendance, removing dog waste, vaccinating, castrating, micro-chipping, treating for parasites, keeping the dog indoors or outdoors, breeding, allowing dogs to stray, or elements of the quality of the interaction that occurs between the human and the animal.

This lack of a clear or widely accepted definition was also illustrated by the diverse range of responses provided during the verbal evidence when organisations and representatives were asked what responsible dog ownership means to them (see chapter 7) although they were not dissimilar to the characteristics cited by Westgarth and Cooke. However, the label does appear to mean different things to different stakeholders, even just within the animal welfare sector which suggests that understanding and interpretation will also vary within other sectors of society.

Proposed solutions for tackling responsible dog ownership are clearly linked to how responsible dog ownership is defined and the behaviours associated with this as well as what is considered normal within society and how this might differ within the dog owning community as well as between those who do and don't own dogs. This posed complexities for the Core Group when seeking consensus around specific themes within the submitted evidence, what the review might focus on and possible solutions.

The Welsh Government's Terms of Reference, of course, provided somewhat of a steer towards a definition and the issues for priority, but it is only when the specific issues were examined in depth that the problem of definition caused significant process and theoretical issues. So for example many of the problems which are perceived to be a result of an irresponsible owner, such as a dog displaying aggressive behaviour towards unfamiliar people and perceived not to be controlled, are not always solely attributable to the owner's behaviour but are multifactorial and can be linked to poor breeding and rearing practices as well as management by the owner which may or may not include behaviour modification. However, there are other behaviours for which the owner is clearly responsible e.g. preventing their dog from livestock worrying and picking up faeces etc and which might be easier to tackle. In some cases, issues are inextricably linked and can't be treated in isolation e.g. where a dog is acquired from and the impact on its health and behaviour. These examples illustrate the sheer breadth, scope and complexity of the issues that could be included. The Core Group discussed dividing the definition up or concentrating on one very specific problem, however we eventually determined that to be impossible, not least of all due to the breadth of definitions offered by the stakeholders themselves.

### 4.2 Developing a definition

Several existing definitions of Responsible Dog Ownership were discussed including that of the All-Party Group for Animal Welfare, which had involved many of the same key stakeholders and had consulted previous definitions also in use. In addition the RSPCA had written a new dog welfare strategy since the publication of the APGAW publication, which contained a slightly different version. Drawing on both these definitions and the Group's knowledge and expertise, the definition stated below was constructed,

adopted and unanimously agreed, for the purposes of this report.

### **4.3 Adopted definition**

A Responsible Dog Owner is defined as someone who:

- Ensures they are prepared for, and understands, the commitment and responsibility which dog ownership requires;
- Acquires a dog with careful consideration ensuring that in doing so the health and welfare of the dog is protected as well as its parents;
- Ensure that the dog's present and future welfare needs are met throughout all their life stages to the extent required by good practice;
- Takes reasonable steps to ensure that their dog's, and their own behaviour in respect of their dog, does not compromise the health, safety or well-being of other persons, animals and the community and
- Adheres to all statutory provisions relating to the care, control and welfare of the dog.

### **4.4 Guardianship**

The Group believes that this report should set out recommendations for encouraging responsible dog ownership, however this should reach wider than just owners and include 'guardians' as well (especially as we have noted above that some solutions are multi faceted). By guardians we mean those who have responsibility for, or care, or control over a dog. For example, professionals dealing with dogs, e.g. police officers, local authority officers, boarding establishments, breeding establishments, veterinarians, etc. A dog's welfare needs will be the same regardless of the situation or purpose they are being kept although how those needs are provided for (and such ensuring responsible dog ownership) may vary.

## 5. Legislation & Enforcement

### SECTION A - Overview of legislation concerning dogs

The following aims to give a brief overview of the key pieces of legislation concerning dogs. It can be roughly broken down into legislation relating to: animal welfare; control; breeding/trade, strays and identification. It should be noted there is case law for many of these pieces of legislation and so this overview should not be seen as exhaustive but merely an aide memoir to prompt further reading or research. Much of the legislation in this chapter is enforced by specialist dog control and welfare officers, but other statutory bodies and organisations also have a role to play, and some of these are listed at the end of this chapter.

#### 5.1 Animal welfare

Ensuring animal welfare is possibly the best starting place to encourage more responsible dog ownership, and this is one area of the law concerning dogs that not only has recently been consolidated but is relatively clear and also is a wholly devolved matter for the Welsh Government.

##### 5.1.1 Animal Welfare Act 2006<sup>3</sup>

The 2006 Act significantly modernised and reformed the law on animal welfare. It makes provision not only for unnecessary suffering (s4) and animal fighting (s8) but also, for the first time, places a duty on people responsible<sup>4</sup> for protected animals<sup>5</sup> to take such steps as are reasonable in all the circumstances to ensure that the needs of the animal are met to the extent required by good practice (s9)<sup>6</sup>. The needs are set out as:

- Its need for a suitable environment,
- Its need for a suitable diet,
- Its need to be able to exhibit normal behaviour patterns,
- Its need to be housed with, or apart from, other animals, and
- Its need to be protected from pain, injury, suffering and disease.

To assist with the interpretation of the welfare needs, specifically for dogs, the Welsh Government has produced a dog welfare code of practice<sup>78</sup>.

Additionally, local authorities who have authorised officers to be 'inspectors' under the Act can issue statutory improvement notices (s10) to inform individuals or organisations where they are failing to meet an animal's welfare needs and not only what should be done to remedy the situation, but reminding them that if they continue to fail, a prosecution under s9 of the Act may be commenced. The RSPCA issues similar non-statutory notices.

##### 5.1.2 Animal Welfare (Electronic Collars) (Wales) Regulations 2010<sup>9</sup>

Wales is the only country within the UK that has introduced legislation to prohibit the use of electronic

<sup>3</sup> <http://www.legislation.gov.uk/ukpga/2006/45/contents> (accessed 11.08.15).

<sup>4</sup> See s3 for the definition.

<sup>5</sup> See s2 for the definition.

<sup>6</sup> NB. This applies also to practitioners (and their contractors) once they have seized any dogs.

<sup>7</sup> <http://gov.wales/topics/environmentcountryside/ahw/animalwelfare/pets/codesofpractice/081205codeofpractdogs/?lang=en> (accessed 11.08.15)

<sup>8</sup> We are aware that this Code of Practice is due to be reviewed. We have therefore included, in Annex 5, The Canine and Feline Sector Group Five Year Review of the Statutory Codes of Practice on the welfare of cats and dogs in England

<sup>9</sup> <http://www.legislation.gov.uk/wsi/2010/943/note/made> (accessed 11.08.15)



collars on dogs (and cats).

## 5.2 Control

There are many different pieces of legislation concerning dog control enacted over the years and it is considered one of the more complex and confusing areas of law. Although this is a reserved area of the law, i.e. powers remain with Westminster to make changes, the following legislation is of relevance to law-makers and enforcers in Wales.

Aspects of control legislation are by many considered a controversial area of law, for example legislation that prohibits certain types or breeds of dog, due to the lack of scientific evidence supplied during the original drafting of the legislation and the continuing debates as to the intention and effects of the legislation. The National Police Chiefs' Council current position is that the circumstances surrounding the misuse of dogs, and also the numbers of serious attacks and other anti social behaviour incidents involving involving those types of dogs, dictates that the legislation must be retained. The animal welfare sector remains steadfastly opposed to the legislation and concerned about the impact it is having on the dogs the legislation directly affects and also via the mis-labelling of various breeds/types of dogs and whether they are considered safe or not, dog behaviour and also dog owners. The basis for the rejection of BSL is growing and internationally the trend is towards repeal however it is recognised that to the UK Government the policy position of the police is paramount. The animal welfare sector remain committed to securing repeal and hope to see alternative control methods employed for problem dog owners, although government and Police focus on public safety is nevertheless recognised as being of great importance.

### 5.2.1 Dogs Act 1871<sup>10</sup>

This allows for a complaint to be made by any individual (including the police, local authorities, a member of the public, etc.) to a Magistrates Court about a 'dangerous dog'. The Court may make any Order they feel is appropriate to require the owner to ensure that the dog is kept under proper control, or if necessary destroyed. The Court may also specify measures to be taken for keeping the dog under proper control, such as muzzling and remaining on a lead when in public.

It applies to both public and private places, although the complainant must show the dog was not only dangerous, but also not under proper control. It is not confined to the dog posing a danger to public safety and can be used very effectively where a dog attacks another animal.

Any complaint laid is a civil action, so whilst there are no powers for enforcement bodies to seize or retain a dog pending the outcome of the complaint, those making the complaint only need to prove it on the balance of probabilities.

It can be a quick and low cost method depending on the local circumstances (just the costs for the time in Court and preparation of an Order - at present circa £200) for securing controls on an individual animal. However the time taken to obtain evidence and prepare a case will generally cost enforcement authorities considerably more, and pressures on the Court system may delay any hearing.

### 5.2.2 Dogs (Protection of Livestock) Act 1953<sup>11</sup>

This legislation creates an offence for an owner (or person in charge) of a dog to allow it to worry livestock on any agricultural land. The definition of 'worrying' includes attacking livestock as well as chasing them in such a way so as to cause injury or suffering and simply being 'at large' in a field where there are sheep. Certain groups of dogs are exempt from this including police dogs, guide dogs, trained sheep dogs, gun dogs and packs of hounds. The legislation provides for a limited power of seizure and

<sup>10</sup> <http://www.legislation.gov.uk/ukpga/Vict/34-35/56> (accessed 11.08.15)

<sup>11</sup> <http://www.legislation.gov.uk/ukpga/Eliz2/1-2/28> (accessed 08.09.15)

very limited fines if convicted of an offence.

Dogs that are worrying livestock on agricultural land may, under specified circumstances, be shot by the livestock owner under the provisions of the Animals Act 1971<sup>12</sup>.

### 5.2.3 Dangerous Dogs Act 1989<sup>13</sup>

This creates an offence of failing to comply with a Court Order under the Dogs Act 1871 and provides powers with regard to penalties and appeals.

### 5.2.4 Dangerous Dogs Act 1991 (as amended)<sup>14</sup>

This legislation prohibits the possession of certain types of dogs and also makes it an offence for any dog to be dangerously out of control. It is intended to provide for public safety and does not focus on animal welfare.

Within the Act s1 prohibits the possession, ownership, breeding, sale, exchange or transfer, advertising or gifting of certain types of dogs including those traditionally bred for fighting. There are currently four types of dogs prohibited in the UK; the pit bull terrier, the Japanese Tosa, the Dogo Argentino and the Fila Brasileiro. A dog is identified as such a type based on its physical conformation and whether it is deemed to have a “*substantial number of characteristics*” so that it can be considered to be ‘more’ a prohibited type than any other type of dog<sup>15</sup>.

Under s3 any dog, and not just those types listed under s1, can be regarded as ‘dangerously out of control’ in any situation where there are grounds for ‘reasonable apprehension’ that it will injure any person regardless of whether or not it actually does so (s10). So while the focus is on people rather than animals, where a dog attacks an animal and any person present at the time of incident has reasonable apprehension that it would injure them whether or not it did so, it may be possible to consider a prosecution under s3.

Although local authorities are able to appoint officers to enforce this piece of legislation, most incidents under the 1991 Act are investigated by the police with advice from their specialist officers, Dog Legislation Officers. This piece of legislation was amended in 1997 and 2014 and on both occasions some important changes occurred.

Until the 1997<sup>16</sup> amendments to this legislation were passed, the only option to the Courts was to euthanase any dog found to be a prohibited type. However, following these amendments, the Courts are now permitted to allow for the exemption of such a dog which, in their opinion, does not pose a danger to public safety through the use of a Contingent Destruction Order i.e. the dog will be destroyed unless the owner of the animal complies with the following conditions:

- the dog must be neutered,
- the dog must be permanently identified with a tattoo<sup>17</sup> and microchip,
- the owner must take out (and renew annually) third party insurance for their dog,
- the dog is muzzled and kept on a lead when in a public place (see table below),
- the dog cannot be taken out in public by anyone under 16 years of age,
- the dog must be kept securely at home, i.e. ensure gardens are secure, and
- the dog must be registered on the Index of Exempted Dogs (currently run by Defra) and a certificate issued to the owner.

<sup>12</sup> <http://www.legislation.gov.uk/ukpga/1971/22> (accessed 19 January 2016)

<sup>13</sup> <http://www.legislation.gov.uk/ukpga/1989/30/contents> (accessed 11.08.15)

<sup>14</sup> <http://www.legislation.gov.uk/ukpga/1991/65/introduction> (accessed 11.08.15)

<sup>15</sup> *R v Crown Court at Knightsbridge ex p Dunne [1993] 4 All ER 491*

<sup>16</sup> <http://www.legislation.gov.uk/ukpga/1997/53/contents> (accessed 18.09.15)

<sup>17</sup> This requirement was removed under the Dangerous Dogs Exemptions Scheme (England and Wales) Order 2015 [http://www.legislation.gov.uk/uksi/2015/138/pdfs/uksi\\_20150138\\_en.pdf](http://www.legislation.gov.uk/uksi/2015/138/pdfs/uksi_20150138_en.pdf) (accessed 17.11.15)

### 5.2.5 Anti-social Behaviour Crime and Policing Act 2014 Act<sup>18</sup>

In 2014, a series of amendments to dog control legislation within the Anti-social Behaviour Crime and Policing Act led to the following changes:

- the scope of the 1991 Act was extended to cover private places (with a limited exception) in addition to public places<sup>19</sup>,
- increase in prison sentences for those convicted of some offences,
- created a new offence for a dog attacking an assistance dog (these will be treated under s3)<sup>20</sup>,
- provided powers for a constable or an appointed local authority officer to seize a dangerously out of control dog in a private place,
- set out specific considerations concerning the suitability of an owner and the behaviour of a dog a Court must consider if it is not to order the destruction of the animal.

A significant element within the Anti-social Behaviour Crime and Policing Act is the extension of enforcement powers to private land, including domestic premises, meaning that potentially irresponsible dog ownership can now be addressed wherever it occurs. This can enable enforcement action in more circumstances, for instance where there is serious injury or death, as well as for the more common issues of dog barking, fouling and straying that can affect local communities. This legislation removes powers from Community Councils, but gives new powers to Housing Associations to enable them to use a range of enforcement tools in addition to their powers as a landlord.

The 2014 Act introduced a series of anti-social behaviour measures that can be used to deal with dogs being used in an anti-social way. These included Community Protection Notices, Injunctions, Criminal Behaviour Orders and Public Space Protection Orders (the latter of which will replace the old Dog Control Order). Defra and the Welsh Government have produced specific guidance on the use of these measures and other issues<sup>21</sup>. This new legislation and current financial situation has led to a number of police forces introducing processes that allow for interim 'exemptions' of some dogs deemed to pose no risk to public safety if they are 'bailed' to be kept at home prior to their formal court proceedings<sup>22</sup>.

## 5.3 Breeding and trade

The breeding, sale and supply of puppies and dogs to the pet trade is regarded by many as a major problem when trying to ensure animal welfare and encourage responsible dog ownership. Once again Wales has taken steps in this area to update the dog breeding legislation.

### 5.3.1 Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014<sup>23</sup>

These Regulations largely replace the provisions under the Breeding of Dogs Act 1973<sup>24</sup> and Breeding and Sale of Dogs (Welfare) Act 1999<sup>25</sup> which both regulate the commercial breeding of dogs. They provide a licensing regime for local authorities in Wales to use to license many who wish to breed dogs.

There are specific Model Licensing Conditions (MLCs) that have been developed by local government for use in Wales with regard to the new legislation<sup>26</sup>. As well as defining the physical care required for breeding bitches and puppies, the new legislation and MLCs introduce new requirements around

<sup>18</sup> <http://www.legislation.gov.uk/ukpga/2014/12/contents/enacted> (accessed 18.09.15)

<sup>19</sup> In short it covers all places in England and Wales except where a dog attacks a trespasser or burglar. However even in such circumstances the dog must either be in or partly in a dwelling and the person being attacked must be in or entering a dwelling and either be, or suspected to be, trespassing.

<sup>20</sup> Note this does not apply to attacks on any other animals.

<sup>21</sup> <https://www.gov.uk/government/publications/dealing-with-irresponsible-dog-ownership-practitioners-manual> (accessed 18.09.15)

<sup>22</sup> <http://www.legislation.gov.uk/uksi/2015/138/made>

<sup>23</sup> <http://www.legislation.gov.uk/wsi/2014/3266/contents/made> (accessed 11.08.15)

<sup>24</sup> <http://www.legislation.gov.uk/ukpga/1973/60> (accessed 18.09.15)

<sup>25</sup> <http://www.legislation.gov.uk/ukpga/1999/11/contents> (accessed 18.09.15)

<sup>26</sup> See Annex 6. Please also see Annex 7 for the RSPCA's submission during the development of these MLCs.

socialisation and environmental enrichment, designed to help ensure that puppies are better prepared for life in a family setting. In addition the Chartered Institute for Environmental Health has developed MLCs for inspecting breeding establishments<sup>27</sup> although these were produced largely in England and prior to the new Regulations in Wales coming in and so may not be directly relevant for Wales.

### 5.3.2 Pet Animals Act 1951<sup>2829</sup>

This piece of legislation provides for a licensing regime for the types of animals that can be sold and where. Local authority licensing officers enforce this piece of legislation. However, pet shops are no longer the major players in the pet trade that they once were. For example, shops now account for less than 5% of puppies sold, with most people now obtaining their puppies from commercial breeders (around 50%), backstreet breeders, the internet and neighbours (around 25-30%) and rescue organisations (around 15-20%)<sup>30</sup>. This is underlined by the small number of local authorities that license pet shops to sell puppies, estimated by the Pet Industry Federation to be 2% in 2008<sup>31</sup>, a figure that has decreased since. The advertising of pet animals on the internet has replaced traditional methods of sale and in many respects is significantly more difficult to regulate or control.

