

Summary of Responses to the Consultation on Dangerous Dogs from 9th March 2010 to 1st June 2010

March 2010

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Introduction

This document provides a summary of responses to Defra's public consultation exercise on dangerous dogs. It analyses the 4,250 responses.

Background

A more detailed background, including an explanation of the existing legislation relating to dangerous dogs, can be found in the consultation document, which can be found at:

<http://www.defra.gov.uk/corporate/consult/dangerous-dogs/100309-dangerous-dogs-condoc.pdf>

There has been growing concern over public safety issues relating to dangerous and status dogs and this is an issue which the Government takes very seriously. The term "status dog" describes the ownership of certain types of dogs which are used by individuals to intimidate and harass members of the public. These dogs are traditionally, but not exclusively, associated with young people in inner city estates and those involved in criminal activity. In recent years, incidents, attacks and fighting of these dogs has increased and some of these incidents have involved children and disabled people resulting in tragic consequences.

The Metropolitan Police alone have reported a rise in the number of dangerous dogs processed through the courts from 35 in 2002/3 to 719 in 2008/9 and in March 2009 they set up a new Status Dogs Unit (SDU) to specifically address these issues. In March 2010 the SDU reported that they had seized over 1,000 dogs in their first year. In 2008, the RSPCA received 188 calls related to dog-fighting in streets or parks involving young people.

Animal welfare charities have informed us that there are an increasing number of status dogs which are difficult to re-home. The resources required to enforce the law places an increasing financial burden on those responsible: the Metropolitan Police spent £1.35 million last year kennelling seized dogs while waiting for an outcome at court. The cost to the health service and the court service has not yet been established.

It was therefore considered appropriate to give interested stakeholders and the general public the opportunity to express their views on whether it is necessary to amend the current laws relating to dangerous dogs and if so, how these might be changed.

Consultation

The consultation sought views on seven possible options:

1. An extension of the criminal law (ie section 3 of the Dangerous Dogs Act 1991) to all places, including private property;
2. Additions or amendments to (including possible repeal of) section 1 of 1991 Act (breed specific legislation);

3. Repeal of the Dangerous Dogs (Amendment) Act 1997 to prevent any more dogs being added to the Index and introducing a mandatory destruction order;
4. The introduction of Dog Control Notices;
5. A requirement that all dogs are covered by third-party insurance;
6. A requirement that all dogs, or puppies, are microchipped; and
7. More effective enforcement of the existing law, including a consolidation of existing statutes into one new updated Act.

To facilitate comments, the consultation asked forty questions about the seven options.

List of organisations that responded

Animal Concern Advice Helpline
 Association of British Insurers
 Association of Chief Police Officers of England, Wales and Northern Ireland
 Association of Pet Behaviour Counsellors
 Association of Residential Managing Agents Limited
 Battersea Dogs & Cats Home
 Blue Cross
 Bradford Metropolitan District Council
 British Association for Shooting & Conservation
 British Horse Society
 British Veterinary Association/British Small Animal Veterinary Society
 Camden Borough Council
 Camden Community & Police Consultative Group
 Canine99
 Canine Care & Control UK
 Cats Protection
 Chester Cat Care
 Communication Workers Union
 Countryside Alliance
 Dangerous Dogs Act Study Group
 Dogs Trust
 East Hampshire District Council
 Greater London Authority
 Guide Dogs for the Blind
 Haringey Borough Council
 Lambeth Borough Council
 Local Authorities Co-ordinating Regulatory Services
 League Against Cruel Sports
 Leicestershire & Rutland Bridleways Association
 Lewisham Borough Council
 Manchester City Council
 Metropolitan Police Service
 National Animal Welfare Trust
 National Dog Tattoo Register
 National Dog Warden Association
 National Farmers Union
 National Gamekeepers Organisation

