

WRITTEN MINISTERIAL STATEMENT  
DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS  
TACKLING IRRESPONSIBLE DOG OWNERSHIP  
Date: 23 April 2012

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Minister of State for Agriculture and Food (James Paice)

I am pleased to announce a package of measures to tackle irresponsible dog ownership. I apologise to the House that this announcement is four weeks later than intended.

In the past few years there has been a sharp rise in the problems associated with irresponsible dog ownership. The number of adults sentenced for offences relating to dangerous dogs has increased by 39 per cent from 855 in 2009 to 1,192 in 2010. The number of dog-related admissions to hospital has also risen significantly, from 2,915 in 1997 to 6,118 in 2010. In 2009 alone, dog attacks cost the NHS £3.3 million in treating the most serious cases where victims had to be admitted for treatment. Every year there are numerous reported attacks on Royal Mail, Parcelforce and British Telecom staff. Most of these attacks take place on private property. Between 2007 and 2010, five people were killed following a dog attack in the home; four of the victims were children under the age of four years.

Concerns have also been raised with Defra about dog attacks on health visitors and social workers during home visits.

Irresponsible dog ownership is a complex problem and there is no single solution. The primary responsibility for ensuring that dogs are kept under proper control must rest with individual owners who should only acquire a dog if they are prepared to look after it properly and make sure that it does not become a nuisance or a danger to others.

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

The responses showed that there was no support for adding other breeds or types to the list of prohibited dogs. However the police specifically made the point that removing the ban on the four specific prohibited types, Pit Bull Terrier, Japanese Tosa, Dogo Argentino and Fila Brasileiro, would significantly increase the risk of dog attacks because these four prohibited types were originally specifically bred for fighting, are renowned for their aggressive behaviour and are known to be disproportionately dangerous when in the hands of an irresponsible individual or when dangerously out of control.

Having considered the replies to the consultation and further consulted the police, local authorities and other organisations who are in the frontline in dealing with irresponsible dog ownership, Government has decided that it would be appropriate to extend existing dangerous dogs law in England to cover all private property. Extending the current law would make it enforceable in homes, private gardens and private land where people and dogs are entitled to be, better protecting the thousands of service workers such as medical staff and postmen whose jobs take them onto private property. However, the proposed extension to the criminal law will not extend to protect trespassers who have entered the private property with unlawful intentions.

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In addition, to ensure the welfare of dogs that have become the subject of court proceedings and to ease the costs to the police service, Government has also decided that it should no longer be necessary for the police to seize and kennel dogs pending the outcome of court proceedings where the police do not consider the dog presents a risk to the public. The requirement to seize the dog will not be waived unless the police are satisfied that it is in the care of a responsible owner.

In addition interim conditions can be placed on the owner e.g. requiring the dog to be muzzled and on lead when in public (this would apply in England).

We consider that allowing dogs to be exempted from seizure in these circumstances strikes the right balance between protecting the public from dangerous dogs and ensuring that safe and properly looked after dogs are not unnecessarily removed from their homes. We propose to raise the fee of £24 (first set in 1991) payable by the owner for placing prohibited dogs on the Index of Exempted Dogs to better reflect the costs involved in administering these dogs for their lifetime and thereby reduce the burden on the taxpayer (this would apply throughout Great Britain). Further funding is also being given to the Association of Chief Police Officers to support the training that they provide for Dog Legislation Officers in order to ensure that there is a hub of dog law expertise in every police force.

It is also our intention to introduce regulations under the Animal Welfare Act 2006 on microchipping to promote animal welfare by making it easier for local authorities and rescue centres to quickly re-unite stray dogs with their owners. It would also help the police and local authorities to enforce dog and animal welfare legislation. Our preferred approach is to make breeders responsible for microchipping the puppy before sale.

Therefore a further consultation is being held to give the public an opportunity to give their views on these proposed legislative changes. In relation to microchipping the options are: (i) requiring all dogs to be microchipped on transfer of ownership, (ii) requiring all dogs to be microchipped from a certain date, (iii) implementing a phased-in process, such as starting with compulsory microchipping on transfer of ownership and after five years moving to mandatory microchipping of all dogs, or (iv) making breeders responsible for microchipping newly-born dogs before (first) sale. This is the responsibility of the breeder or seller and not the purchaser. The preferred option is the fourth one.

We consider that education also has a significant role to play in reducing the problems associated with irresponsible dog ownership. Government is providing funding of £50,000 to be shared between the RSPCA, Battersea Cats and Dogs Home and the Dogs Trust to foster innovative local community projects to encourage responsible dog ownership in areas where there are high instances of dog-related problems. The funding is being provided on the basis that the interventions will be carefully evaluated and the learning disseminated to help others engaged in working with local communities.

In drawing up these measures, Defra has worked with the Home Office to ensure the new anti-social behaviour measures they are preparing reflect the needs of enforcement agencies and enhance their ability to prevent irresponsible dog owners presenting a risk to the general public.

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Local authorities already have powers to designate areas of public space as 'dog free zones' whilst Social Landlords are able to lay down rules for their tenants regarding the keeping of dogs or other animals. Many local initiatives build on these powers and today's announcement compliments them to address the small minority of dog owners who cause such distress to these whom they attack or intimidate.