### 5.3.3 Trade in puppies

Since 1992 the commercial trade in dogs and puppies has been harmonised under European rules<sup>32</sup> (commonly known as the Balai Directive). They are implemented in Wales under two main pieces of legislation<sup>33</sup> and the rules have not substantially changed since they were introduced. Any dog being imported to be sold commercially has to be declared to the relevant authorities, come from a recognised breeding place and undergo the same vaccination and identification rules as dogs imported under the Pet Travel Scheme (PETS) (see below).

Council Regulation (EC) No 1/2005 ensures that only registered transporters can move animals across borders, that the animals are being transported in a suitable manner, have suitable rest breaks, and that cats and dogs specifically shall be fed at intervals of not more than 24 hours and given water at intervals of not more than eight hours.

The Trade Control and Export System (TRACES) is a single central EU-wide database for monitoring the commercial movements of animals (including pet animals) and products of animal origin both within the EU and from entering the Union from third countries.

The UK has been essentially free from rabies since 1922, its status historically maintained by quarantine rules introduced in 1897 that required any dog imported into the country to undergo quarantine for six months. The control over the trade in dogs and puppies is largely carried out to protect animal (and public) health.

The Pet Travel Scheme (PETS) was introduced in 2003 to implement EU legislation<sup>34</sup> and UK quarantine rules were increasingly relaxed. PETS allows for the free movement of pet animals - for non-commercial purposes - within the European Union and between participating countries provided that certain conditions were met such as the animal being microchipped, given an anti-rabies vaccination, and

<sup>27</sup> [http://www.cieh.org/CIEH-Model\\_Licence-Conditions-Guidance-Dog-Breeding-Establishments.html](http://www.cieh.org/CIEH-Model_Licence-Conditions-Guidance-Dog-Breeding-Establishments.html) (accessed 18.09.15).

<sup>28</sup> <http://www.legislation.gov.uk/ukpga/Geo6/14-15/35> (accessed 17.11.15).

<sup>29</sup> Defra are reviewing this legislation in 2016.

<sup>30</sup> Associate Parliamentary Group for Animal Welfare. 2009. A healthier future for pedigree dogs. This data collection was conducted in England.

<sup>31</sup> Pet Industry Federation. 2008. State of the Sector Retail Survey.

<sup>32</sup> Council Directive 92/65/EEC OJ L 268 14.9.1992, p.54.

<sup>33</sup> <http://www.legislation.gov.uk/wsi/2006/1536/regulation/35/made> (accessed 17.12.15) (amended 2009) and

<http://www.legislation.gov.uk/wsi/2007/1047/contents/made> (accessed 17.11.15).

<sup>34</sup> Regulation No 998/2003.

having a passport showing that it has been vaccinated.

The rules are not intended to be used for the mass movement of dogs, and certainly not for commercial purposes<sup>35</sup>. Therefore there is a limit of five dogs/puppies any one person can bring in under PETS. These rules were tightened up recently and although it maintains many of the current provisions it clarifies the legal position that already exists that any dogs or puppies transported for re-homing will need to be done through TRACES rather than PETS as it will be considered a commercial activity. Additionally measures will aim to prevent falsification of documentation and the age at which a puppy can be legally vaccinated against rabies will increase from 8 weeks to 12.

One of the big problems with the increased movement of dogs, and in particular puppies, around Europe is that it is an incredibly complex issue to address with the need for greater cross-border work and intelligence sharing. The concern is that large numbers of puppies are now being imported to the UK at a very young age and with poor socialisation, leading to potential health and behavioural problems as well as the potential spread of rabies<sup>36</sup>.

## 5.4 Strays

This is a key area for local authorities in terms of encouraging responsible dog ownership, although the legislative focus is on the environmental impact of dog straying rather than public safety or animal welfare.

### 5.4.1 Environmental Protection Act 1990 (as amended)<sup>37</sup>

Local authorities have a statutory duty to appoint an officer for dealing with stray dogs (s149 of the 1990 Act as amended by s68 of the 2005<sup>38</sup> Act). A register must be maintained setting out the number of stray dogs seized by the local authority.

In 2007, responsibility for stray dogs changed from a shared responsibility between the police and local authorities to the sole responsibility of local authorities. However there have been discussions about whether sufficient funding has been transferred to achieve this. According to guidance issued by Defra in 2007, '*...in short the minimum requirement of the extended duty is that where practicable local authorities provide a place to which dogs can be taken outside normal office hours*' (paragraph 5)<sup>39</sup>.

Stray dogs must be kept for seven days. After this, the legislation allows for an unclaimed dog to be sold, rehomed, or euthanased.

## 5.5 Identification

In order to be able to trace animals back to their owners, whether they stray, are involved in an incident or are cruelly treated, identification is important. Legislation has been in existence for a number of years now, although it is not well known by the public and compliance is therefore patchy.

### 5.5.1 Dog licensing

There is currently no dog licensing scheme in Great Britain. The last scheme was abolished in 1987 when the fee, 37.5p per dog, was deemed uneconomic to collect. This fee did not cover the costs of the scheme let alone any costs incurred by irresponsible dog ownership, and was only paid for by one-half of

<sup>35</sup> <http://gov.wales/topics/environmentcountryside/ahw/importexports/pettravelscheme/?lang=en> (Accessed 10.1.16)

<sup>36</sup> The Core Group notes that some of its members, along with Welsh Government, APHA and others are meeting regularly to discuss and explore solutions.

<sup>37</sup> <http://www.legislation.gov.uk/ukpga/1990/43/contents> (accessed 11.08.15).

<sup>38</sup> <http://www.legislation.gov.uk/ukpga/2005/16/contents> (accessed 18.09.15).

<sup>39</sup> <http://webarchive.nationalarchives.gov.uk/20130402151656/http://archive.defra.gov.uk/environment/quality/local/dogs/documents/straydogs-guidance.pdf> (accessed 11.08.15).



dog owners<sup>40</sup>. However, in Northern Ireland, the Dogs (Northern Ireland) Order 1983 makes it an offence to own an unlicensed dog unless the dog falls into a series of exemptions, such as police dog, assistance dog, etc. All domestic dogs must be individually licensed and the current fee is £12.50 (with some concessions)<sup>41</sup>.

At least twenty-three European countries, Australia and many other nations, have a dog licence or registration scheme<sup>42</sup>. In some countries where it operates, such as Germany, Slovenia and the Netherlands, dog control provisions have improved, with low rates of strays and compliance rates of more than 50 per cent<sup>43</sup>. Costs for dog owners can vary, even within countries where fees and collection are state/region based, and can be overtly in the form of a tax on dog ownership costing over €100 per dog per annum. Licence/tax fees can vary according to the size/breed of dog, whether it is regarded as a dangerous breed and whether it is neutered.

#### 5.5.2 Control of Dogs Order 1992<sup>44</sup>

This Order makes it a requirement for all owners or people in charge of dogs to ensure their animals wear a collar and tags when in public or on public highways. The address and name of the owner must be placed on the tag. However there are certain categories of dogs, such as packs of hounds, those used for sporting activities, guide dogs, farm dogs, etc. who are not required to wear collars and tags (s2).

#### 5.5.3 Compulsory microchipping

The Welsh Government has introduced new Regulations<sup>45</sup> that will require all dogs to be microchipped from April 2016. These mirror similar powers coming into force elsewhere in the UK at the same time.

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## SECTION B - Overview of enforcement concerning dogs

Enforcement of the legislation around dog ownership falls to three main bodies in Wales, the Police, the RSPCA and local authorities. The main enforcement activities they undertake are as follows (although there is some crossover between these areas of work):

- Police - enforcement in respect of the more serious elements around public safety and criminality for example, dangerous dogs, prohibited types of dogs, etc.
- RSPCA – enforcement around animal welfare and cruelty, primarily (but not exclusively) concerning those animals in domestic settings, prohibited types of dogs where severe welfare concerns present
- Local Authorities – enforcement concerning stray dogs and dog fouling, animal establishment licensing and in some cases animal welfare/cruelty.

The three enforcement bodies work together as needed, and Memorandums of Understanding have been developed to help explain and formalise these relationships and roles. There is regular communication between these organisations at a national level, as well as ad-hoc communication, intelligence sharing and joint working as needed at a local level. However, it is recognised that conflict can arise where responsibility for action is not clear-cut or where resources are not in place. It can also

<sup>40</sup> Hughes, P. (1998) Dogs. Research Paper 98/6, 2 January 1998. Science and Environment Section, House of Commons Library.

<sup>41</sup> <http://www.nidirect.gov.uk/dog-licensing-and-microchipping> (accessed 18.09.15).

<sup>42</sup> Tasker, L. (2007) Stray Animal Control Practices (Europe). WSPA and RSPCA.

<sup>43</sup> Upton, M., Bennett, R., Wismore T, Taylor, N., Hanks, J., Allison, K. and Pflug, S. (2010) Dog licensing and registration in the UK. Reading University. A report to the RSPCA. Economic data taken from returned questionnaires from a sample of dog warden services in the UK.

<sup>44</sup> <http://www.legislation.gov.uk/ukxi/1992/901/contents/made> (accessed 11.08.15).

<sup>45</sup> <http://gov.wales/docs/drah/publications/151127-microchipping-of-dogs-regulations-en.pdf> (Accessed 10.1.16)

be difficult for members of the public to understand who they should contact, which can lead to duplication where more than one enforcement body has been asked to investigate a complaint.

Most enforcement is carried out on a graduated basis, starting with advice where appropriate, and only resulting in statutory notices and prosecution in the most serious cases or where other informal approaches have failed. This does not mean that immediate enforcement action cannot be taken, but this would generally only be appropriate where there is a serious risk to public safety or animal welfare.

## 5.6 Funding for enforcement

Funding for enforcement is limited and under increasing pressure. Although local authorities and the police may have powers under key pieces of legislation to take action (and, in very limited cases, a statutory duty to do so) enforcement is not specifically funded and is varyingly prioritised at a local level leading to a piecemeal approach. This can mean that different approaches are taken in different enforcement areas, ranging from very good to little or no enforcement action. The RSPCA is in a similar position to both local authorities and the police with limited resources and has no statutory duty to enforce animal welfare legislation, instead taking action as a private prosecutor.

Funding streams come from a range of sources for each of these bodies. With regard to the police it largely comes from the Home Office and with some limited funding from each Police and Crime Commissioner. For local authorities, funding is secured from the Welsh Government, business rates, Council tax and licensing activities, etc. With the RSPCA, as a charity, it relies on public donations. These very different funding streams have one thing in common, which is that they are coming under increasing pressure.

One of the main issues with regard to funding for such services is that it is not ring-fenced and that many of these services are simply not seen as a priority, especially when competing services such as child protection, social services, etc. are facing similar pressures and seen as higher priorities. For example in local government in Wales, despite the provision of a dog warden service being a statutory requirement, there are some local authorities that only offer a reception service (and no dog warden) and with further cuts in local government funding occurring this could increase.

As an example of the costs and impact of providing even just one service, the Stray Dogs Survey 2014 Summary Report<sup>46</sup>, prepared by GfK NOP Social Research on behalf of the Dogs Trust, shows that Welsh local authorities dealt with over 8,100 stray dogs in 2013. Of these, nearly 3,500 were returned to or claimed by their owner, and 364 dogs were put to sleep for behavioural or health reasons or, rarely, because no home could be found for them. This left over 4,200 stray dogs in Wales to be cared for by local authorities and rehomed by them or by a network of stray dog re-homing charities.

The costs of caring for stray dogs is considerable, both for the local authorities required to care for them and for the charities who then undertake to re-home them. Welsh local authorities pay between £5.50 and £15 per day to kennel dogs for a minimum of 8 days (and sometimes longer to allow re-homing charities time to make arrangements), averaging around £80 per dog. This gives a minimum cost of around £336,000 per annum across Wales just for kennelling stray dogs that are not reclaimed by their owners, and this does not include staff and transport costs for dog wardens, veterinary care or other ancillary costs. Neither does it cover the costs of the third sector organisations who attempt to rehome these animals.

<sup>46</sup> <https://www.dogstrust.org.uk/whats-happening/news/stray-dogs-survey> (Accessed 10.1.16)

The only area of enforcement that local authorities carry out that may be more resistant to funding cuts is licensing of animal establishments. However this is largely due to the fact that it tends to be cost neutral with fees covering inspection costs, etc. although not prosecution costs if action is needed.

### **5.7 Delivery of services within Wales**

With reorganisation of local government within Wales planned within the next three to five years there is likely to be changes in the way such dog enforcement and welfare services are delivered. At this stage it is difficult to identify quite what the impact will be but there are opportunities to look at more effective mechanisms for delivering such services. Likewise there has been some talk of reducing the number of police forces in Wales, along similar lines to Police Scotland. This has not progressed significantly but again if it is taken forward then careful consideration will be needed to look at how the multi-agency approach with local authorities and the RSPCA is best protected and/or improved.

### **5.8 Training and skill set of enforcement officers**

Those individuals working for the police, local authorities and the RSPCA receive training to enable them to carry out their work effectively.

The role of a Dog Legislation Officer is to provide support and guidance to the Police Service and partners in respect of incidents where a dog is involved and which may adversely affect the safety of the public. The role encompasses all aspects of safeguarding vulnerable people, promoting responsible dog ownership and where appropriate enforcement. The officers undertaking the role of the Dog Legislation Officer undertake a two week intensive course approved by both the National Police Chiefs' Council and College of Policing. The original training course was an internal course delivered by the Metropolitan Police Service but over the last two years professionals from within the Police Service assisted by external partners and experts have launched a new course which standardises the training nationally. Some of the topics covered in the course are canine behaviour, the identification of a suspected prohibited type dogs and animal welfare. There are criteria laid out which qualified Dog Legislation Officers have to follow annually in order to retain their occupational competence in role and to remain registered to practice such as recording a minimum of four dog identifications in a new competency log book as well as having their evidence accepted in two court cases.

RSPCA Inspectors must complete a twelve month initial training programme before qualifying to work as an Inspector. The training course consists of modules on relevant aspects of legislation, animal welfare and behaviour, and standard operating procedures which includes a period of field work and residential coursework. Continual professional development and regular refresher training are delivered by a dedicated Training School.

Much of the training for local authority dog wardens is on-the-job and through experience and, as such, focussed on the practical aspects of the job such as catching stray dogs. Indeed, there are no accredited training courses for dog wardens. However, most local authority dog warden teams operate within larger enforcement departments and any enforcement (other than for dog fouling) will generally be under the auspices of Environmental Health or Trading Standards Officers who will have degree-level specialist enforcement qualifications and experience. All officers carrying out enforcement will have completed accredited training around enforcement protocols and procedures.

In addition to training and experience, most officers from the Police, RSPCA and local authorities undergo continuing professional development, which will include classroom training as well as other developmental activities.

Despite this training and experience, it is recognised that these approaches and training have some limitations, for example:

- lack of up to date and standardised training around dog behaviour and access to expertise (especially with regard to police and local authorities) which can result in incorrect decisions being made about dogs thus impacting on dog welfare,
- due to limited resources enforcement being carried out by officers of the local authorities, police and RSPCA outside of the small pool with specialist training/knowledge which again can lead to incorrect actions taken and impacting on dog welfare, and
- the major problem of loss of knowledge and skills as the funding cuts bite further and services are disbanded or reduced. Loss of such staff will almost certainly have a significant impact on enforcement and dog welfare generally.

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## SECTION C - Other agencies in relation to dog welfare and control

Many organisations come into contact with pet owners, and could also potentially be used to help disseminate and promote key responsible dog ownership messages.

Research suggests that dog ownership is higher in families with children, and in particular that there is evidence that “ownership of dogs, particularly bull breeds, is associated with increased deprivation”<sup>47</sup>. Looking at those organisations with the links to this demographic group, Social Services and Housing Associations have the closest links, and it is therefore worthwhile looking at any statutory powers and duties relating to these organisations.

### 5.9 Social Services

Potential Social Services involvement with dog control and welfare falls into three main areas:

- Working with vulnerable/chaotic families and individuals – many of the people Social Services work with will have pets, and particularly dogs.
- Fostering
- National Assistance Act

#### 5.9.1 Working with vulnerable/chaotic families and individuals

Much of this work is around child protection, which is of importance given the higher levels of dog ownership in these families and the increased potential for harm if a child is attacked. There is no single piece of legislation that covers ‘child protection’ or ‘safeguarding’ in the UK but a number of laws that are continually being amended, updated or revoked. The Children’s Act 1989 provides a comprehensive framework for the care and protection of children. Where there is reasonable cause to suspect that a child is suffering, or likely to suffer, significant harm, the local authority is required under s47 of this Act to make enquiries, to enable it to decide whether it should take any action to safeguard and promote the welfare of the child.

Whilst this legislation would be expected to focus on issues such as cruelty and neglect, it also permits action to be taken where danger from a dog in a household may exist. Anecdotal evidence suggests that Social Service departments regularly deal with potentially dangerous dogs, generally seeking to have these rehomed but also, occasionally, turning to local authority dog wardens and dog rescue organisations to find a solution.