NHS National Counter Fraud & Security Management Service
National Working Terrier Federation
Naturewatch
Northamptonshire Animal Welfare Liaison Group
PDSA
Pet Care Trust
Pet Detect
Pet Education, Behaviour & Training Council
RBS Insurance
Rochford District Council
Royal Borough of Kensington & Chelsea
Royal College of Nursing
Royal College of Veterinary Surgeons
Royal Mail
Royal Society for the Prevention of Cruelty to Animals
Self Help Group
South Coast Staffordshire Bull Terrier Rescue
Tenant Farmers Association
Tendring District Council
The Kennel Club
Tonbridge & Malling District Council
Universities Federation for Animal Welfare
University of Bristol Companion Animal Group
Wakefield Council
Wandsworth Borough Council
West Midlands Police
Wokingham Borough Council
Wood Green Animal Shelters
World Society for the Protection of Animals
Wyre (Lancs) Agility Club

Summary of Responses

Summary of All Responses to Headline Questions (Qs 1, 4, 7, 10, 16, 19, 24, 29, 36, 37, 38)

Below are the basic statistical answers to the “headline” questions for each policy option:

Option 1: Extension of criminal law (i.e. section 3 of the 1991 Act) to all places, including private property

Q1: Do you think that the Dangerous Dogs Act 1991 should be extended to cover all places, including private property where a dog is permitted to be?

Yes - 37% No - 63% (3,215 responses)

Option 2: Additions or amendments to (including possible repeal of) section 1 of the 1991 Act

Q4: Do you think that breed specific legislation (BSL), in its current form, is effective in protecting the public from dangerous dogs?

Yes – 12% No – 88% (2,850 responses)

Q7: Do you think that BSL should be repealed?

Yes – 71% No – 29% (2,737 responses)

Option 3: Repeal of the 1997 Dangerous Dogs (Amendment) Act to prevent any more dogs being added to the Index

Q10: Do you think that the exemption introduced by the 1997 amendment should be removed?*

Yes – 38% No – 62% (1,918 responses)

* Some people may have answered Q10 in the affirmative either because they did not want prohibited type dogs added to the Index or because they want breed specific legislation repealed altogether.

Option 4: The introduction of Dog Control Notices

Q16: Do you think Dog Control Notices (DCNs) might be an effective preventative measure for tackling dogs which are not being properly controlled?

Yes – 68% No – 32% (1,894 responses)

Q19: Do you think it should be possible to issue DCNs which apply to private property?

Yes – 46% No – 54% (1,824 responses)

Option 5: A requirement that all dogs be covered by third-party insurance

Q24: Do you think that third-party insurance should be compulsory for all dog owners?

Yes – 41% No – 59 % (1,884 responses)

Option 6: A requirement that all dogs, or puppies, are microchipped

Q29: Do you think that all dogs should be microchipped?

Yes – 84% No – 16% (1,875 responses)

Option 7: More effective enforcement of the existing law, including a consolidation of existing statutes into one new updated Act

Q36: Do you think that all legislation relating to dangerous dogs should be consolidated into a single piece of legislation?

Yes – 78% No – 22% (1,719 responses)

Q37: Do you think that more effective enforcement of current legislation would improve the situation regarding dangerous dogs?

Yes – 53% No – 47% (1,758 responses)

Q38: Do you think further training for police officers to become Dog Legislation Officers would improve the situation regarding dangerous dogs?

Yes – 63% No – 37% (1,778 responses)

All Responses to Individual Questions

The following summary provides:

- (i) the answers to each question represented as percentages of all responses;
- (ii) total number responses to each question asked in the consultation document;
- (iii) examples of the most popular reasons for each answer; and
- (iv) random quotes from responses (main headline questions only).

Option 1: Extension of criminal law to private places

Q1: Do you think that the Dangerous Dogs Act 1991 should be extended to cover all places, including private property where a dog is permitted to be?

Yes - 37% No - 63% (3,215 responses)

Yes -

- Lack of protection for people entitled to have access (eg postal workers).
- Dog owners should be responsible for their dog wherever it is.
- Most dog attacks occur in home – legislation needs to reflect this.
- Social workers can feel intimidated and therefore unable to do their work.
- Should exclude domestic dwelling (ie only parts of property accessible to public).
- Exemptions for attacks on intruders.

No -

- Existing law is sufficient (ie Dogs Act 1871 and Dangerous Dogs Act

1989).