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<sup>47</sup> Pet ownership, dog types and attachment to pets in 9–10 year old children in Liverpool, UK Carri Westgarth, Lynne M Boddy, Gareth Stratton, Alexander J German, Rosalind M Gaskell, Karen P Coyne, Peter Bundred, Sandra McCune and Susan Dawson (accessed 02.02.16).

### 5.9.2 Fostering

Many private and local authority fostering services consider dog ownership as part of their overall assessment of suitability for fostering, and national guidance is available to aid any such consideration such as the 2015 BAAF Dogs and pets in fostering and adoption good practice guide.

### 5.9.3 National Assistance Act 1948

Within this Act s48 gives a power to Local Authority Social Services Department for 'the protection of moveable property' where a person has been removed to hospital or Part 3 accommodation (as defined under s47 of the National Assistance Act), and where there appears to be a danger of loss of or damage to any moveable property and where no other suitable arrangements have been made. This power allows right of access to do this and allows for recovery of expenses from the person concerned. Within this definition, moveable property may include the care of pets.

This legislation would, for example, place a duty of care on Social Services for a dog owned by a person with physical or mental health difficulties moving in and out of formal care situations.

## 5.10 Housing

As with Social Services, Housing Associations will have close links to families with higher levels of deprivation, and where evidence suggests levels of dog ownership are therefore likely to be higher.

Housing Associations have powers under tenancy law to deal with anti-social behaviour, and the Anti-social Behaviour Crime and Policing Act 2014 gave them further enforcement powers to tackle a wide range of issues.

As well as dealing with problems affecting the safety and environment of other tenants, most Housing Associations look to limit the number and placement of pets to homes that are suitable for them, and to restrict activities such as puppy breeding. Many Housing Associations are also proactive in promoting responsible dog ownership and welfare, actively encouraging microchipping and neutering.

The welfare sector have been increasingly engaging with social (and private) landlords over recent years, providing advice on pet policies and wider community issues<sup>48</sup>.

<sup>48</sup> <http://politicalanimal.org.uk/wp-content/uploads/2014/09/RSPCA-A-Guide-to-Good-Practice-Housing.pdf> (Accessed 10.1.16)



## 6. Education & Intervention

When trying to encourage more responsible dog ownership, enforcement - employed after the event - is often viewed as predominantly punitive and so is not considered to be the only answer. To make meaningful and long-term improvements it is clear there is a need for education and intervention to help support owners, and those responsible for dogs, to improve standards and to prevent problems occurring.

Such education and interventions (or engagement) can be through formal channels, for example the National Curriculum, teachers' resources, etc. and less formal channels, such as programmes based in communities, web-based information and peer-to-peer engagement. Each approach has pros and cons, for example some can be very resource-intensive, some are inappropriate for hard to reach groups, etc. However the frustrating thing for this Working Group is that there has been little, if any, evaluation of any previous or existing programmes concerning dogs within Wales or the UK and as such we simply do not know if they have any positive impact.

### 6.1 Learning lessons from other sectors

When looking at behaviour change programmes in other fields there has been more work done - particularly in the health sector - to evaluate their effectiveness. Principles from this could and should be learnt from, adapted and transferred to the work of the dog sector.

For example the World Health Organisation (WHO) produced a report in 2002<sup>49</sup> that set out a system for encouraging social mobilisation for reducing communicable disease transmission. The system known as 'COMBI' (communication for behavioural impact) was used by the WHO to assist with the elimination of leprosy in India and Mozambique; the prevention of lymphatic filariasis in India and Zanzibar; TB prevention and control in Bangladesh and Kenya; and dengue prevention and control in Malaysia. This communication tool focuses on five basic areas:

- public relations/advocacy/administrative mobilisation  
focusing on getting the issue/messaging into the mass media, government, celebrity, etc.
- community mobilisation  
using community meetings, partnerships, road shows, leaflets, posters, home visits, etc.
- sustained appropriate advertising  
massive, repetitive, intense, persistent - using radio, TV, newspapers, etc.
- personal selling/interpersonal communication/counselling  
allowing for a one-to-one approach with opportunities to listen to concerns and discuss them
- point of service promotion  
emphasising easily accessible and readily available help and assistance

The system sets out a process for identifying the problem, identifying the target audience (and their motivators), identifying effective approaches and communication as well as a means for evaluation. The results are impressive:

<sup>49</sup> [http://www.wpro.who.int/emerging\\_diseases/documents/combi-background2002.pdf](http://www.wpro.who.int/emerging_diseases/documents/combi-background2002.pdf) (accessed 17.11.15).

- In Zanzibar following a mass drug administration and COMBI communication to prevent lymphatic filariasis, despite problems with implementing this, they saw almost 90% compliance among the eligible population (80% was set as their desired behavioural result).
- In one site in Malaysia following a three month COMBI communication programme they saw 85% of households carrying out the checks for mosquito breeding sites outside of their homes and taking the necessary actions every Sunday for the duration of the programme.

While this report is over ten years old now and makes little or no mention to the power of social media as well as being based on an area where there is significant funding for such work, it does provide a useful template that could be adapted for use to measure improvements in responsible dog ownership in Wales.

The mantras this programme follows may provide the most useful advice in developing similar approaches in Wales:

1. Knowing what to do is different from doing it
2. Do nothing...until you have a clear specific behavioural goal
3. Do nothing until an appropriate situational market analysis uncovers the specific behavioural outcomes required.

## 6.2 Case study

In the USA in 2006, the Humane Society United States launched their intervention programme 'End Dog Fighting'. The scheme sought to tackle a growing problem in inner city areas by employing ex-gang members and dog fighters to join HSUS staff in delivery classes and training for young dog owners and specifically those with pit bulls (not all municipalities had a ban on pit bulls at that time and since then more bans have been lifted). Such a format or template - of using a reformed individual to deliver a message - was popular in the US and later in the UK, which saw at least one major charity adopt this model. However there was little evidence to support this strategy and was perhaps only something that appeared to those unconnected to the communities they were hoping to affect change, as something that would connect at the appropriate level.

In fact what HSUS found is that their target market of young pit bull owning men decreased and within five years they had changed strategy dramatically. What the HSUS found was that by specifically targeting these men, they had effectively labelled and alienated them. The very people they were trying to reach refused to participate and the model failed.

Fortunately the HSUS had the foresight to collect data on their participants and the motivations of dog ownership in their target market. They engaged with experts, not just in animal welfare, but in human behaviour to determine a new path to their ultimate goal of raising animal welfare, protecting dogs and stopping them being used in fighting. A new programme was born, which runs today, that of 'Pets for Life'. It is targeted to those specific cities that have been identified as having a problem but in itself is open to all residents and all types of dog as well as other pets.

What the HSUS have found is that by opening up the scheme to all pet owners and getting to know the community, they were able to reach more of the target of pit bull-owning young men who were vulnerable to the dog fighting underworld. The added benefit was the ability to integrate these dog owners with the owners of other dog types - thus breaking down barriers and perceptions of the 'type' of person who would own a pit bull.

One of our Core Group members visited the programme in Chicago in November 2012 and witnessed success in action by meeting recipients and their animals, hearing how intervention had improved the lives of their animals and importantly their attitude to pet welfare - something they believe is permeating their community.

*'We believe that our sincere, comprehensive relationship with our Pets for Life communities is a rising tide that lifts all boats, creating broad and long-lasting impact, and ending dog fighting along the way'* HSUS 1.9.15<sup>50</sup>

### 6.3 Dog-welfare related intervention programmes in Wales and the UK

The Core Group were particularly keen to hear from the wider stakeholder group, any details of intervention programmes and specifically the measurements of success, as mentioned above. What is clear, and this came through in the evidence submitted, is that there are a plethora of programmes in existence, some of which are marketed as intervention, some not but still doing the same work.

#### 6.3.1 Pinpointing the problems areas

Many organisations lack their own data in order to know which communities to target, some use information on stray dogs or the specialist knowledge of local authority officers. The majority perhaps lack any geographical strategy and simply implement programmes where schools, community groups and the local authority show willing. Whilst the best of intentions must be recognised, there is little scientific knowledge to underpin this. It is reasonable to assume there is a great need for some forms of support - such as low cost neutering, chipping and basic health prevention treatments - where incomes are low and social deprivation is high, but again there is little in the way of peer-reviewed scientific evidence to suggest schemes offering such benefits help reduce animal cruelty and suffering.

#### 6.3.2 Coordination and duplication

As a geographical strategy is often lacking, the sector is wide open to the problem of duplication. All of the big dog groups report reaching tens of thousands of children each year, however there is nothing to suggest these aren't the same groups of children and that in fact the figures cannot be totalled to provide on larger figure of contacts made.

#### 6.3.3 Funding

As is the case across the sector, funding is sparse if not non-existent and welfare charities are left appealing for public donations for such work. This can make such schemes vulnerable, in theory at least, to the behest of donors and their perceptions of what communities and what type of person may need educating about animal welfare. All the major charities will feature their formal education and school classroom programmes as a proud aspect of their strategy to drive up standards of pet care, however there is a fairly substantial sector of research which can indicate that the majority of school children receiving that type of intervention are not the target market and nor were they ever. Instead the disenfranchised and the unengaged proportion of society, who may not be at school or who are receiving a very different education at home, may not be engaged.

<sup>50</sup> [http://www.humanesociety.org/issues/dogfighting/end\\_dogfighting.html?referrer=https://www.google.co.uk/](http://www.humanesociety.org/issues/dogfighting/end_dogfighting.html?referrer=https://www.google.co.uk/) (Accessed 17.2.16).

## 7. Research & evidence submitted

The following chapter is a summary of the written and verbal evidence that the Core Group received from the wider list of stakeholders. We believe that time may have been a factor for many organisations. The initial call for written evidence provided a modest time window however we recognise that for some organisations it may still have been difficult to collate their evidence on such a wide subject matter as responsible dog ownership. For these reasons we are convinced that we did not receive evidence on the full plethora of issues integral to this area under investigation.

### SECTION A - Summary of written evidence

In total, 25 organisations and individuals submitted written evidence for consideration by the working group. The definition of a responsible dog owner has been used to create a framework against which the written evidence provided during the consultation process has been summarised. As such there are five sub-sections which follow and correspond with the five points of the definition. In some sub-sections, evidence followed clear themes and so this is presented together.

#### **7.1 Ensures they are prepared for, and understands, the commitment and responsibility which dog ownership requires.**

Owning a dog requires considerable commitment and responsibility not only to ensure that the dog chosen is suitable for its intended lifestyle and household but also to provide the care required which, on average, spans twelve years<sup>51</sup>. Without this consideration, dog welfare is likely to be compromised by the owner and some may be re-homed, abandoned; ending up as a stray, which as Hope Rescue's evidence described, has serious consequences for dog welfare and public safety, or relinquished to a rescue centre.

##### 7.1.1 Accessibility of pet care information

There is a need for prospective owners, although this also applies to current owners too, to be able to access up to date and accurate information to ensure they are prepared for both acquiring and caring for a dog; a point made by the All-Wales Dog Warden Expert Panel in their submission. The PDSA presented information in their submission from their PDSA Animal Wellbeing (PAW) 2014 survey which asked what owners did before choosing the pet. Of those surveyed, only 2% said that they did nothing but the results suggest that people seek advice from a range of sources including vets, breeders, friends and family, the internet, books and pet shops. This further suggests that information is readily available and was evidenced by the Great Dane Care Charitable Trust who provided their advice sheet for taking on a rescue dog and Greyhound Rescue Wales, their adoption pack as their written evidence. There is no doubt that there is a plentiful supply of pet care information available, the issue is whether the information is up to date and accurate.

#### **7.2 Acquires a dog with careful consideration ensuring that in doing so the health and welfare of the dog is protected as well as its parents.**

##### 7.2.1 Acquisition of puppies and dogs

<sup>51</sup> O'Neill, D.G., Church, D.B., McGreevy, P.D., Thomson, P.C., Brodbelt, D.C. 2013. Longevity and mortality of owned dogs in England. The Veterinary Journal. (198) 638-643.

There are various sources from which a dog can be acquired including breeders, private rehoming centres and rehoming centres and written evidence provided from the PDSA found that most owners got their dog from a breeder through an advert (28%) with 14% from a rehoming centre. However, 21% of people got their dog from family or friends with others getting dogs from pet shops (4%), puppy farms (3%), via an advert on the internet (3%) or in the newspaper (5%) or as the result of breeding from an existing family pet (7%). The ability to protect the health and welfare of parents and offspring will vary depending upon the procurement source as in some cases there will be limited, if any, information as to the history of that particular individual and its parents, e.g. a dog acquired from a rehoming centre is unlikely to come with any history of its parents or, in some cases, its own circumstances. However, in some situations, consumer choice has the potential to hugely impact on the health and welfare of both parents and offspring and this is particularly the case when buying from a breeder.

### 7.2.2 Breeding practices and their impact on health and welfare

The ways in which dogs are bred can have serious consequences for the health and welfare of both parents and offspring. For example, the welfare issues associated with the selective breeding of pedigree dogs are well documented<sup>52</sup> and the British Veterinary Association (BVA) made reference to breeding and specifically hereditary defects in their evidence as well as their work to improve the health and welfare of pedigree dogs by identifying signs of hereditary defects through its Canine Health Schemes. The Animal Behaviour & Training Council (ABTC) also noted the impact of selective breeding stating that dogs should be bred for temperament and healthy conformation.

There are also increasing concerns, as reflected by campaigning activities by major animal welfare organisations, about irresponsible breeding e.g. 'backstreet' breeding<sup>53</sup>, puppy farming<sup>54</sup> and the trade of puppies from abroad<sup>55</sup>. The BVA made reference to this issue in their evidence stating that irresponsible dog breeding and the practice of puppy farming must be tackled as quickly as possible due to the devastating consequences of such practices which leads to suffering of owners and the animals. Likewise, the All-Wales Dog Warden Expert Panel also referred to the issues surrounding irresponsible breeding. But instead of large scale commercial breeding practices, noted the strong anecdotal evidence of the impact that accidental and small scale breeding has upon the number of cheap puppies available or free in social housing areas which results in persons being able to acquire puppies easily without thought to the commitment and responsibility required.

### 7.2.3 Protecting future welfare needs - The process of socialisation

Ensuring that a puppy's future behavioural and social needs are met requires the development into a well-adjusted, happy and friendly adult. To achieve this a puppy must be provided with adequate and appropriate positive exposure to a range of people and animals as well as different places and experiences including sights, sounds and smells. This process of socialisation and habituation, from hereon referred to as socialisation, generally occurs between 3-13 weeks although there does appear to be breed variation in this period<sup>56</sup>. Evidence submitted by Public Health Wales, which reviewed the deaths of children from dog bites or strikes, noted the importance of early socialisation with children and others being important for family dogs. As highlighted by the ABTC in their evidence, adequate and sufficient socialisation of puppies and training should be provided by breeders but can also be achieved through attending puppy classes and doing so can decrease the likelihood of a puppy developing

<sup>52</sup> Rooney, N and Sargan, S. 2009. Pedigree dog breeding in the UK: a major welfare concern. Report to the RSPCA.

<sup>53</sup> <http://www.battersea.org.uk/apex/webarticle?pagelD=endbackstreetbreeding> (Accessed 8.10.15)

<sup>54</sup> <http://www.thekennelclub.org.uk/our-resources/kennel-club-campaigns/puppy-farming/>. (Accessed 8.10.15)

<sup>55</sup> [http://www.rspca.org.uk/getinvolved/campaign/dogownership/scrappuppytrade?utm\\_source=PR&utm\\_medium=Redirect&utm\\_campaign=ScrapThePuppyTrade](http://www.rspca.org.uk/getinvolved/campaign/dogownership/scrappuppytrade?utm_source=PR&utm_medium=Redirect&utm_campaign=ScrapThePuppyTrade) (Accessed 8.10.15)

<sup>56</sup> Morrow, M., Ottobre, J., Ottobre, A., Neville, P., St-Pierre, N., Dreschel, N., and Pate, J., 2015. Breed dependent differences in the onset of fear-related avoidance behaviour in puppies. *Journal of Veterinary Behavior: Clinical Applications and Research* DOI: 10.1016/j.jveb.2015.03.002.



undesirable behaviour. However, in order for this to be successful, ABTC noted that owners must have access to classes run by people who are suitably qualified with specialised knowledge and must also follow the guidance given by the instructors between the classes so that the dog and owner transfer the skills learnt to a variety of contexts and circumstances.

### **7.3 Ensures that the dog's present and future welfare needs are met throughout all their life stages to the extent required by good practice.**

#### 7.3.1 Awareness, understanding and compliance with the welfare needs

There are five welfare needs which owners are legally obliged to provide for and as demonstrated by the BDCH in their written evidence, respecting these five welfare needs, as enshrined in the Animal Welfare Act (AWA) 2006, is crucial to responsible dog ownership. However, owners can only fulfil this obligation if they are aware it exists. Evidence provided by the PDSA shows that of those pet owners surveyed, only 45% are familiar with their responsibilities as a pet owner and as laid out in the AWA which leads to questions about the remaining 55% as well as whether those 45% act in accordance with their responsibilities. Data from the RSPCA in relation to advice notices clearly shows that some owners fail to meet the welfare needs of their dogs to the extent required by good practice. For example, in 2014 and across England and Wales, 17, 402 notices were issued. Yet this figure is likely to be an under-estimate as relies upon persons making complaints as well as them having knowledge about the AWA themselves and what may constitute an offence. Further, in their evidence, the All-Wales Dog Warden Expert Panel and the WLGA made reference to the many dog related complaints including dogs left to roam, not exercised enough or being out of control which may also be considered a failure by an owner to meet their dog's welfare needs.

#### 7.3.2 Microchipping

Microchipping is a characteristic commonly associated with the actions of a responsible dog owner. For example, BDCH stated in their evidence that 'responsible dog ownership is more than just feeding a dog properly and taking them to a vet if injured or sick. It is also about making sure a dog..... is microchipped with contact details kept up to date'. The BVA, Farmers' Union of Wales (FUW) and IPC Dog Services also all referred to microchipping. The BVA provided its consultation responses to the Welsh Government on compulsory microchipping which demonstrated their support. The FUW also provided their consultation response which whilst agreeing with the principle of microchipping in general, expressed concern from their members including its efficacy in increasing the total number of dogs microchipped and potential costs to themselves in database maintenance. IPC Dog Services noted that microchipping is an excellent idea but is not the panacea for all dog problems.

#### 7.3.3 Neutering

Similar to microchipping, neutering is also considered another characteristic of responsible dog ownership<sup>57</sup>. Neutering was referred to in the BVA's evidence who strongly support the practice of neutering dogs for preventing the birth of unwanted puppies and the perpetuation of genetic defects. Greyhound Rescue Wales also noted that they neuter every dog they rehome as an aspect of responsible dog ownership. This practice is mirrored by all responsible dog rehoming organisations.

#### 7.3.4 Training and behaviour therapy

Training and behaviour therapy can have a significant impact on a dog's current and future welfare needs and finding a suitable professional can be fraught with difficulty. First is the decision as to which type of professional advice should be sought from. Recent guidance from the American Animal Hospital

<sup>57</sup> [https://www.dogstrust.org.uk/help.../0293\\_dgt\\_6pp%20dl%20neuter.pdf](https://www.dogstrust.org.uk/help.../0293_dgt_6pp%20dl%20neuter.pdf) Accessed 8.10.15)

Association<sup>58</sup> has made an important distinction between trainers and behaviourists but this is unlikely to be commonly known. Normal but undesired behaviours, unruly behaviour and the teaching of basic manners should be referred to a trainer but behaviours requiring clinical diagnoses or aggression should be dealt with by a behaviourist. But even with this knowledge, within each area, there are a huge number of individuals their services, and as ABTC highlighted in their evidence, not all are suitably qualified individuals. This can result in individuals working beyond their skill set and dealing with behaviour problems for which they are inadequately skilled, knowledgeable or experienced so it is necessary that practitioners are aware of, and can access, suitably qualified professionals, a point highlighted by IPC Dog Services in their evidence. As an example, the Anti-Social Crime and Policing (ASBCP) Act Practitioner's manual provides information to Police and Local Authority practitioners about suitable organisations<sup>59</sup> but as identified by ABTC, there needs to be similar signposting for others who may advise owners on the need for behavioural therapy such as vets.

There are further issues which extend to trainers and behaviourists and this relates to techniques which are used to modify behaviour and in particular those which are aversive or punitive in their nature e.g. electronic training devices, pinch collars, choke chains. There is a body of research showing that the use of aversive techniques has the potential to compromise a dog's welfare and can make the behaviour problem worse<sup>60</sup> and this was also noted by IPC Dog Services in their evidence. Many animal welfare organisations strongly oppose the use of such techniques and as part of their written evidence, the BVA provided a position statement opposing their use. But in contrast, the FUW's response to the consultation on the Animal Welfare (electronic devices) (Wales) Regulations 2009, provided as evidence, demonstrated their support of the use of electronic collars for specific behaviour issues such as deterring young dogs from biting sheep during their training.

#### **7.4 Takes reasonable steps to ensure that their dog's and their own behaviour in respect of their dog, does not compromise the health, safety or well-being of other persons, animals and the community.**

There are various ways in which a dog can impact upon the health, safety and well-being of other persons, animals and the community ranging from serious bite related injuries to an individual person, through to dog fouling and its impact on non-dog owners in the community. The issue of dog fouling was referred to in the All-Wales Dog Warden Expert Panel evidence and in particular the results from a survey where Welsh communities were asked what mattered to them. The prevention of dog fouling and other dog related problems were ranked higher than other crime prevention issues. However, no other stakeholder included dog fouling in their written evidence other than BDCH who stated that owners should carry bags with them to clean up after their dog.

##### **7.4.1 Dog bite related incidents - people**

Data provided in the Kennel Club's written evidence showed that in the last 10 years, at least eight adults and 13 children have died from dog attacks. Further, in the 12 months to January 2014, 6740 people required hospital treatment due to a dog bite or strike. Evidence from the All-Wales Dog Warden Expert Panel stated that a number of the complaints received by Local Authorities each year relate to child safety and that many of the dog attacks resulting in fatalities or serious injury involve children. As part of their evidence, Public Health Wales provided a review of deaths of children from dog bites or strikes conducted in 2014 and a key conclusion from this was the most important advice for members of the public is *never leave a baby or young child unsupervised with a dog, even for a moment, no matter how*

<sup>58</sup> [https://www.aaha.org/professional/resources/behavior\\_management\\_guidelines.aspx#gsc.tab=0](https://www.aaha.org/professional/resources/behavior_management_guidelines.aspx#gsc.tab=0) (Accessed 8.10.15)

<sup>59</sup> <https://www.gov.uk/government/publications/dealing-with-irresponsible-dog-ownership-practitioners-manual> (Accessed 8.10.15)

<sup>60</sup> [www.dogwelfarecampaign.org.uk](http://www.dogwelfarecampaign.org.uk) (Accessed 8.10.15)

*well you know the dog*. Further evidence supplied by Public Health showed that this message was now incorporated into material provided to parents of young children.

#### 7.4.2 Dog bite prevention - education

Education on how to behave around dogs is provided by several organisations already, although it is not a formal part of the school curriculum, and evidence submitted by the Kennel Club included a comprehensive list of all the educational dog bite prevention programmes currently accessible. Programmes are available for pre-school, primary and secondary children along with their parents as well as for teenagers and teachers, veterinary nurses, Royal Mail, Local Authority and delivery staff and dog owners. In their evidence, ABTC highlighted the need for education prior to ownership aimed across all age groups and not just those for which have been the traditional focus ie children. As children are often bitten in the absence of a parent or guardian, and hospital statistics, as referred to by ABTC, show that adults are also at risk, there is a need for targeted and engaging training of adults too and not just those who come into contact with dogs. However, the ABTC also made it clear that the subject must be targeted to the individual's circumstances for it to be engaging.

An awareness course to educate owners who have committed offences under the Anti-social Behaviour Crime and Policing Act (2014) was suggested by the Kennel Club in their evidence. Such owners would be required to attend a standardised training course about behaviour and training and could, for example, be in relation to a dog which had shown aggressive behaviour. A similar concept was also included in the evidence of IPC Dog Services who deliver an initiative called the Good Dog Partnership which aims to engage with and educate owners.

However, in order to develop truly effective preventative measures, there is a need to understand why dogs bite and at present there is little done to investigate the factors surrounding dog bite related incidents. Both the Kennel Club and Kendal Shepherd submitted copies of presentations on this topic. In addition to this, Kendal Shepherd provided evidence which illustrated how a dog bite injury could be thoroughly investigated. This proposed a pathway whereby the context of the incident, forensic evidence, nature of injury, severity, medical and surgical treatment and the human and dog social factors would be investigated along with a behavioural assessment of the dog if alive or full history if dead. The same pathway included the treatment which would result such as post-traumatic advice for victim and family as well as the dog owner and family. The Kennel Club provided a proposal for a central database of serious dog bite incidents. Following a bite incident, it would be mandatory for information about the bite to be recorded, for example, the type of dog, time of day, physical condition of the dog, treatment of the dog by owners etc. The understanding gained from both these approaches could then be used to develop effective dog bite prevention programmes.

#### 7.4.3 Dog bite related incidents and other animals

The British Horse Society (BHS), FUW and the National Sheep Association (NSA) all provided evidence of the impact dogs can have on other animals. The BHS provided the total number of dog incidents reported per month since November 2010 which at most was three but over a year and at its most in 2012, reached 15. Survey results provided by the NSA about sheep worrying across England, Scotland, Wales and Northern Ireland showed that between April 2012 and April 2013 there were 101 separate incidents. Incidents of sheep worrying are also a major concern for FUW members who continue to deal with horrific attacks on their livestock which not only causes injury but abortion and in some cases mortality from exhaustion. The FUW noted their strong support of the Farmer's Guardian 'Take the Lead' campaign and consistently call for dogs to be kept on leads around livestock when walking in the countryside.

Guide Dogs provided a review of the attacks on guide dogs which showed that between 2011 and 2013 a total of 240 dog attacks occurred. A press release from 2014 was also provided which detailed a service level agreement developed with the National Police Chiefs' Council (NPCC) such that when an attack occurs it is dealt with effectively and compassionately.

Evidence provided by the Police Forces in Wales, stated that in North Wales, the biggest problem they are facing is dog on dog attacks and attacks on livestock.

Unlike the evidence above which relates to unwanted attacks on other animals by dogs, The National Working Terrier Federation uses dogs purposely to catch and kill a range of animals which are considered pests. They signposted the group to its website within which is a code of conduct for terrier work and which constitutes best practice. In contrast, the League Against Cruel Sports signposted the group to their policy and other documents on the use of terriers which stated that the welfare of both the dog and the hunted animal can be severely compromised by the practice of terrier work and that they seek legislation that bans the hunting of wild mammals with dogs below ground. Highlighting the harm caused to dogs used in sporting activities was thematic throughout the League Against Cruel Sports evidence with reports also provided on dog fighting and greyhound racing.

#### 7.4.4 Use of dogs in countryside activities.

Evidence was also submitted by the British Association for Shooting and Conservation (BASC) who use dogs as part of countryside activities including shooting. They provided its code of practice and noted that over many years, they have set and promoted high standards of dog ownership, training and use.

### **7.5 Adheres to all statutory provisions relating to the care, control and welfare of the dog.**

#### 7.5.1 Dog Control

The Welsh Government, in 2012, announced a Control of Dogs (Wales) Bill which included the introduction of Dog Control Notices (DCNs) as well as amendments to the Dangerous Dogs Act (DDA) (1991). The Control of Dogs (Wales) Bill was circulated for consultation and as part of this consultation process, several organisations provided their response to the Draft Dog Control of Dogs (Wales) Bill including the FUW and BVA but the bill was suspended once the ASBCP Bill progressed through Parliament. In drafting the ASBCP Bill, the number of anti-social behaviour measures was reduced from 18 to a proposed 6 of which several, but predominantly the Community Protection Notice (CPN), could be used to tackle dog related issues. Julie Morgan AM and Cardiff Councillor Dilwar Ali, in their evidence, compared the proposed DCN under the Control of Dogs (Wales) Bill with the CPN of the ASBCP Bill. In doing so they believe that the process for issuing the CPN is more wieldy and overly complicates what are simple problems and wish to see the introduction of a DCN instead. Other organisations are also supportive of a dog specific tool for tackling dog related issues and the BVA in their evidence stated that they had called for the introduction of the DCNs.

In addition to DCNs, the ASBCP also introduced Public Space Protection Orders (PSPOs) which were designed to replace Dog Control Orders. Included with their written evidence, the Kennel Club provided a paper which provided case studies of PSPOs introduced by different authorities. The Kennel Club has concerns about some PSPOs which include the lack of evidence base for the orders as well as consultation with dog owners and other parties, a lack of regard for how dog owners can comply with the order and the disproportionate way in which the order is being used to resolve an issue. Examples of more considerate PSPOs were included as well as tips from the Kennel Club for Local Authorities when introducing PSPOs.

Cats Protection noted their keenness that CPNs are used to the full by the police/dog wardens where the thresholds in the guidance for issuing a community protection notice are met as well as monitoring to assess their effectiveness. However, they are also calling for a new offence where attacks on cats and other animals occur which the current legislation does not provide for.

As well as the ASBCP Act there are multiple other pieces of legislation for dealing with dog bite incidents which creates a complex system. It has long been the position of the RSPCA<sup>61</sup>,<sup>62</sup> and other welfare charities<sup>63</sup>, that legislation and particularly that which deals with dog bite incidents (DBIs) should be preventative, evidence based and proportionate in its approach. Major consolidation and reform is needed if the legislation is to be more effective and this was highlighted by Battersea Dogs & Cats Home in their written evidence. In their evidence, the BVA referred to its opposition of any legislation which singles out particular breeds of dogs rather than targeting individual aggressive dogs and noted the 'deed not breed' principle. Similarly, Battersea stated their wish to see the end of Breed Specific Legislation (BSL) noting that in the wrong hands, any breed of dog can be trained to be dangerous and a threat to other dogs as well as people. The Kennel Club also highlighted the flaws of a breed specific approach referring to the lack of evidence and its ability in perpetuating a false and dangerous perception that breeds not included on a 'list' are not dangerous.

### 7.5.2 Breeding

The BVA, in their evidence, noted that they have called upon Government and local authorities to conduct a broad review of existing breeding legislation to ensure it is fit for purpose. They made reference to the conclusion of Bateson's report that current legislation could be reviewed and presented as regulations under the Animal Welfare Act 2006.

## SECTION B - Summary of verbal evidence

In total, 18 organisations and individuals gave verbal evidence to the working group. Of those who gave evidence, all bar one did so in line with the questions provided and so, for those, we have summarised the evidence provided under each of the questions asked during the evidence session.

Throughout, we have tried to ensure that the summary accurately reflects and represents the evidence provided by each organisation or representative, however, due to the time available for summarising the verbal evidence, we have been limited to identifying core themes only and in doing so we may have unintentionally changed the emphasis around a point which the stakeholder was making, not included an issue or altered the priority within the evidence given. The full transcripts are however available; please see Annex 4. Where an organisation is not mentioned in relation to a particular question, this is because not all questions were able to be answered due to time restrictions.

### Evidence summarised in line with framework of questions

#### 7.6 QUESTION 1: What does Responsible Dog Ownership mean to your organisation?

The responses given to this question were diverse but common themes were apparent. Many organisations ABTC, Battersea, Blue Cross, British Veterinary Association (BVA), CARIAD, Great Dane Care, The Kennel Club, League Against Cruel Sport, National Working Terrier Federation and the PDSA made reference to responsible owners providing for the dog's health and welfare with some also

<sup>61</sup> <http://politicalanimal.org.uk/wp-content/uploads/2014/08/PositionstatementonBSL.pdf> (Accessed 8.10.15)

<sup>62</sup> <http://www.publications.parliament.uk/pa/cm201314/cmpublic/antisocialbehaviour/memo/asb03.htm>. (Accessed 8.10.15)

<sup>63</sup> <http://www.politics.co.uk/opinion-formers/dogs-trust/dangerous-dogs> (Accessed 8.10.15)



mentioning dogs being kept under control (BHS, ABTC, Communication Workers Union (CWU) and associates and Great Dane Care). Other organisations alluded to the importance of control such as the Farmer's Union Wales (FUW) who stated that Responsible Dog Ownership was how people interact with dogs in such a way that allows them to co-exist with livestock and the countryside. Minimising the impact of dogs on the community was considered a part of Responsible Dog Ownership by IPC Dog Services and the Blue Cross and several organisations referred to compliance with legislation; ABTC, the National Working Terrier Foundation and Welsh Local Government Association (WLGA). CARIAD noted that Responsible Dog Ownership started even before owners acquired their dog and that there is a need for owners to do research or be better prepared such that people didn't purchase on impulse and end up with a dog which they can't incorporate into their lifestyle and home.

**7.7 QUESTION 2: What formal education (school-related) programmes are you aware of? a) How are they successful? b) How are they evaluated? c) How can they be made better?**

Most stakeholders in response to this question made reference to the different education initiatives delivered to school children and provided by themselves as well as other animal welfare charities such as Dogs Trust, RSPCA, Battersea and Blue Cross. The 'speak dog' programme, part of the Jersey safety campaign was mentioned by ABTC who, along with IPC Dog Services, also mentioned the 'Blue Dog' programme. The CWU and associates made reference to Dogs Trusts' Be Smart early learners scheme.

It was clear from most, however, that there is a lack of knowledge as to how successful the programmes are and whether they do have any impact, particularly with regard to children and whether or not they achieve their aim, for example, ensuring they are responsible dog owners of the future. Where evaluation does occur, it appears variable and this latter point was well illustrated by the PDSA who provided examples of the ways in which evaluation may be conducted including a tally of the total number of schools to which a talk is delivered through to regular assessments which test retention of information.

With regards to what could be done better, CARIAD and the WLGA mentioned the formal introduction of Responsible Dog Ownership education onto the national curriculum. Blue Cross specifically mentioned the need for oversight by the Government and many highlighted the need for a more coordinated approach. Charities are aware that each provides similar advice but even so, collectively, they don't necessarily reach everyone and in some cases may be overlapping with one another so consistent and full coverage is not achieved. CARIAD also noted the need for adult education as well as that targeted at children but this has to be on a grand scale to ensure people know the basics in terms of care which is often assumed to be common sense but which owner behaviour suggests otherwise.

**7.8 QUESTION 3: What informal education (out of school but also across all ages) and awareness programmes are you aware of? a) How are they successful? b) How are they evaluated? c) How can they be made better?**

A range of informal education resources and programmes were mentioned by the stakeholders. ABTC highlighted the resources available via the different welfare charities and BASC, the resources made available by Public Health Wales regarding child safety around dogs. Community engagement was mentioned by the PDSA and WLGA and individual dog owner engagement noted by the BVA. As per the responses to the previous question, the animal welfare charities made reference to their own initiatives such as Battersea's work with prison communities. It didn't appear however, that there was knowledge of any evaluation made of these resources and programmes or whether they were successful in changing the behaviour or attitude of the recipient. The exception to this was the PDSA who did have several measures in place to assess their impact on dog welfare following community engagement. Furthermore,

Great Dane Care did make reference to initiatives provided by the Kennel Club such as the Good Citizen Scheme which included means of evaluation as 'students' are required to complete an assessment in order to pass a course but whether this knowledge is retained and applied throughout the dog's life doesn't appear to be tested.