- Intruder could prosecute home/dog owner.

Quotes:

Yes -

“We would see such a change as having a deterrent effect, especially if penalties reflect the seriousness of the assault. It is an anomaly that a physical attack on a nurse by a patient or their relative within a private home is treated as a criminal offence but not an attack by a dog for which the owner has responsibility.” – *Royal College of Nursing*

No -

“A dog in its own home may be more territorial than outside and display more aggressive type behaviour but would not necessarily be a dangerous dog or out of the owners control. If it nipped or jumped up at a visitor if the DDA was extended to include private property this could potentially lead to the owner being prosecuted under a criminal proceeding. The Dogs Act 1871 allows for some civil remedies and provides a court with additional powers on a complaint about dangerous dogs” – *RBS Insurance*

Q2: Do you think that extending the Dangerous Dogs Act 1991 to cover all places could have a financial impact upon the police/courts/Crown Prosecution Service?

Yes – 83% No – 17% (3,210 responses)

Yes -

- More offences leading to more seizures, kennelling, and prosecutions.
- May have an initial impact but may act as a deterrent and therefore costs would drop.

No -

- Relatively few cases

Q3: Do you think that extending the Dangerous Dogs Act 1991 to cover all places could have a financial impact upon welfare organisations/dog homes?

Yes - 81% No - 19% (3,214 responses)

Yes -

- More abandonment/animals being handed in.
- An initial impact, but not in long term.
- Other measures might offset costs (eg microchipping, dog registration).

No -

- Would affect local authorities more than rescue centres.
- Cases are rare.

Option 2: Additions or amendments to (including possible repeal of) section 1 of the 1991 Act

Q4: Do you think that breed specific legislation (BSL), in its current form, is effective in protecting the public from dangerous dogs?

Yes – 12% No – 88% (2,850 responses)

Yes –

- A high number of dogs that are found to be dangerously out of control are prohibited type dogs.
- Pit bulls are used for dog fighting and are not ideal pets.
- Although Pit bulls are not most aggressive of dogs they are dangerous because they reach an extreme state of arousal far quicker than other breeds and maintain for longer.

No –

- Hasn't reduced dog attacks.
- Breed only plays small part in temperament.
- Too costly (kennelling, lengthy court cases).
- Doesn't target dogs that are dangerous.

Quotes:

Yes -

“One cannot say how many people have never been injured due to certain breeds being prohibited in this country. Certain groups will criticise BSL when a person is injured by a legal breed of dog, stating, “Any dog can bite”. Yet when a person is bitten by a Pit Bull Type dog, the legislation is still criticised for being ineffective. Similar “preventative legislation” is not considered for repeal when an individual is shot, stabbed or poisoned, it is accepted that although not all incidents can be prevented, the preventative legislation has been beneficial to some.” – *West Midlands Police*

No -

“Breed specific legislation is fundamentally flawed because it assumes that all dogs of a specific breed (or type) are inherently dangerous based on the actions of a few clearly in irresponsible hands. It is not based on any scientific fact or logical thinking. Dogs are restricted and deemed dangerous according to their phenotype - what they look like largely determines their fate.” – *Endangered Dogs Defence & Rescue Ltd*

Q5: Do you think that BSL should be extended to include

other breeds or types of dogs?

Yes – 29% No – 71% (2,829 responses)

Yes –

- Consideration should be given to placing controls (eg muzzling) on certain breeds rather than prohibiting.

No –

- It doesn't work.
- No evidence that dangerousness of a dog is linked to its breed.

Q6: If BSL were extended to include other breeds or types of dogs, what is the evidence to justify doing so?

The overwhelming response was that there was no such evidence. For the handful of other replies, some suggested that size and weight should determine whether breeds should have restrictions.

Q7: Do you think that BSL should be repealed?

Yes – 71% No – 29% (2,737 responses)

Yes –

- Dangerousness of a dog is not linked to its breed.
- It has failed to prevent dog attacks or reduce pit bull ownership.
- It is difficult to enforce/identify the prohibited types.
- Resulted in lengthy kennelling of dogs waiting to be identified.