Improvements around informal resources and programmes were suggested. As highlighted by the the Kennel Club and the ABTC, some resources and programmes are only going to reach those who are interested in dogs and motivated to do things better which leaves a proportion of society considered difficult to reach uninformed and so thought as to how to engage and change their behaviour and attitude is required. The NSA and FUW both highlighted gaps in existing resources such as the impact of dogs on sheep as well as information around taking dogs into the countryside and other locations which may differ from those a dog is used to. Blue Cross noted the need for a more strategic approach in the general area of informal education, including desired outcomes, priorities etc, especially as Government and administration is increasingly expecting the third sector to do this work. They also felt that targeting resources was necessary and local knowledge was useful in achieving this.

**7.9 QUESTION 4: What legislative changes, if any, are needed? (It is important to reiterate that we are specifically discussing legislation within Wales' purview and not the Dangerous Dog Act 1991 or the Anti Social Behaviour Crime and Policing Act 2014)**

Organisations including Battersea, Blue Cross and IPC Dog Services were generally complimentary of the recent Welsh legislative changes such as the Electronic training regulations (2010) and the Breeding regulations (2014) and were considered better than the provisions in England. Some legislative changes were proposed by the stakeholders. For example, IPC Dog Services suggested that Wales could strengthen legislation to include other aversives in addition to the electronic training devices. The BHS felt that the Protection of Livestock Act (cross ref to legislation chapter) was inadequate due to the lack of detention and arrest powers. They also felt that local legislation was required to better control commercial dog walkers with large groups of dogs and to require owners to walk dogs on lead on specific sections of bridleways. Hope Rescue believed a ban on pet shop sales of puppies was required as well as better regulation of internet sales the latter of which was also raised by PDSA and Blue Cross. The League Against Cruel Sports highlighted concerns about the lack of governance for greyhounds and also believed a ban on terrier work, via the Animal Welfare Act (2006), was necessary. However, for some; the ABTC, Blue Cross, BVA, CARIAD, GDC and FUW, it was felt that the lack of legislation was not the problem but ineffective or inconsistent enforcement and a lack of funding to enforce/implement the law and as noted by Hope, it was the enforcement which had to be tackled before any further legislation was introduced. The National Working Terrier Foundation felt that legislation should be avoided as re-visiting law once enacted was costly and suggested that instead voluntary codes of conduct should be implemented. However, if voluntary codes failed to be effective, legislation could be developed and introduced.

The microchipping regulations were specifically mentioned by both Battersea and the WLGA. Battersea felt that the advent of the regulations were already having some effect with an increasing number of dogs coming into their care with chips. However, WLGA were concerned about how effective the regulations would be and in particular compliance by owners to keep details up to date.

Some organisations expressed concern around specific pieces of legislation. For example, the PDSA mentioned the Dangerous Dogs Act (1991) as well as the Pet Vending Act (1951). The the Kennel Club noted the application of Public Space Protection Orders by some Local Authorities and the detrimental impact to dog owners and their dogs through restricting access to places for exercising dogs. The CWU

and associates stated the introduction of dog control notices.

#### **7.10 QUESTION 5: What would solve the problems your organisation deals with?**

As expected the responses to this questions were wide ranging with some fairly easy to achieve and others less so. For example, the League Against Cruel Sports wanted all to have a greater respect for animals and the BHS, a cultural change in dog ownership but acknowledged that this was difficult to achieve. Battersea stated meaningful and effective early intervention as opposed to punishment which was similar to Blue Cross who, in addition, proposed utilising dog wardens to step in and signpost people to resources. On the same theme, IPC Dog Services believed that initiatives similar to those offered following speeding or drink driving convictions had a role in changing the behaviour of offenders and could be used as an incentive to avoid tougher sanctions. The FUW stated proper policing of the countryside and education for owners about management of dogs in the countryside and similarly, NSA noted increased consistency in enforcement of the law and awareness of the law by dog owners. The National Working Terrier Foundation stated codes of practice with practitioner input as well as enforcement. Hope Rescue stated increased funding of local authorities, alternative models for delivery of services and trainers for officers and Great Dane Care offered a list of various solutions: advice to prospective owners, breeding contracts, pre ownership community classes, information dissemination using the media, cross working of organisations to inform public bodies and increased funding. The ABTC also provided a list: licensing of behaviour therapy and training practitioners, education for all who come into contact with dogs, breeders to be responsible for homing of puppies and ring fenced funding for such initiatives. For the BVA, increased insurance was stated as one of their two solutions to their problems (educational awareness the other) as a lot are due to finance but cost of the insurance itself can make this prohibitive to owners. The the Kennel Club, were very focused in their response as they had been discussing issues around the Public Space Protection Order and so in relation to this wanted the ability for owners to let their dogs off in public spaces but without compromising other users. The CWU and associates stated the introduction of DCNs which offer a quick method of tackling constituent's concerns with dogs appearing out of control.

#### **7.11 QUESTION 6: What solutions would you like to have if you could?**

The Blue Cross listed several solutions: educational and legislative early intervention initiatives, partnership and inter-agency working, a more joined up approach with government oversight and aligned messaging between animal welfare organisations and sharing of information. Hope similarly provide a list: support for owners to keep dogs, animal welfare organisations to take responsibility for the stray dog function, education and training events, better safeguards and advice for private rehoming, more pet friendly landlords and affordable insurance premiums. The League Against Cruel Sports also listed educational programmes to promote greater respect for animals and that they matter, research funding to understand why some activities carry on within society despite being illegal, resources for tackling illegal activities and taking forward prosecutions and licensing of kennels where dogs are kept e.g. greyhounds and hounds. The the Kennel Club specifically mentioned the procurement of puppies from responsible breeders and better data about dog attacks. IPC Dog Services stated better consolidation of legislation and better engagement and the NSA, an increase in high level prosecutions to be taken forward with appropriate publicity to deter those who seem not to care. NSA also suggested a DNA database which would assist with the necessary evidence for prosecutions. Avoiding the mechanism imposed by the Anti-social Behaviour Crime and Policing Bill whereby a letter is required before a CPN can be issued was noted by the CWU and associates who added that such a requirement makes CPNs unsuitable for dog control and DCNs were needed.

**7.12 QUESTION 7: What can your organisation do in terms of delivery of the solution?**

Both the BHS and NSA were willing to share existing resources regarding the 'worrying' of animals. The FUW stated their willingness to provide time and resources to the production of standardised, joined up, non-confrontational advice and guidance around responsible dog ownership. Hope similarly were willing to provide advice and guidance for rescue organisations to tailor their services to the community and the National Working Terrier Foundation their experience of changing the federation's approach to practices within their community.

Like many animal welfare organisations, Battersea has a significant reach and ability to engage with members of the public and suggested being a part of a network of different organisations which provide training around different issues. Working together; collectively and cohesively, was also mentioned by Blue Cross who suggested each organisation contributing what they are able such that everyone can bring something to support Responsible Dog Ownership. Disseminating information to their membership was offered by BASC and the League Against Cruel Sports noted their ability to create a public outcry around issues in such a way which forces the Government to take action. The League Against Cruel Sports also made reference to research which had been commissioned to better understand the underlying social issues associated with dogfighting for example. The the Kennel Club similarly referred to research and which related to a better understanding of dog bites and attacks but they also offered assistance with the licensing of breeding establishments.

ABTC have been setting standards for those within the training and behaviour therapy industry and have also started recognising education programmes that deliver on those standards of education which will in turn allow owners and practitioners to find suitable trainers and behaviourists. The BVA are potentially able to share data but this wouldn't be particularly straightforward however, if a funding model was available vets could deliver further advice and guidance around health and welfare. The CWU and associates made reference to specific skills of their members which could be used to tackle specific issues.

**7.13 QUESTION 8: If the solutions have costs involved, how should this be funded realistically?**

The introduction of a licensing fee was suggested by several organisations. ABTC, CARIAD CWU and associates and IPC Dog Services all felt that introducing a licence for dog owners could generate funds for local authorities with ABTC suggesting different fees for different purposes e.g. breeding and CARIAD similarly suggesting a sliding scale such that the elderly could be exempted. CARIAD also felt it could deter impulse buying as the period of time required to obtain the licence could also provide the means for a cooling off period which might result in prospective owners changing their mind. Specific reference to the Calgary dog licensing model was made by IPC Dog Services which is effective at tackling issues associated with irresponsible dog ownership but also has benefit to dog owners too. Licensing of dog kennels was suggested by The League Against Cruel Sports which should be self funded such that the costs to administer the service were covered. It was further suggested that the fee should be reviewed on an annual basis so that costs were covered in the longer term and this was considered an incentive for licence fee payers as complying with the licence would result in less visits and associated admin and overall a lower cost per fee payer. Blue Cross didn't go as far as to say that licensing should be introduced but stated that it should be one the opportunities explored. The WLGA did however raise issues around licensing including the potential for a negative impact if licensing doesn't raise the money expected.

Both BHS and the Blue Cross stated that funding should be Government lead rather than reliant on the third sector. At the moment it is expected that the third sector delivers the solutions and services and the balance needs to be better re-dressed (Blue Cross). FUW felt that a range of organisations should be involved with each absorbing cost for an individual's time and assisting with the dissemination of materials and grant schemes, for example, being used for other costs.

Some organisations suggested a review of current systems to better utilise resources or to release funds. For example, the CWU and associates made reference to granting power for the issuing of DCNs which as simple and straightforward procedures would save time and effort. Battersea suggested adopting a model whereby one officer licences across a number of adjacent local authorities rather than several serving their own which is currently the case. Not only was this suggested to save money but would also result in better consistency of licensing and would set a good example of partnership working to deliver statutory functions. Hope suggested that money currently spent by social services on respite cases in boarding establishments could be better spent with animal welfare organisations providing the boarding at a lower cost which, if used instead, has the potential to make funds available. The National Working Terrier Foundation suggested that the way in which money is spent should be reviewed, for example, the production of paper resources is costly where as on line resources are less so and issues around maintenance etc are more easily addressed.

**7.14 QUESTION 9: Does your organisation interact with the human welfare agencies (e.g. social services, health sector, etc) and if so what form does this take and could it help with the solutions we collectively seek?**

Battersea, Blue Cross, CWU and associates, Hope and IPC Dog Services interact extensively with human welfare agencies. Battersea has community engagement officers targeted to local areas to provide inroads to the community and works closely with housing agencies who provide research and intelligence to help guide their work. Blue Cross interacts closely with social services via their education officers and will also refer owners to relevant welfare agencies if a welfare issue becomes evident when the owner presents at one of their hospitals. Hope works across all sectors as appeared to the case for IPC Dog Services too who stated interactions with Local Authorities, health visitors, midwives, postal officers etc. The BHS did have interactions with social services but any interactions with human welfare agencies were limited with regard to the BVA, FUW, the Kennel Club and NSA with the National Working Terrier Foundation not at all and ABTC stating not directly but were considering inviting the British Medical Association onto the Council.

**7.15 QUESTION 10: Who else should be involved in terms of key stakeholders (in this process and) in the solution?**

A variety of stakeholders were mentioned by the respondents: health professionals and specifically those involved in behaviour change campaigns such as five a day and sex education and the development of online resources; Government, including local Government; Local Authorities especially dog wardens; Charities, including animal welfare organisations and dog welfare groups; NHS Wales; education providers and working dog representatives.

**7.16 QUESTION 11: Although the Core Group does not wish to predetermine this Review or exclude any alternative solutions we have been discussing a shared online portal, with Welsh Government approval/status, for all levels of users - including agencies (statutory and third sectors), dog owners, general public, etc to be able to access agreed and unified information on all aspects of dog welfare, the law and responsibilities. Clearly such an entity could have other**



**resources within it too. We mention this now because we are keen to hear your views on this possible recommendation when we meet.**

All those who were asked about the portal were supportive of it in principle but the following points were made:

- in developing this resource, we should take care not to reinvent the wheel as much advice and information is already available;
- notwithstanding the point above, the resource should have information across veterinary care, welfare, law and enforcement targeted for all who come into contact with dogs including owners, vets, enforcers etc;
- the information should be sufficiently detailed so that for owners know how to care for their dog and should go beyond basic principles. For example, should go beyond stating that a dog's behavioural needs should be met; information on how to do this must be available;
- the resource to establish and maintain the portal should not be underestimated as is likely to be significant in terms of money and time;
- the portal will be very useful for those motivated and interested to use it but how does it impact on those who already think they know or don't want to know it? Creative ways to reach all audiences need to be identified and implemented;
- all material should be evidence based and up to date and organisations must strive for continuity between one another in the information provided as well as within organisations such that the information provided for this portal and on their own information channels is the same;
- the portal must be prominent so that it is the first resource that people find when looking for dog welfare information;
- the resource must be accessible to all in terms of the language used as well as sectors of the population who might not have ready access to the internet.

## 8. Data regarding responsible dog ownership in Wales

The Core Group found that there is a plethora of quantitative data available, in addition to what is already made public, amongst stakeholders in the sector and in related fields such as public health. We did not have the ability to collect and collate this information for the report however. There were many factors to this - some organisations have not, as yet, produced figures on a Wales-only basis, because generally this has not yet been requested of them. There is also no universal recording period for our sector, so some follow financial years, others calendar, while some organisations report trends over longer periods of time. Surveys and polling can be notoriously flawed but internal and external validity issues also extend to some of the sector's own information too.

Our inability to present comprehensive data in this report was a setback during this process but we also wanted to avoid the inherent pitfalls in the current data sets available. There was a danger that the reader could focus on one particular aspect which may have greater emphasis simply because it is from one part of the sector familiar with reporting methods. For instance focusing on euthanasia rates would produce results shocking to most members of the public, but information on this is currently available publicly for only part of the sector (police, local authorities, RSPCA and some smaller dog welfare organisations), which in itself would not provide a true picture. Also lacking in this particular example would be the detailed reasoning behind the figures. However as will be seen below, and later in the recommendations chapter, we do believe euthanasia should be captured annually but only once the information can be collected across the whole sector (as wide as could be possible for those organisations and practices participating) and analysed by those with expertise and knowledge of the complex factors involved.

The Core Group were extremely pleased to hear stakeholders' commitment to providing data and as such we are confident that given parameters on recording methods as well as time periods and other replicable factors, a picture could be built to truly enable society in Wales to track our relationship with dogs.

Some of this data would still carry strong caveats and of course missing from the overall picture would be the qualitative evidence and interpretation of the statistics themselves. Statistics alone cannot tell us everything and for this reason our recommendation also details the need for the expert analysis and interpretation of any data collected, on a transparent basis.

### 8.1 Costs

Included within the data available to track responsible dog ownership is the ability to monitor the costs to society. It is important to note that the police and local authorities are operating in a difficult financial environment where resources have been reduced despite a perceived increase in a dog problem and an escalation in public and media calls to do something about it. Any reduction in service level for these agencies can result in an increase in pressure on the charities working with dogs at a time when charities are also having to work much harder to raise the funds needed to meet the need. Whilst any annual collection of financial data can make difficult reading, it is nevertheless a crucial part of tracking the problem and assessing where best resources should be placed. It should also allow for a greater analysis of cooperative and partnership working, allowing precious resources to be deployed in a smarter way.

For many organisations engaging with this review there was a general theme that it should be the irresponsible dog owners who should shoulder the cost to society for any dog problem. Although not impossible, there are inherent difficulties with that model, however there are systems, many of them

employed by other countries in the world, where dog owners carry the greatest burden such as through an annual registration scheme. Calculations to support or reject such proposals can only be produced and predicted if we have accurate data on dog ownership and the associated problems in society in Wales. An annual data return would assist in determining the viability of any scheme designed around cost-sharing.

## 8.2 The social returns

There are additional factors that could be tracked through the creation of new data streams such as the non-tangible costs of improvements in responsible dog ownership. For instance, cleaner, safer communities may report feeling more at ease utilising local parks and playgrounds if they perceive there to be an incident of being threatened by a dog or the victim of anti-social behaviour involving a dog, unlikely. These are much more difficult, but not impossible, factors to record accurately.

## 8.3 Suggested data sources for annual collection

The following table details the data that the Core Group is aware is already available as well as additional areas we were informed about at the stakeholders sessions as well as our ideas on what may be possible. [Please note this is replicated in the recommendations chapter.]

Table 4 Suggested data sources

Enforcers	
Police	<ol style="list-style-type: none"> <li>1. The number of s1 dogs seized per Force.</li> <li>2. The number of s 3 dogs seized per Force.</li> <li>3. The number of aggravated offences per Force.</li> <li>4. Kennel costs per Force.</li> <li>5. The number of CPNs.</li> <li>6. Longest and shortest length of time for 4Bs and prosecutions.</li> <li>7. The number of dogs put to sleep under S1 and S3</li> </ol> <p style="text-align: right;">[Please see Annex 8 for some of this data from 1991 up to and including 2014]</p>
RSPCA	<ol style="list-style-type: none"> <li>1. Number of s9 advice and improvement notices for dogs (incl what for).</li> <li>2. Number of prosecutions for s9 AWA offences (for dogs).</li> <li>3. Number of prosecutions for s4 AWA offences (for dogs).</li> <li>4. Number of prosecutions for s8 AWA offences.</li> <li>5. Number of other key prosecutions under the AWA, e.g. tail docking, ETDs, etc.</li> <li>6. The number of 1871 applications.</li> </ol>
Local Authorities	<ol style="list-style-type: none"> <li>1. The number of 1871 applications.</li> <li>2. Kennel cost per LA.</li> <li>3. Out of hours dog service times per LA.</li> <li>4. Number of dog wardens per LA.</li> <li>5. For a) complaints/calls and b) those responded to:- <ol style="list-style-type: none"> <li>a. Numbers of strays</li> <li>b. Noise complaints</li> <li>c. Dog fouling</li> </ol> </li> <li>6. Notices <ol style="list-style-type: none"> <li>a. Animal Welfare Act</li> <li>b. Non-statutory ABCs</li> </ol> </li> </ol>

	<ul style="list-style-type: none"> <li>c. Protection Orders</li> <li>d. Fixed Penalty Notices (fouling)</li> <li>e. Fixed Penalty Notices (other dog matters)</li> <li>f. General Warning letters</li> <li>g. CPN Warning letters</li> <li>h. CPNs issued</li> <li>i. Civil Injunctions</li> <li>j. Prosecutions</li> </ul> <p>7. Number of stray dogs</p> <ul style="list-style-type: none"> <li>a. Returned direct to owner</li> <li>b. Reclaimed by owner</li> <li>c. Re-homed by local authority/kennel</li> <li>d. Assigned to re-homing charity</li> <li>e. Euthanased</li> <li>f. Reasons for euthanasia <ul style="list-style-type: none"> <li>• Health</li> <li>• Behaviour</li> <li>• Unable to re-home</li> </ul> </li> </ul> <p>8. Licenses for:</p> <ul style="list-style-type: none"> <li>a. Pet shops</li> <li>b. Breeders</li> </ul>
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<b>NGO sector</b>	
All dog welfare organisations	<ol style="list-style-type: none"> <li>1. Microchipping (intake already chipped after regs come into force)</li> <li>2. Rehoming</li> <li>3. Rescue intake</li> <li>4. Neutered/unneutered intake and rehomed dogs</li> <li>5. Number of dogs handled</li> <li>6. Euthanasia</li> <li>7. Number of dogs returned and reason</li> <li>8. Length of time in kennels</li> </ol>
BVA	<ol style="list-style-type: none"> <li>1. Vaccination uptake</li> <li>2. Neutering</li> <li>3. Microchipping</li> <li>4. Euthanasia</li> <li>5. Most common veterinary treatment</li> <li>6. Most common diseases</li> <li>7. Availability of qualified behaviourists</li> <li>8. Vet Compass<sup>64</sup></li> </ol>
NSA	Number and costs of sheep incidents

<sup>64</sup> The Veterinary Companion Animal Surveillance System (VetCompass [www.rvc.ac.uk/vetcompass](http://www.rvc.ac.uk/vetcompass)) is a not-for-profit research project prioritising companion animal welfare. The Royal Veterinary College (RVC), in collaboration with the University of Sydney, undertakes ongoing studies of companion animal disorders. Through analysis of veterinary clinical information, the team investigates the range and frequency of small animal health problems seen by veterinary surgeons and highlights major risk factors for these conditions to improve the welfare of companion animals. Recent studies have investigated the risk factors for, cancer and pyoderma in dogs, as well as the prevalence of disorders recorded across purebred and crossbred dogs attending primary-care veterinary practices in England, in order to assist prioritisation of disorders of greatest welfare impact. Other projects have investigated the frequency of disorders in specific breeds such as the Cavalier King Charles Spaniel.

BHS	Number of incidents and costs for horses/riders involving dogs
CWU	Number of communication worker attacks [Wales-only figures on deaths and injuries]
ABTC	<ol style="list-style-type: none"> <li>1. Skills and location of membership in Wales</li> <li>2. Number of behaviour cases presented</li> <li>3. Most common problem behaviours</li> </ol>

### Government(s)

Welsh Government	<ol style="list-style-type: none"> <li>1. Household survey on dog ownership, procurement, insurance and identification [the current survey (Apr14-Mar15) states that 47% of households have a pet with 62% of those owning a dog, which was by far the most popular animal<sup>65</sup>.</li> <li>2. Road Traffic Incidents involving a dog. The Core Group is aware this information is not currently collected, however these were collated by the Department of Transport (UK Govt) until 2004 and provided useful information on the number of accidents involving a dog on the road.</li> </ol>
Defra	The number of dogs in Wales that have been placed on the Index of Exempted Dogs under sections 4A and 4B of the Dangerous Dogs (Amendment) Act 1997 for each year from 1997 [please see annex 9 for the data on this up to and including 2014]
WG Depts of Health/Social Care & Public Health Wales	<ol style="list-style-type: none"> <li>1. Number of dog strikes and fatalities</li> <li>2. Zoonoses / disease incidents</li> </ol>
Ministry of Justice	The number of people proceeded against at magistrates' court under s2 of the Dogs Act 1871, within Wales police force areas [please see annex 10 for the data on this from 1997 up to and including 2014]

### Private sector

Insurance companies	Information on number of dogs insured in Wales, types and nature of claims and any additional trend data
Microchip database companies	Information on numbers, breeds, ownership changes, etc.

Work could also be done across these sectors to estimate the cost of owning a dog. A number of years ago the RSPCA estimated this to be approximately £650 per annum<sup>66</sup> however this varies considerably across breeds and geographical area.

<sup>65</sup> <http://gov.wales/statistics-and-research/national-survey/?lang=en> (Accessed 10.12.15)

<sup>66</sup> For detailed breakdown of costs and how they are reached please see RSPCA report Improving dog ownership – the economic case for dog licensing August 2010.



## 9. Discussion & Recommendations

In order to provide some clarity surrounding the recommendations of this report, the Core Group devised and agreed a structure through which to report - that of the definition of Responsible Dog Ownership adopted by the Group (page 12). As a reminder, it is divided thus:

*Ensuring responsible dog ownership:*

1. *Prepared for and understands the commitment and responsibility which dog ownership requires.*
2. *Acquired a dog with careful consideration ensuring that in doing so the health and welfare of the dog is protected as well as its parents.*
3. *Ensures that their dog's present and future welfare needs are met throughout all their life stages the extent required by good practice.*
4. *Takes reasonable steps to ensure that their dog's and their own behaviour in respect of their dog does not compromise the health, safety or well being of other persons, animals and the community.*
5. *Adheres to all statutory provisions relating to care, control and welfare of the dog.*

Before proceeding to the wider recommendations under these headings, it is important to discuss two overarching proposals which feature throughout - that of one clear online portal for all information relating to dogs in Wales and the collection and publication of all available data on dogs and dog ownership in Wales.

### 9.1 The portal

From the first meeting of the Core Group, discussions were focussed on the means to *educate* and, if we are to accept that irresponsible dog ownership is on the rise, why the plethora of information and programmes available can be deemed to have failed.

One area of academic research currently underway discusses the state of advice and information available to the public - for both those who own dogs and those who may interact with them. As an example, and with regards to dog care information, there is already a plethora of information and advice offered by the animal welfare charity sector and an even greater amount when other sources are considered. Apart from duplication there is also a great deal of conflicting and inaccurate information being communicated. This can sometimes be exacerbated and influenced by celebrity dog owners, dog breed shows and dogs in the media generally which results in an ever increasing number of resources and pieces of advice circulating in the public domain, further confusing their audience. As society's understanding of dog behaviour and welfare develops and advances within the scientific and welfare communities it is vital that this information is made available to those who care and interact with dogs. It is for this reason that portals like [www.dogwelfarecampaign.org](http://www.dogwelfarecampaign.org) have been developed as this ensures there is ready and easy access for a range of audiences to authoritative information within a centralised place. It is with this in mind that the Core Group wish to strongly propose one central portal - which will be explained further below.

Apart from aiding dog welfare and behaviour education levels amongst the general public, the exercise of rationalising the information available, and pointing to one universally-approved and authoritative focal point, could also aid closer partnership-working within the animal welfare sector. This in itself could help raise standards as well as lead to other joint outreach projects - another key aspect of mass behaviour-change. Whilst it is recognised that there would be an initial cost (and an ongoing smaller fee)

for government, such costs could be off-set against a reduction in the burden on society from improvements in dog ownerships - such as fewer strays and attacks.

The Portal would need to be an official Welsh Government resource with all the associated authorisation and leadership provided by Welsh Government. For practical purposes, a steering group of government and stakeholders (Core Group members have indicated they are willing to continue in this capacity) would be needed to design the full parameters of a Portal, and the following constitutes our thoughts and those of the stakeholders with whom we consulted on this proposal.

Table 5 Suggested parameters of the Portal

Function	Detail
Designed to reach	Separate areas (some secure and not open to the public) <ol style="list-style-type: none"> <li>a) public</li> <li>b) police</li> <li>c) local authorities, specifically dog wardens</li> <li>d) vets</li> <li>e) animal welfare sector</li> <li>f) dog trainers and dog behaviourists</li> <li>g) health and social services sector, including housing sector</li> <li>h) media</li> </ol>
Consistency	Important to have buy-in from majority of stakeholders (which this Review suggests is more than possible) so that all partners point the public to the same, universally recognised and authoritative and authoritative, dog behaviour and welfare information to simplify the message and appeal to more of the public.
Guides for public information <sup>67</sup>	<ol style="list-style-type: none"> <li>a) socialisation</li> <li>b) safety around dogs guide<sup>68</sup></li> <li>c) getting a dog</li> <li>d) irresponsible breeding</li> <li>e) end of life</li> <li>f) rehoming</li> <li>g) diet and health</li> </ol>
Oversight	A steering group's role would be, with transparency, to:-
	Design the portal in consultation with stakeholders / potential users, secure Welsh Government funding and approval for all aspects of the project
	Data collection, information gathering, information gathering, expert analysis and publication - with any necessary caveats
	Continuous evaluation and maintenance to ensure content remains current and maintenance to ensure content remains current
	Adjudication / complaints mechanism
	Responsible for connecting with all audiences - a communications plan involving key public figures, a social media presence and mobile friendly public-facing pages
	Reviewing scientific knowledge animal welfare and behaviour and making

<sup>67</sup> This list is designed to be an example and not an exhaustive list.

<sup>68</sup> Annex 7 includes an example of a simple guide to understanding dog behaviour.

	accessible on the site. No campaign positions unless unanimous and all information agreed in advance with Welsh Government
Outreach and Development	Connect to education and intervention programmes
	Investigate avenues for further data collection e.g. puppy breeding motivations and patterns
	Links to Visit Wales and messages of responsible dog tourism
	Mail registered users on developments on legislation and other relevant issues such as a disease outbreak

## 9.2 Data collection and publication

The Core Group would recommend that any successor group has at its central purpose the collection and analysis of data on responsible dog ownership. This is an essential component of tackling problems, by first creating and interpreting a baseline, the Government and its partners can make a clearer and improved assessment of the effect of any legislation or intervention and indeed the impact of any new external factors.

This Review has suffered from the lack of central repository of auditable data with established parameters. It is believed that there is also far more information in the non-statutory sector than the statutory and so not subject to Freedom of Information. However the Core Group feel that organisations and agencies would be willing to submit their data and information if it carried the request of the Welsh Government and a clear purpose for its use was outlined. A steering group would be responsible for the collection, analysis and publication of the findings from the data, once the Minister has approved it and the development of the portal with the means for data collection as discussed previously would be invaluable in achieving this.

A small piece of work is recommended to develop the sources and parameters of requested data. We would envisage an annual return being the minimum but stakeholders may indicate every other year carries less of an administrative burden. We would also recommend options for collecting data through the portal, are explored.

Some statutory bodies may not be able to publish all related data, not least of all due to data protection rules, however an information sharing agreement could provide the avenue for certain information to be transferred for analysis, if only to officials of the Welsh Government.

As outlined in the Data chapter, we have identified the following sources, many of whom offered their information during their submissions or meeting with the Core Group.

### 9.2.1 Sources for data collection

*Table 6 Suggested data sources*

Enforcers	
Police	<ol style="list-style-type: none"> <li>1. The number of s1 dogs seized per Force.</li> <li>2. The number of s3 dogs seized per Force.</li> <li>3. The number of aggravated offences per Force.</li> <li>4. Kennel costs per Force.</li> </ol>

	<p>5. The number of CPNs.</p> <p>6. Longest and shortest length of time for 4Bs and prosecutions.</p> <p>7. The number of dogs put to sleep under S1 and S3                      [Please see Annex 8 for some of this data from 1991 up to and including 2014]</p>
RSPCA	<p>1. Number of s9 advice and improvement notices for dogs (incl what for).</p> <p>2. Number of prosecutions for s9 AWA offences (for dogs).</p> <p>3. Number of prosecutions for s4 AWA offences (for dogs).</p> <p>4. Number of prosecutions for s8 AWA offences.</p> <p>5. Number of other key prosecutions under the AWA, e.g. tail docking, ETDs, etc.</p> <p>6. The number of 1871 applications.</p>
Local Authorities	<p>1. The number of 1871 applications.</p> <p>2. Kennel cost per LA.</p> <p>3. Out of hours dog service times per LA.</p> <p>4. Number of dog wardens per LA.</p> <p>5. For a) complaints/calls and b) those responded to:-</p> <ul style="list-style-type: none"> <li>a. Numbers of strays</li> <li>b. Noise complaints</li> <li>c. Dog fouling</li> </ul> <p>6. Notices</p> <ul style="list-style-type: none"> <li>a. Animal Welfare Act</li> <li>b. Non-statutory ABCs</li> <li>c. Protection Orders</li> <li>d. Fixed Penalty Notices (fouling)</li> <li>e. Fixed Penalty Notices (other dog matters)</li> <li>f. General Warning letters</li> <li>g. CPN Warning letters</li> <li>h. CPNs issued</li> <li>i. Civil Injunctions</li> <li>j. Prosecutions</li> </ul> <p>7. Number of stray dogs</p> <ul style="list-style-type: none"> <li>a. Returned direct to owner</li> <li>b. Reclaimed by owner</li> <li>c. Re-homed by local authority/kennel</li> <li>d. Assigned to re-homing charity</li> <li>e. Euthanased</li> <li>f. Reasons for euthanasia                             <ul style="list-style-type: none"> <li>● Health</li> <li>● Behaviour</li> <li>● Unable to re-home</li> </ul> </li> </ul> <p>8. Licenses for:</p> <ul style="list-style-type: none"> <li>a. Pet shop</li> <li>b. Breeders</li> </ul>
<b>NGO sector</b>	

All dog welfare organisations	<ol style="list-style-type: none"> <li>1. Microchipping (intake already chipped after regs come into force)</li> <li>2. Rehoming</li> <li>3. Rescue intake</li> <li>4. Neutered/unneutered intake and rehomed dogs</li> <li>5. Number of dogs handled</li> <li>6. Euthanasia</li> <li>7. Number of dogs returned and reason</li> <li>8. Length of time in kennels</li> </ol>
BVA	<ol style="list-style-type: none"> <li>1. Vaccination uptake</li> <li>2. Neutering</li> <li>3. Microchipping</li> <li>4. Euthanasia</li> <li>5. Most common veterinary treatment</li> <li>6. Most common diseases</li> <li>7. Availability of qualified behaviourists</li> <li>8. Vet Compass</li> </ol>
NSA	Number and costs of sheep incidents
BHS	Number of incidents and costs for horses/riders involving dogs
CWU	Number of communication worker attacks [Wales-only figures on deaths and injuries]
ABTC	<ol style="list-style-type: none"> <li>1. Skills and location of membership in Wales</li> <li>2. Number of behaviour cases presented</li> <li>3. Most common problem behaviours</li> </ol>

### Government(s)

Welsh Government	<ol style="list-style-type: none"> <li>1. Household survey on dog ownership, procurement, insurance and identification [the current survey (Apr14-Mar15) states that 47% of households have a pet with 62% of those owning a dog, which was by far the most popular animal<sup>69</sup>.</li> <li>2. Road Traffic Incidents involving a dog. The Core Group is aware this is information is not currently collected, however these were collated by the Department of Transport (UK Govt) until 2004 and provided useful information on the number of accidents involving a dog on the road.</li> </ol>
Defra	The number of dogs in Wales that have been placed on the Index of Exempted Dogs under sections 4A and 4B of the Dangerous Dogs (Amendment) Act 1997 for each year from 1997 [please see annex 9 for the data on this up to and including 2014]
WG Depts of Health/Social Care & Public Health Wales	<ol style="list-style-type: none"> <li>1. Number of dog strikes and fatalities</li> <li>2. Zoonoses / disease incidents</li> </ol>

<sup>69</sup> <http://gov.wales/statistics-and-research/national-survey/?lang=en> (Accessed 10.12.15)



Ministry of Justice	The number of people proceeded against at magistrates' court under s2 of the Dogs Act 1871, within Wales police force areas [please see annex 10 for the data on this from 1997 up to and including 2014]
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<b>Private sector</b>	
Insurance companies	Information on number of dogs insured in Wales, types and nature of claims and any additional trend data
Microchip database companies	Information on numbers, breeds, ownership changes, etc.

### 9.2.2 Public Survey

We would also recommend, and as highlighted by Westgarth and Cooke in their written evidence, a public survey to ascertain what Responsible Dog Ownership is understood to mean. It could help to determine how dog owners are currently behaving and the expectation of the non-dog owning population so that we can understand which behaviours need addressing and how to do it.