No –

- No realistic alternative.
- Useful enforcement tool.
- Helps tackle illegal dog fighting.

Quotes:

Yes -

“Genetics (breed) plays only a part in the temperament of an individual dog and scientific studies from around the world show that environment probably has a far greater effect. A large percentage of dog biting incidents are due to the irresponsible actions of owners, who have either not taken the time and trouble to train their dog correctly, or have indeed trained them to behave aggressively. Consequently any legislation based on genetics that ignores the influence of the dog's keeper on its behaviour is likely to be ineffective.” – *The Kennel Club*

No -

“There appears to be insufficiently robust alternative laws to ensure the protection of the public if the DDA were repealed.” – *Metropolitan Police*

Q8: Do you think extending BSL will have a financial impact on other organisations, such as the police and dog shelters?

Yes – 84% No – 16% (2,729 responses)

Yes –

- Increased number of seizures, resulting in increased kennelling costs, and more dogs put down.
- Increased number of prosecutions with all the associated costs.
- Some breeds considered to be ‘dangerous’ by many are popular breeds. This will mean significant impact for police and dog shelters.
- Many more dogs will be abandoned – implications for rescues.

No –

- Potential savings from fewer attacks.

Q9: Do you think that repealing BSL would have a financial impact upon other organisations, such as the police and dog shelters?

Yes – 46% No – 54% (2,697 responses)

Yes –

- Shelters may see increased costs due to re-homing.
- Increased costs because of more offences under Section 3 as a result of more pit bulls (court and kennelling costs).
- Increased costs because of enforcement against all dog types, and costs to the NHS because of more incidents.
- Increased demand for pit bulls would result in more ending up in shelters.

No –

- No net financial gain because new control measures would have to be introduced.
- Fewer dogs abandoned and fewer dogs seized would result in reduced kennelling costs.
- Fewer court cases with and a reduction in associated costs.

Option 3: Repeal of the 1997 Dangerous Dogs (Amendment) Act to prevent any more dogs being added to the Index

Q10: Do you think that the exemption introduced by the 1997 amendment should be removed?*

* Some people may have answered Q10 in the affirmative either because they did not want prohibited type dogs added to the Index or because they want breed specific legislation repealed altogether.

Yes – 38% No – 62% (1,918 responses)

Yes –

- BSL is not effective.
- Would benefit from the eradication of pit bull type dogs.
- Would eliminate problem of cross-breeds.

No –

- Not unless BSL is repealed.
- Unfair to destroy dogs that are of a prohibited breed but do not pose a danger to public.
- But Index should be closed to new dogs.
- But Index should be reviewed to allow owner-led applications.
- Flexibility should remain for responsible owners, or ‘accidental owners’.

Quotes

Yes -

“Dogs that can currently be added to the Index of Exempted Dogs pose the greatest risk to society. The index in its current form is unworkable. The Index should be closed to new entrants, so that the banned types are eventually eradicated from the country. This was the intention of the Index set out in the DDA 1991.” – *Royal Borough of Kensington Council*

No -

“It gives an opportunity to responsible dog owners who genuinely did not know the dog they purchased was a pit bull type, to have their dogs registered and therefore keep their pet as long as the conditions are adhered to. As a result of this a huge number of dogs are not destroyed and owners enjoy their company.” – *Lewisham Borough Council*

Q11: Do you think that the exemption should be kept, but with tighter restrictions?

Yes – 29% No – 71% (1,878 responses)

Yes –

- Owners should be assessed for suitability to own an exempt dog.
- Compulsory owner and dog training, microchipping, neutering, muzzling, third party insurance.

- Introduction of licensing.
- Monitor dog's behaviour.
- Restrictions on dogs in home with children where most attacks take place.

No –

- Allow owner-led applications.
- Should be kept but introduce further powers to order further conditions.
- BSL should be repealed.

Q12: Do you think that introducing an alternative monitoring system to the Index introduced by the 1997 amendment would improve the current situation regarding dangerous dogs?

Yes – 53% No – 47% (1,799 responses)

Yes –

- System needs to be accessed by LAs, police and the public.
- A licensing system would be more beneficial.
- Allow owner-led applications
- Owner-based system assessing suitability as an owner.