In very simple terms we would advise asking questions around the following framework:

- How do dog owners currently behave and what do they think Responsible Dog Ownership is? (with questions framed around an agreed definition of responsible dog ownership which we would suggest as the one contained in Chapter 4)
- What is the current situation?
- How do different groups within society want dog owners to behave (non-dog owners, stakeholders) - what is their expectation and how do they differ to those of dog owners?
- How should dogs behave in society? With information on what is reality - drawn from dog experts.
- What is preventing people from behaving in the way which is expected? or are they being given unrealistic expectations?
- How do we get people to behave as is expected or to change their perceptions to ones which are more realistic?

This could form part of the Welsh Government's National Survey or be a standalone item. With support from a stakeholder group, a portal and the wider animal welfare sector, this would not have to involve a high cost to produce. Although we recognise there are flaws integral to any self-reporting survey, such as this, with certain safeguards it is our opinion this information would be very useful indeed. This work would be central to establishing the much-needed benchmark and then providing a means of measuring any intervention programmes, at a later date.

### 9.2.3 Further information on enforcement and data

A secure section of the portal could collect pertinent enforcement actions of investigation and prosecution (even if it was deemed necessary to anonymise the data). This could also help standardise the advice and warning notices in use across the three main enforcement bodies as well as providing the first (for the police and local authorities at an all-Wales level) formal record for compliance at advice stage. This would help inform all stakeholders on the use and recognition for the Code of Practice for dogs.

### 9.2.4 Final note on data collection

There will be potentially many more stakeholders willing to share data, than those this Review was able to interact with and a new steering group should engage as widely to ensure the picture created of Responsible Dog Ownership is as comprehensive and truly representative as possible. It is also important to note that quantitative data alone has limitations. Where funding, resources and expertise permit, any future work should look to establish some qualitative data lines - for instance for education and intervention programmes and for the thorough investigation of a serious dog bite incident.

### 9.3 Recommendations utilising the Responsible Dog Ownership definition structure

The following represent the Core Group's key recommendations following the definition of Responsible Dog Ownership. We have not included the vehicle for many of these proposals - that of the Portal - for fear of repetition, nor have we sought to suggest who in every case should lead that area of work. But as has been expressed elsewhere in this report, members of the Core Group are keen to continue, under the auspices of a new group tasked with pursuing these recommendations, with Welsh Government approval and input. The Core Group feel there has only been time for a very limited investigation into what is a huge and complex phenomenon and would not wish to see the work stop here. We would also note that there is some overlap between the themes and recommendations suggested.

Ensuring responsible dog ownership - issues/measures to consider:-

Table 7 Recommendation via the Responsible Dog Ownership definition structure

<b>A. Prepared for and understands the commitment and responsibility which dog ownership requires.</b>	<b>A.1 National Curriculum</b> - formal education should include key aspects of responsibilities under the law when keeping a pet. Safety around dogs should also be included.
	<b>A.2 Education/intervention programmes</b> - map all schemes in Wales and devise - in conjunction with those delivering such initiatives - a method of assessing their effectiveness. (but need to identify suitable courses/materials). Produce standardised materials are available as free download, target resources at parents and informal education routes.
	<b>A.3 Vet engagement</b> - development a structure for engagement with vets and their representative body, recognising their often pivotal role in the education of pet owners.
	<b>A.4 Training</b> - develop a standardised suit for training dogs and their owners with the 5 welfare needs and socialisation at its core. Seek accreditation.
<b>B. Acquired a dog with careful consideration ensuring that in doing so the health and welfare of the dog is protected as well as its parents</b>	<b>B.1 Vet engagement</b> - acknowledge the role vets play when individuals consult on the acquisition of a new puppy.
	<b>B.2 Dog Breeding Regulations</b> - assess the effectiveness of the new legislation, taking into account local government the effect of proposal local government reorganisations. Paying specific attention to enforcement levels and its relation to the acquisition of dogs. Investigate use of the puppy logbook, explore its potential and the relationship with the puppy contract.
	<b>B.3 Pet vending</b> - given the changing nature of the 'market', conduct further work into the potential for new regulations on pet vending to replace the Pet Animals Act 1951.

	<p><b>B.4 Housing</b> - issue guidance to social and private landlords about their pet policies - allowing dogs or responsible owners but not allowing any breeding or selling.</p>
	<p><b>B.5 Insurance companies</b> - facilitate a summit with the pet insurance industry to address costs and accessibility</p>
	<p><b>B.6 Enforcement standards</b> - acknowledge schemes designed to reduce irresponsible and illegal breeding, share best practice and ensure high training RSPCA training standards (e.g. local authorities and the RSPCA's Canine Focus Officers)</p>
<p><b>C. Ensures that their dog's present and future welfare needs<sup>70</sup> are met throughout all their life stages the extent required by good practice</b></p>	<p><b>C.1 Access to training and behaviour services</b> - work to ensure better access to training and behaviour services is available in order to aid prevention</p>
	<p><b>C.2 Insurance companies and vets</b> - as specified above</p>
	<p><b>C.3 Code of Practice for dogs</b> - Review the code with a view to updating and expanding it to include behaviour and social needs</p>
	<p><b>C.4 Responsible 'disposal' information</b> - enable discussion around the various acceptable methods e.g. rehoming, euthanasia, provisions in a will, changes in circumstance such as giving up a dog when falling pregnant</p>
<p><b>D. Takes reasonable steps to ensure that their dog's and their own behaviour in respect of their dog does not compromise the health, safety or well being of other persons, animals and the community.</b></p>	<p><b>D.1 Access to training and behaviour therapy for dogs</b> - as above</p>
	<p><b>D.2 Education/intervention programmes</b> - as above</p>
	<p><b>D.3 Database and/or dog licence</b> - that proper consideration be given to an all-Wales database with annual registration to offset the costs of irresponsible dog ownership to Society. NB WLGA may have a project in the pipeline which could assist. Please see section 9.4.2 below.</p>
	<p><b>D.4 Code of Practices for professional a) dog creches, b) dog sitters and c) dog walkers</b> - explore a voluntary code (initially) which should include a significant section on public safety. NB Wandsworth Council have a similar code.</p>
	<p><b>D.5 Landlords</b> - see housing above.</p>
	<p><b>D.6 Resources/funding</b> - consider ring-fencing funds for the police and local authorities for both preventative work and enforcement action.</p>
	<p><b>D.7 Aversive training</b> - restate support for ban on electric shock collars and consider firming this policy stance to be clearly against all aversive training methods. Investigate widening the legislation to include other equipment e.g. pinch collars (which the police banned 16+ years ago).</p>

<sup>70</sup> A recent study found that for dogs under the age of three years, the most common cause of death was behavioural problems - O'Neill, D.G., Church, D.B., McGreevy P.D., Thomson, P.C., & Brodbelt, D.C. (2013). Longevity and mortality of owned dogs in England. The Veterinary Journal <http://dx.doi.org/10.1016/j.tvjl.2013.09.020> (Accessed 17.2.16)

	<p><b>D.8 Dog safety advice</b> - target midwives and health visitors as well as other home visiting professionals with information on safety around dogs.</p>
	<p><b>D.9 Rural communities</b> - ensure rural orientated information (e.g. livestock and horses) is produced and is also tourist friendly. Link to travel operators, hotels and other connected outlets.</p>
	<p><b>D.10 MARACs<sup>71</sup></b> - ensure animals on site are listed and registered. They are potentially at risk of abuse themselves but the training and care of that dog also needs to be more widely assessed to determine the risks to others.</p>
	<p><b>D.11 Accreditation for dog wardens</b> - develop a system for ensuring training, standards and ongoing professional development is universal throughout Wales</p>
<p><b>E. Adheres to all statutory provisions relating to care, control and welfare of the dog.</b></p>	<p><b>E.1 Resources for enforcers</b> - clear and consistent messaging</p>
	<p><b>E.2 Code of Practice for Dogs</b> - updated as above</p>
	<p><b>E.3 Other legislation</b> - It is worth noting that the Core Group were, in the main, disappointed to see the Dog Control Bill (Wales) dropped. A consolidation in the laws relating to dogs would be beneficial to the public and enforcers alike, however it is important to move on and only identify the need for further legislation based on sound evidence. Although the written evidence suggested the majority of organisations wanted Dog Control Notices, this did not come through strongly in verbal. When asked what significant measures contained within the Dog Control Bill were missing from the 2014 Act - there was nothing substantial as to require an Assembly Act. As such it is not our recommendation and instead we want to see the 2014 used and reviewed first. In addition, although the welfare groups remain opposed to legislation that prohibits specific types<sup>72</sup> of dogs, the National Police Chiefs' Council remain of the opinion that any premature repeal of such legislation would pose an increased danger to public safety<sup>73</sup>. However the group would like to see annual dog registration properly explored - please see below.</p>
	<p><b>E.4 Data</b> - as detailed elsewhere in this chapter, the formal collection of data on dogs would create a baseline against which to judge the efficacy of various initiatives and any change brought about by external factors. The sharing of intelligence can also help reduce duplication and also share the burden amongst enforces.</p>

## 9.4 Costs

### 9.4.1 Offsetting the burden of irresponsible dog ownership on society

As has been mentioned elsewhere in this report, the Core Group acknowledges that there are costs associated with many of the detailed recommendations. Some of the suggested actions are known to be

<sup>71</sup> Multi-Agency Risk Assessment Conference - a meeting where information is shared on the highest risk domestic abuse cases between representatives of local police, health, child protection, housing practitioners, Independent Domestic Violence Advisors (IDVAs) and other specialists from the statutory and voluntary sectors.

<sup>72</sup> The legislation identifies types, not breeds, of dog prohibited

<sup>73</sup> DCC Gareth Pritchard, North Wales Police & NPCC lead on dangerous dogs.

already in the Welsh Government's strategy, for instance, a review of the code of practice, but the idea of a Portal would of course have a significant cost attached. Unfortunately there has been insufficient time to carry out an impact assessment or cost analysis during this project's time window.

The Core Group believes that it is possible to quantify the burden of irresponsible dog ownership to the public purse. Many of the costs for dogs on highways; incidents involving sheep and horses; strays; and dog bite related incidents (including to communication workers), are known. Some areas have been collated although it is recommended this work is re-done at an all-Wales level to ensure all relevant parties are included and the data submitted is accurate, with any hidden costs revealed. The combined figure is likely to be very high and certainly something no parties wish to see continue. With education and intervention (and not legislation) the primary vehicle for improving the situation in society and reducing the burden, it is important to have a combined purpose and resource across the statutory and voluntary sector to standardise all essential data and information. Only then can we begin to tackle the problem in a systematic way.

#### 9.4.2 Income from an annual dog registration scheme or Wales

The policies of the individual organisations serving on the Core Group differ on this issue but what was acknowledged as undeniable was the strong theme, within the verbal evidence sessions, in support of this proposal. This also represents a shift for many stakeholders who until recently have not joined in calls for such a plan to be given due consideration. It may be that some have begun to consider the next steps following the success of the mandatory microchipping of dogs legislation.

If the proposal could be, on paper, modelled and developed further in terms of the finite detail, it is also possible that more stakeholders, who have already indicated as such, would support such a move. Local government's view is that the income could be used to protect essential dog wardens services as well as deliver the training to deliver more education. Other stakeholders saw another opportunity to introduce a levy to fund public service campaigns to educate the hard-to-reach. A DNA database was also proposed which not least of all could potentially help reduce dog fouling. Changes in technology potentially make an annual scheme more achievable and there could be a role for the Portal if a capacity were built in, which would serve to further reinforce the idea that there is a one-stop-shop for all dog related matters in Wales.

An annual registration scheme may not be as controversial as government may think and would be eased by the likely adoption, in the near future, of a joint database by all 22 Welsh Authorities that is already in use in Northern Ireland and has the facility to record and process dog licences. A small number of local authorities (including one in Wales) are looking at a dog registration scheme based on Public Space Protection Orders, and/or the submission of DNA data. These could form a useful pilot for a wider licensing scheme, particularly as a way of assessing the practicalities of implementation and enforcement, and the level of acceptance by dog owners.

Dog licensing fees could be set to encourage neutering and vaccination, thereby improving responsible dog ownership. Additional benefits include faster and more comprehensive information for dog wardens and the opportunity to expand and share the data kept about each dog. However, it is acknowledged that there are issues with this solution, and in particular one argument that it could be seen as punishing good dog owners in order to deal with a small number of irresponsible dog owners. Although the ideal situation is that irresponsible ownership is reduced to such a level as to be able to use the funds for positive reasons for all dog owners, such as dedicated parks and subsidising dog training in the community. Other concerns have been raised that licensing would replace rather than enhance existing financing for dog warden services and, more worryingly, that licensing at the fee set in Northern Ireland would not allow full cost recovery of just the licence administration. Potentially there are other additional



benefits to the scheme, for instance a national database could assist with disease outbreaks and other emergency situations. A case study that warrants further study is the licensing system introduced in Calgery which residents have adjusted well to, and reports suggest a steep rise in responsible dog ownership directly linked to the scheme.

### **9.5 Stakeholder engagement**

As previously outlined, the Core Group was delighted and grateful for the engagement received from the stakeholders approached. That said, there were areas of concern surrounding the involvement of other government departments and agencies (as can be noted in Annex 1), specifically those in social and health services, and housing - professions who deal with many irresponsible dog owners in their line of work. This lack of engagement was certainly a loss to the process and ultimately the findings of this Review. We would like to acknowledge, though, attempts by the Welsh Government's animal welfare policy team to rectify this problem.

For any of the proposals contained in this document to work, it must be recognised that irresponsible dog ownership is a problem across society affecting a very wide range of people and services. Once acknowledged as a collective problem it must be recognised that all stakeholders are needed in order to achieve meaningful change. This is a pivotal role for the Welsh Government because in many cases they can require departments and agencies to participate.

### **9.6 Final comment**

This report has been very clear in pointing out the difficulties in embarking on such a project within such a confined timetable, however all members of the Core Group would like to say, on a very positive note, that subject to agreed (with Ministers) parameters all would be willing to continue the work that was begun within this Review. Many of us have expressed a clear sense of responsibility to help ensure the recommendations the Minister, we hope, wishes to endorse, come to fruition. There is one final recommendation of course, which is quite routine in circumstances such as these, that funding be provided to commission a thorough and full literature review to ensure all related recommendations have a solid scientific underpinning.

The Core Group wishes to thank the Deputy Minister for the opportunity to undertake this project, we trust she will find the final report interesting and informative reading and we look forward to hearing her thoughts.

## 10. Annexes

1. Stakeholder engagement
2. Core Group membership and attendance
3. Written evidence submissions
4. Verbal evidence transcripts
5. The Canine and Feline Sector Group Five Year Review of the Statutory Codes of Practice on the welfare of cats and dogs in England
6. Licensing Conditions for Dog Breeders
7. RSPCA Socialisation recommendations for local authority breeding licences - Neath Port Talbot County Borough Council Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 - Welsh Local Authority Licence Conditions July 2015
8. The number of people proceeded against at magistrates' court for selected offences under the Dangerous Dogs Act 1991, within Wales police force areas
9. The number of dogs in Wales that have been placed on the Index of Exempted Dogs under sections 4A and 4B of the Dangerous Dogs (Amendment) Act 1997
10. The number of people proceeded against at magistrates' court under s2 of the Dogs Act 1871, within Wales police force areas

## ANNEX 1

### Stakeholder engagement summary

Stakeholder(s)	Written evidence submitted	Meeting with Core Group
CWU, Councillor Dilwar Ali and Julie Morgan AM	Yes	Yes
BVA (Welsh Branch)	Yes	Yes
Kennel Club	Yes	Yes
Blue Cross	Yes	Yes
Battersea	Yes	Yes
PDSA	Yes	Yes
WLGA	Yes	Yes
ABTC	Yes	Yes
Guide Dogs Cymru	Yes	No
Countryside Alliance	No	Wished to, but unavailable on the dates
Hope Rescue	Yes	Yes
Dog Wardens Association	No	No
Greyhound Rescue Wales	Yes	No
Great Dane Care	Yes	Yes
CARIAD	Yes	Yes
League Against Cruel Sports	Yes	Yes
Canine Harmony	No	No
Coleg Meirion-Gwyfor	No	No
Ysgol y Gader	No	No
NFU Cymru	No	No
German Shepherd Dog Club of Wales	No	No
Polish Lowland Sheepdog Club of Wales	No	No
Greyhound Rescue Shropshire & Borders	No	No
Caerphilly Youth Forum	No	No
Farmers' Union of Wales	Yes	Yes
Cats Protection	Yes	No

Endangered Dogs Defence & Rescue Ltd	No	No
National Working Terrier Foundation	No	Yes
BASC	Yes	Yes
Animal Lifeline Wales	No	No
Royal Mail Group	No	No
Greyhound Welfare	No	No
Play Wales	No	No
The self help group for farmers, pet owners & others experiencing difficulties with the RSPCA	No	No
Country Land & Business Association	No	No
Union of Country Sports Workers	No	No
National Sheep Association	Yes	Yes
StreetKleen	No	No
Ian McParland, Forensic Dog Behaviourist, IPC Dog Services and The Good Dog Partnership	Yes	Yes
All-Wales Dog Warden Expert Panel	Yes	No (but represented on Core Group)
Dr Carri Westgarth	Yes	Wished to, but unavailable on the dates
British Horse Society (BHS)	Yes	Yes
Kendal Shepherd, Vet & Forensic Dog Behaviourist	Yes	Wished to, but unavailable on the dates
Welsh Government - Midwives & Health Visitors	No	No
Welsh Government - A&E	No	No
Community First (sent to the lead in all 22)	No	No
Welsh Government - Health & Social Services	No	No
Welsh Government - Education	No	No
Welsh Government - Adoption	No	No
Public Health Wales	Yes	Wished to, but unavailable on the dates
Natural Resources Wales	No	No

## ANNEX 2

## Core Group membership and attendance

Name and organisation	2015								2016	
	28 May	16 Jun	29 July	30 July	26 Aug	27 Aug	10 Sept	10 Nov	12 Jan	29 Feb
Claire Lawson RSPCA Cymru	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Dr Samantha Gaines RSPCA	✓		✓	✓	✓	✓		✓	✓	✓
Claire Robinson RSPCA	✓	✓	✓	✓	✓	✓	✓	✓	(maternity leave)	
Sian Edwards Dogs Trust	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Margaret Donellan Dogs Trust	✓	✓	✓	✓	(Left the Dogs Trust on 15 August)					
Helen Hill NPCC Cymru	✓	✓	(PCs Pennell & Evans took over as Police representatives)							
Keith Evans Dangerous Dog Working Group, Police		✓					✓			
Walter Pennell DLO, Police		✓	✓	✓	✓	✓	✓	✓	✓	✓
Alison Hughes Chair of the All-Wales Dog Warden Expert Panel, Local Government	✓	✓			✓	✓	✓	✓	✓	



## **ANNEX 3**

Written evidence submissions. Due to their size, these are hosted on a web page [please click here](#)

## **ANNEX 4**

Verbal evidence transcripts. Due to their size, these are hosted on a web page [please click here](#)

## **ANNEX 5**

The Canine and Feline Sector Group Five Year Review of the Statutory Codes of Practice on the welfare of cats and dogs in England. Due to the size of this document [please click here](#)

## ANNEX 6

### XXX County Council Licensing Conditions for Dog Breeders The Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014

#### Index

Condition 1:	Enhancement and Enrichment
Condition 2:	Socialisation
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Condition 8:	Grant or renewal of licences - Maximum amount of dogs kept
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Condition 10:	Size of Quarters
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Condition 16:	Strategy for the retirement of breeding bitches and stud dogs
Condition 17:	Material change to / at the Licensed premises
Condition 18:	Health Annual Check
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#### Schedule 1

##### Part 1 – Licence Conditions

##### **Condition 1 – Enhancement and Enrichment**

1. The licence holder must implement an enhancement and enrichment programme that has been approved by the local authority.

##### **Condition 2 – Socialisation**

2. The licence holder must implement a socialisation programme that has been approved by the local authority.

##### **Condition 3 – Health**

3. The licence holder must take all reasonable steps to protect dogs from pain, suffering, injury and disease.

##### **Condition 4 – Mating**

4. The licence holder must ensure a breeding bitch —
  - (a) is not mated until she is 12 months old;
  - (b) does not give birth to more than 1 litter of puppies in a 12 month period; and
  - (c) does not give birth to more than 6 litters of puppies in total.

##### **Condition 5 – Change of ownership of a puppy**

5. The licence holder must retain ownership and possession of a puppy on the premises occupied by the licence holder until it is at least 56 days old.

##### **Condition 6 – Breeding bitch record requirements**

- 6.(1) The licence holder must maintain a written record in relation to each breeding bitch kept setting out her:
  - (a) name;
  - (b) date of birth;
  - (c) breed;
  - (d) physical description including colour and identifying features;
  - (e) health status;
  - (f) mating details including;
    - (i) in relation to the sire, the information required in sub-paragraph 1(a) to (e);
    - (ii) in relation to each puppy born –
      - (aa) date of birth;
      - (bb) when ownership is transferred, the new owners name and address.

- 6.(2) When ownership of a breeding bitch is transferred the name, address and telephone number of the new owner must be recorded by the licence holder on the record referred to in sub-paragraph (1) and a copy of the record must be provided to the new owner and a copy retained by the licence holder.

- 6.(3) The record referred to in sub-paragraph (1) must be available for inspection and retained by the licence holder for the lifetime of the breeding bitch.

#### **Condition 7 – Puppy record requirements**

7.(1) The licence holder must maintain a written record confirming the following details in relation to each puppy which is on the premises occupied by the licence holder:

- (a) sex;
- (b) date of birth;
- (c) breed;
- (d) physical description including colour and identifying features;
- (e) health status;
- (f) in relation to the dam, the information required by condition 6.(1) (a) to (e); and
- (g) in relation to the sire, the information required by condition 6.(1) (a) to (e).

- 7.(2) When ownership of a puppy is transferred, the name address and telephone number of the new owner must be recorded by the licence holder on the record referred to in sub-paragraph (1) and a copy of the record must be provided to the new owner and a copy retained by the licence holder.

- 7.(3) The record referred to in sub-paragraph (1) must be available for inspection by the local authority at any time and retained by the licence holder for 3 years from the date of birth of the puppy.

#### **Regulation 8 (2) (b)**

#### **Condition 8 - Grant or renewal of licences - Maximum amount of dogs kept**

8. A condition specifying the maximum number of adult dogs and puppies to be kept under the terms of the licence.

#### **Regulation 8 (2) (c)**

#### **Condition 9 - Grant or renewal of licences - Staff to dog ratio**

9. A condition specifying a staff to adult dog ration which must ensure as a minimum staff requirement –

- (i) 1 x full-time attendant per 20 adult dogs kept; or
- (ii) 1 x part-time attendant per 10 adult dogs kept.

#### **Regulation 8 (3) - Welsh Local Authority Licensing Conditions**

#### **Condition 10 – Size of Quarters**

10. The following are the minimum size requirements for :

##### **Small Size Dogs**

No. dogs	Free access to exercise	Limited access to exercise
1	2.5 sq m	4.5 sq m
2	2.5 sq m	4.5 sq m
3	4.5 sq m	6.5 sq m
4	6.0 sq m	8.5 sq m

##### **Medium Size Dogs**

No. dogs	Free access to exercise	Limited access to exercise
1	2.5 sq m	4.5 sq m
2	4.5 sq m	6.5 sq m
3	6.0 sq m	8.5 sq m

##### **Large Size Dogs**

No. dogs	Free access to exercise	Limited access to exercise
1	4.5 sq m	6.5 sq m
2	6.0 sq m	8.5 sq m

#### **Guidance:**

Size of dogs:

*Small – Pugs, Bichon Frise, Terriers*

*Medium – Spaniels, Bearded Collie, Beagle*

*Large – Labrador, Boxer*

*Free access to exercise means the dogs have unrestricted daily access to exercise area.*

*Limited access to exercise means the dogs have restricted access to an exercise area.*

*The kennel should be sufficiently large to allow each dog to be able to walk, turn around and wag its tail without touching the sides of the kennel, to play, to stand on its hind limbs and to lie down without touching another individual.*

*When the animal/s is in the kennel there should be sufficient space for the door to open fully.*

*Bitches with litters should be provided with double this space allowance.*

#### **Condition 11 – Whelping Facilities**

- 11.(a) All bitches must be provided with a designated area or kennel prior to whelping, with a suitable whelping box/bed.
- 11.(b) Heating facilities must be adequate, secure and safe and capable of providing the range of temperatures, suitable for both pups and bitch.
- 11.(c) An area must be provided where a bitch can rest away from her pups.

#### **Guidance:**

*Bitches should generally be housed with other dogs in a pair or group, but should be individually housed for a few days prior to whelping. However, they should continue to have sight, sound and smell of other familiar bitches and daily contact with humans.*

*The whelping area/kennel should cater for the maximum number of puppies taking account of breed size and litter size. To avoid crushing puppies, crush bars can be useful.*

*From approximately 3 days after parturition, bitches should be given short periods of exercise away from their litter.*

*Bitches due to whelp should be inspected regularly.*

*When in labour, bitches should be closely monitored and if any signs of difficulty are shown, a vet should be contacted as a matter of urgency. Contact details for veterinary support should be readily available.*

#### **Condition 12 – Supervision**

- 12.(a) Where the Licensee is absent for some time then supervision of the premises must be by a suitable and competent person of least 16 years of age.
- 12.(b) Those that supervise must have a thorough and detailed knowledge of the licensing conditions and comply with them at all times.
- 12.(c) The Licensee must live in close proximity to the Licensed premises, so as to be able to attend promptly at all times.
- 12.(d) Dogs must be visited at regular intervals, as necessary to ensure their health, safety and welfare and prevent any unnecessary suffering.
- 12.(e) Regular intervals must be a minimum of 3 times per day.

#### **Guidance:**

*Anyone supervising the dogs, need to have sufficient knowledge and experience to be able to handle the dogs correctly and safely. They must also be able to recognise if a dog's behaviour suggests there is a problem and act appropriately.*

*All breeders and staff should have access to and be familiar with the Code of Practice for the Welfare of Dogs and all other relevant legislation.*

*They should have a sound working knowledge of dog breeding and be aware of good practice and trait(s) of the breed(s) in their establishment.*

#### **Condition 13 – Health Status of dogs**

- 13.(a) There must be a daily physical inspection of every animal to check for any signs of illness, injury or distress.
- 13.(b) Stud dogs and breeding bitches must be physically and behaviourally sound.
- 13.(c) Any breeding stock which appears to the licensing inspector to exhibit unsound hereditary or behavioural characteristics may be required to be verified as sound by the Licensee's veterinary surgeon. Advice from a veterinary surgeon must be sought without delay where a dog shows signs of disease, injury, illness or behavioural disorder and recorded in the dog's logbook and be available to potential purchasers.

#### **Guidance:**

*Any breeding stock that show signs of fear or anxiety do not normally make a good parents.*

*Puppies should be the product of healthy, sociable and environmentally competent parents.*

#### **Licence Condition 14 - Dog Identification**

- 14.(a) Breeding bitches and stud dogs must be micro chipped by a suitably competent person and registered on a recognised national database.
- 14.(b) The Licensee must complete a Breeding Bitch Record and a Puppy Log Book in the format detailed in the Welsh Minister's Guidance or in another format that replicates this information.
- 14.(c) After the dogs have left the Licensed premises, records must be kept for a minimum of 24 months and must be available on demand to authorised officers.



**Guidance:**

*Please refer to the Welsh Ministers Guidance Schedule 1 for an example of a Breeding Bitch Record.  
Please refer to the Welsh Ministers Guidance Schedule 2 for an example of a Puppy Log Book.*

**Licence Condition 15 - Responsible Breeding**

15.(a) Any breeding stock which proves to exhibit unsound hereditary or behavioural characteristics must not be bred from.

15.(b) When intentionally breeding crossbreeds, breeders must have due regard to the breeds' compatibility for ease of whelping and to produce healthy puppies.

**Guidance:**

*Licencees should be familiar with the health screening tests available to their chosen breeds, in consultation with their own Veterinary Surgeon.*

*Cross breeds are defined as offspring of any two or more recognised breeds of dogs.*

*Breeding closely related animals should be carefully considered.*

*Close breeding examples include mating between brother and sister, father and daughter, mother and son, grandparent and grandchild or half brother or sisters.*

**Licence Condition 16 - Strategy for the retirement of breeding bitches and stud dogs.**

16.(a) All retired breeding bitches and stud dogs being kept within the Licensed premises will still be included on the licence.

16.(b) Breeders must have a plan for dealing with retired dogs.

**Guidance:**

*Breeders should plan for the retirement of their breeding dogs. Should retirement involve re-homing to a domestic environment dogs must be exposed, during their working lives, to a programme of stimulation designed to maintain their socialisation with humans and their competency with the domestic environment.*

**Licence Condition 17 - Material change to / at the Licensed premises**

17. The Licensee must inform the licensing authority before making any material change to / at the Licensed premises.

**Guidance:**

*A "material change" may include such things as building new kennels; significantly increasing the number of dogs, reduction in staff at the kennels etc*

**Licence Condition 18 - Health Annual Check**

18.(a) The licensing authority requires the Licensee to have all stud dogs and breeding bitches checked by a veterinary surgeon each year. The veterinary surgeon will compile a written Health and Welfare Report which details the dogs he inspected.

18.(b) The Report will detail the health and welfare of the dogs and will state whether the dogs are fit to be used in the breeding establishment. This Report will be supplied to the Licence authority at the time of the Licence application.

18.(c) The licensing authority will not accept an assessment of the dogs made by a veterinary surgeon for the Health and Welfare Report if the assessment has taken place more than 3 months prior to the date of the commencement of the Licence.

18.(d) Where the veterinary surgeon has made recommendations in the report these will be considered as being mandatory requirements where they may affect the dogs health, welfare or safety.

**Licence Condition 19 - Plan for a Licensed premises and displaying Licence**

19.(a) The Licensee must submit a suitable plan showing the outline of the buildings, kennel layout, exercise yard and any other construction relevant to the Licensed premises.

19.(b) The current Licence must be displayed on the premises.

**Guidance:**

*This outlined plan may be hand drawn but must be in a rough scale to other buildings. All outlines must be identified on the plan. The plan must have the name of the premises written on it, the date and the name of the person who has drawn it.*

## ANNEX 7

For the RSPCA's response to Neath Port Talbot County Borough Council's consultation (on behalf of Welsh authorities) on the Animal Welfare (Breeding of Dogs) (Wales) Regulations 2014 - Welsh Local Authority Licence Conditions July 2015, please click [here](#). Of note within this document is the following guide on behavioural signs of anxiety in dogs and puppies:-



# Understanding dog behaviour

YOUR DOG'S BODY LANGUAGE CAN HELP YOU TO UNDERSTAND HOW THEY ARE FEELING

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## A happy dog

**A dog who is happy will be relaxed.**

**1**



Dog has a relaxed body posture, smooth hair, mouth open and relaxed, ears in natural position, wagging tail, eyes normal shape.

**2**



Dog is inviting play with bottom raised, smooth hair, high wagging tail, eyes normal shape, ears in natural position, may be barking excitedly.

**3**



Dog's weight is distributed across all four paws, smooth hair, tail wagging, face is interested and alert, relaxed and mouth open.

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## A worried dog

**These dogs are telling you that they are uncomfortable and don't want you to go near them.**

**1**



Dog is standing but body posture and head position is low. Tail is tucked under, ears are back and dog is yawning.

**2**



Dog is lying down and avoiding eye contact or turning head away from you and lip licking and ears are back.

**3**



Dog is sitting with head lowered, ears are back, tail tucked away, not making eye contact, yawning, raising a front paw.

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## An angry or very unhappy dog

**These dogs are not happy and want you to stay away or go away.**

**1**



Dog is standing with a stiffened body posture, weight forward, ears are up, hair raised, eyes looking at you – pupils dark and enlarged, tail is up and stiff, wrinkled nose.

**2**



Dog is lying down cowering, ears flat, teeth showing, tail down between legs.

**3**



Dog is standing with body down and weight towards the back, head is tilted upwards, mouth tight, lips drawn back, teeth exposed, eyes staring, ears back and down, snarling.

Royal Society for the Prevention of Cruelty to Animals  
 Wilberforce Way, Southwater, Horsham, West Sussex RH13 9RS  
[www.rspca.org.uk](http://www.rspca.org.uk) [facebook.com/RSPCA](https://www.facebook.com/RSPCA) [twitter.com/RSPCA\\_official](https://twitter.com/RSPCA_official)  
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## ANNEX 8

The number of people proceeded against at magistrates' court for selected offences<sup>74</sup> under the Dangerous Dogs Act 1991, within Wales police force areas<sup>75</sup>

Year	Number of proceedings
1991	0
1992	41
1993	54
1994	13
1995	28
1996	24
1997	27
1998	44
1999	66
2000	90
2001	79
2002	78
2003	76
2004	89
2005	73
2006	66
2007	77
2008 <sup>76</sup>	72
2009	78
2010	96
2011	104
2012	143
2013	100
2014	98

<sup>74</sup> Includes offences under s1(3), 3 (1) and 3(3) of the Dangerous Dogs Act 1991 which came into effect on 12 August 1991.

<sup>75</sup> Hansard, 24 November 2015, Source: Justice Statistics Analytical Services - Ministry of Justice Ref: PQC16879.

<sup>76</sup> Excludes data for Cardiff magistrates' court for April, July and August 2008.

## ANNEX 9

The number of dogs in Wales that have been placed on the Index of Exempted Dogs under sections 4A and 4B of the Dangerous Dogs (Amendment) Act 1997 for each year from 1997<sup>77</sup>

Year	Number of dogs
1997	0
1998	0
1999	0
2000	0
2001	0
2002	0
2003	0
2004	1
2005	1
2006	0
2007	2
2008	7
2009	7
2010	9
2011	17
2012	33
2013	41
2014	35

<sup>77</sup> Hansard, 23 November 2015

<http://www.parliament.uk/business/publications/written-questions-answers-statements/written-question/Commons/2015-11-18/16791>. (Accessed 10.12.15)

## ANNEX 10

The number of people proceeded against at magistrates' court under s2 of the Dogs Act 1871, within Wales police force areas<sup>78 79</sup>

Year	Number of people
1997	97
1998	116
1999	82
2000	64
2001	69
2002	57
2003	45
2004	29
2005	26
2006	17
2007	18
2008	15
2009	4
2010	8
2011	6
2012	4
2013	5
2014	7

<sup>78</sup> Hansard, 24 November 2015, Source: Justice Statistics Analytical Services - Ministry of Justice Ref: PQC16790.

<sup>79</sup> The figures given in the table relate to persons for whom these offences were the principal offences for which they were dealt with. When a defendant has been found guilty of two or more offences it is the offence for which the heaviest penalty is imposed. Where the same disposal is imposed for two or more offences, the offence selected is the offence for which the statutory maximum penalty is the most severe.