No –

- Current system works fine.
- Compliance will be a problem with any system.
- Change unlikely to have impact on efficacy of law.
- Prefer BSL repeal.

Q13: Do you think that removing the exemption introduced by the 1997 amendment would allow more effective enforcement of the current dangerous dog legislation?

Yes – 31% No – 69% (1,793 responses)

Yes –

- If accompanied by target date for eradication.

No –

- Would push problem to different breeds.
- Would result in more well-behaved dogs being euthanised.
- The 1997 amendment Act specifically enables monitoring

Q14: Do you think that removing the exemption introduced by the 1997 amendment could have a financial impact upon welfare organisations/dog rescue homes?

Yes – 54% No – 46% (1,745 responses)

Yes –

- More dogs would need to be kennelled while people appeal destruction orders.
- Increased abandonment.
- Dogs would have to be destroyed (which has an associated cost).

No –

- Dogs would not need to be kennelled while assessed for breed.
- Rescues would not deal with dangerous dogs.
- Dogs would be destroyed and not need to be kennelled.

Q15: Do you think that removing the exemption introduced by the 1997 amendment could have a financial impact upon the police force/other enforcement agencies?

Yes – 57% No – 43% (1,737 responses)

Yes – Increased costs

- More dogs being kennelled and assessed during appeals against destruction orders.
- More prosecutions with all associated costs.
- Destruction costs.

No –

- Reduced kennelling costs.

Option 4: The introduction of Dog Control Notices

Q16: Do you think Dog Control Notices (DCNs) might be an effective preventative measure for tackling dogs which are not being properly controlled?

Yes – 68% No – 32% (1,894 responses)

Yes –

- Important to have a mechanism to tackle low-level offences before going to courts where necessary.
- If correctly enforced by adequately trained enforcement officers.
- Allows early intervention and pre-emptive approach before a serious incident occurs.
- Focuses on the owner and not the dog.

No –

- Unless issued by the courts to remove any possible prejudice.
- Lack of resources available.
- Irrelevant if dangerous breeds eliminated.

Quotes

Yes:

“Dog Control Notices place more focus on the actions and responsibilities of the owners whilst also allowing intervention at the first signs of unprovoked aggressive or bad behaviour. This in turn seeks to prevent possible attacks before they take place, in a much more effective way than the current legislation. Dog Control Notices look to treat each dog and incident individually, meaning those that are guilty or not are judged on their actions as opposed to their appearance, breed or type. If implemented correctly, the DDASG believes this could be a huge step forward in improving the welfare of both humans and dogs.” – *Dangerous Dogs Act Study Group*

No-

“DCNs would be a disaster. Restrictions on people’s liberties should only be imposed by the courts. While some local authority employees might be able to handle the power and to keep their own beliefs and prejudices in check others would not.” – *Self Help Group*

Q17: What incidents could be covered by DCNs?

Responses fell into two main categories: those for low-level incidents such as knocking someone over; repeated straying; unprovoked aggression; dog fouling; intimidation; excessive barking; and more serious incidents such as attacks on people, animals and livestock.

(1,569 responses)

Q18: Do you think the proposed remedial measures are appropriate, or would you remove any of them?

Yes – 48% No – 52% (1,488 responses)

Yes –

- Should consider raising the age of the person able to walk the dog to over 16 years.
- DCN should apply to any person in charge of the dog, including commercial dog walkers.
- Should include training.
- Muzzle should be considered as it can prevent exercise.
- Power to confiscate property should be left with the courts.
- Each case should be looked at individually.
- Neutering should be agreed to by court.

No –

- All measures are appropriate.
- Measures already available to police and courts.

Q19: Do you think it should be possible to issue DCNs which apply to private property?

Yes – 46% No – 54% (1,824 responses)

Yes –

- Only in front gardens where public have right of access i.e. not if a front garden has restricted access.
- Should be enforced by the police and the courts, and be subject to rights of appeal e.g. in cases where an intruder committing an offence is attacked.
- DCNs should apply anywhere where dog has exhibited unprovoked aggression.
- Particularly for cases of excess barking, intimidation, escaping and nuisance.

No –

- Impossible to enforce.
- Open to abuse.
- Would not be appropriate for farmers' working dogs.

Quotes:

Yes:

“Should apply to all property and places. Under the Animal Welfare Act 2006, Authorised Inspectors can issue Improvement Notices that have to be adhered to, these are issued on private property, why not introduce legislation that covers the issuing of Dog Control Notices on private property where the person has a legal right to be there? For example, if postmen/visitors are regularly being menaced by aggressive dogs when they walk up the path or driveway.” – *National Dog Warden Association*

No:

“With the exception of the example provided in the consultation document (Para 86), it is difficult to envisage other suitable scenarios particularly those relating to incidents that occur within the home. Dog Control Orders by their nature seem focused primarily on addressing instances of public nuisance, therefore similarly drafted ‘notices’ would seem incompatible for application on private property.” - *NHS Counter Fraud and Security Management Service*

Q20: Do you think there should be an appeals process for all DCNs?

Yes – 86% No – 14% (1,823 responses)

Yes –

- But should minimize cost – paid by applicant and appropriately structured so that courts are called upon last.
- Through Magistrate’s Court.
- Issues by single officer, and therefore reasons for issue may be subjective.

No –

- Not if it is a civil complaint.
- But should be a system to challenge confiscation of property orders.

Q21: Who do you think should be responsible for DCNs, if they were to be introduced?

**Local authorities – 47% Police – 39% RSPCA – 9%
Others – 5% (1,741 responses)**

Q22: Do you think enforcement authorities should have powers to ban dogs from certain areas on public safety grounds?

Yes – 56% No – 44% (1,836 responses)

Yes –

- Powers should exist if dogs cause fear and intimidation.
- In places where it is not appropriate to have dogs.
- But only police should enforce to avoid too many dogs being banned.
- But must demonstrate a genuine risk to public safety.
- Dog Control Orders/Notices can take a significant amount of time to

implement.

- To prevent possible serious incidents, although considerable support for individual bans instead of blanket bans.

No –

- Local authorities already have too many powers to restrict dogs.
- Clean Neighbourhoods Act already does this.
- DCNs would be sufficient.
- Dogs need to run around for exercise.
- Will displace problems elsewhere; better to tackle individual instead of blanket bans.

Q23: Do you think that introducing DCNs will have a financial impact on enforcement agencies?

Yes – 80% No – 20% (1,769 responses)

Yes –

- Training of enforcement officers, enforcement costs.
- Court costs from prosecutions and appeals.
- Likely that there will be redistribution of costs between different agencies.

No –

- Increased enforcement costs offset by savings elsewhere e.g. NHS from fewer dog attacks.

Option 5: A requirement that all dogs be covered by third-party insurance

Q24: Do you think that third-party insurance should be compulsory for all dog owners?

Yes – 41% No – 59 % (1,884 responses)

Yes –

- Would cover costs in case of damage to property or injury.
- Would encourage responsible ownership.

No –

- Will target responsible owners with a dog tax, whilst ignored by those it

is aimed at.

- Too expensive and difficult to enforce.
- Small number of attacks compared with total number of dogs does not merit compulsory insurance.
- Financial burden on dog owners especially during this time of national austerity may lead to increased abandonments.
- Will not address dog aggression.
- Some owners may have numerous working dogs, which would be costly to maintain.

Quotes

Yes:

“We recognise that there may be difficulties, such as with car insurance where irresponsible people will try to evade the law. While it may not be possible to achieve 100% cover, issues surrounding cover for a significant majority of dog owners should not be insurmountable and therefore should not be reason not to do this.” – *Wood Green Animal Shelters*

No:

“Responsible owners already take out insurance for their dogs or may even be covered by their house insurance thus while we can see the logic in this measure we do not feel this would provide the needed resources to provide better protection for the public. In fact some may even see this as a ‘dog tax’ as the money would not be going to local enforcement agencies and potentially making a difference but instead to private companies.” *Royal Society for the Prevention of Cruelty to Animals*

Q25: If you support compulsory third-party insurance, how should it be introduced and enforced?

**License 51%; Microchip 20%; Oppose 18%; Database 6%,
Others 5%.**

(947 responses)

Q26: Do you think that third-party insurance should be compulsory for owners of only certain breeds of dog?

Yes – 18% No – 82% (1,858 responses)

Yes –

- Perhaps to deter people buying certain breeds e.g. larger dogs.
- All dogs covered by Section 1 of the dangerous Dogs Act 1991 and those involved in prosecutions.

No –

- Same charge for all breeds.
- Only for dogs that have been given a control order and proved to be aggressive.
- Some breeds would be difficult to identify.

Q27: Do you think that compulsory third-party insurance could have a significant financial impact upon individual dog owners?

Yes – 83% No – 17% (1,842 responses)

Yes –

- Those on low incomes e.g. elderly, which could result in abandonment.
- Depending on how premiums are calculated.
- May discourage ownership of certain breeds, and deter irresponsible owners from purchasing a dog.

No –

- Third-party insurance can be as low as £20 per annum, very small when compared with feeding costs.
- Not for low-risk dogs.

Q28: Do you think that compulsory third-party insurance will have a financial impact upon welfare organisation/dog homes?

Yes – 76% No – 24% (1,819 responses)

Yes –

- Because of increased abandonment cases.
- If they have to insure all dogs in their care.
- More owners may choose not to adopt dogs because of insurance costs.

No –

- If such places are exempt.

Option 6: A requirement that all dogs, or puppies, are microchipped

Q29: Do you think that all dogs should be microchipped?

Yes – 84% **No – 16%** (1,875 responses)

Yes –

- Will link owner with dog, important when issues arise such as attacks, and would enable quick return of lost dog with owner.
- Step towards responsible ownership.
- Evidence that microchipping works e.g. prevention of fraud of horses.

No –

- Would not target irresponsible owners but responsible owners only.
- Expensive to monitor and enforce.
- Although wide support for encouragement of voluntary microchipping.
- Would lead to increased abandonment.
- Financial implications at time of national austerity.

Quotes

Yes:

“It is absolutely essential that any dog that is the subject of investigation after a complaint about unprovoked aggression and, even more vitally any dog that is the subject of a DCN, is microchipped. Unless that is a requirement under the legislation we consider that it will be impossible to monitor properly the future actions of the dog. In addition it is essential that there is a requirement upon the owner to ensure that data held is accurate.

The introduction of compulsory microchipping for all dogs would significantly assist with the identification of irresponsible owners and potentially deter 'casual' owners from obtaining a dog in the first instance. Local authorities will also benefit by not having to kennel dogs for days or pay for their destruction.”
– *Dogs Trust*

No:

“It is intrusive legislation with financial implications to dog owners at a time of national austerity. It is an unnecessary imposition on responsible dog owners (by far the vast majority) and will be ignored by those it is intended to target (a tiny minority).” – *National Working Terrier Federation*

Q30: Do you think that all puppies born after a specified date should be microchipped before the age of one year?

Yes – 80% **No – 20%** (1,849 responses)

Yes –

- Target breeders by microchipping before puppies are sold, some argument for ‘early as possible’ e.g. before 6 months.
- To reduce puppy farming.
- Should be microchipped at point of sale.
- Microchipped when they obtain their injections.
- At around one year of age due to health concerns of puppy.

No –

- Should be owner’s personal choice.
- Should be microchipped before they leave breeder.

Q31: How do you think such a requirement could be introduced and enforced?

The most common responses included:

- Well-trained dog wardens, police officers, and local authority appointed officers should enforce, and should be allowed to stop and scan.
- All dogs should be microchipped in conjunction with processes that are essential in a dog’s life, such as injections or sale.
- Could be made a Statutory Instrument under Section 12 of the Animal Welfare Act 2006.
- Enforcement in conjunction with organisations such as rescues, vet surgeries, pet shops, dog groomers, local authorities etc.
- Given a specified start date using a central national database.

Q32: Do you think that it should be compulsory for some specific breeds of dog to be microchipped? What breeds?

Yes – 26% No – 74% (1,810 responses)

Yes –

- Dogs on the Index, and those covered by Section 1 of the Dangerous Dog Act 1991.

No –

- All dogs regardless of breed should be microchipped.

Q33 – Do you think that requiring all dogs to be microchipped will have a significant financial impact upon individual dog owners?

Yes – 38% No – 62% (1,834 responses)

Yes –

- Significant impact on responsible owners, whilst ignored by those aimed at.
- Considering costs for amending details e.g. £7.50 with Petlog, and replacement of microchips.
- But many charity schemes available that subsidise cost or provide free microchipping.
- To those less well-off.

No –

- Low one-off payment of approx. £20-30 and 4.2 million microchipped pets with Petlog suggests that many owners don't mind paying the additional cost.
- Could be borne by breeder, and even added to the sale price.
- If the dog can be afforded, then so can microchipping.
- Impact should be minimal.

Q34: Do you think that requiring all dogs to be microchipped could have a financial impact upon welfare organisations/dog homes?

Yes – 46% No – 54% (1,818 responses)

Yes –

- More dogs would be abandoned and rescues would be expected to provide chipping for free.

No –

- In long-term, fewer dogs would be abandoned.
- Dogs and owners would be reunited more quickly.
- Owners of abandoned microchipped dogs could be identified and pursued for costs.
- Most rescues already microchip lost dogs.

Q35: Do you think that maintaining an up-to-date database of owners' details would have a financial impact?

Yes – 67% No – 33% (1,821 responses)

Yes –

- Would be costly to dog owners.
- Should be controlled by existing companies e.g. Petlog.
- Run by local authority, police or Government department e.g. Defra.
- Should be accessible to rescue homes and other organisations – communication between interested parties is essential.

No –

- Databases already exist that would experience an increase in profits.
- Database run by Government should have costs partially offset by microchipping fees.

Option 7: More effective enforcement of the existing law, including a consolidation of existing statutes into one new updated Act

Q36: Do you think that all legislation relating to dangerous dogs should be consolidated into a single piece of legislation?

Yes – 78% No – 22% (1,719 responses)

Yes –

- Currently there is confusion. Would clarify legislation for enforcers and general public.
- Would make it easier to enforce.

No –

- Just removal of Section 1 of Dangerous Dogs Act 1991, the 1997 amendment, introduction of dog control measures and clarify what constitutes a dangerous dog.
- Would waste parliamentary time, and would be a time-consuming and costly process.

Quotes

Yes:

“This would enable all of the existing loopholes within the Act to be closed and the actual Act clarified. Enforcement could be simplified if the legislation was more straightforward and easy to understand and use. It ideally would need to be UK wide rather than devolved.” - PDSA

No:

“The existing law and powers available to the police, courts and local authorities are extensive. There seems little point in using parliamentary time to put the respective Acts in to a single document. What matters is that the law and powers are understood by the public and those responsible for enforcement. As such we welcome the recent guidance issued by Defra.” – *Countryside Alliance*

Q37: Do you think that more effective enforcement of current legislation would improve the current situation regarding dangerous dogs?

Yes – 53% No – 47% (1,758 responses)

Yes –

- Evidence from Metropolitan Police’s Status Dogs Unit, which demonstrates that better enforcement does improve matters.
- Current legislation is not being effectively enforced.
- Problems identified in current consultation are covered by law but not enforced correctly.
- Need consistent national enforcement.
- But further legal changes necessary.

No –

- Current legislation is flawed. Section 1 of the Dangerous Dogs Act 1991 should be repealed.
- More effective use of law to target offences of intimidation would improve status dog situation.
- Problem is with irresponsible dog owners, not with dogs.

Quotes

Yes:

“The lack of continuity in interpretation and implementation of existing legislation demonstrates quite clearly the need for greater clarity, training and enforcement by all those responsible, particularly local authorities.” – *Blue Cross*

No:

“More enforcement of unworkable legislation will not improve the current situation. It is essential to consolidate all of the workable and supported legislative items together into one new Bill to be put before Parliament. This would make it more effective for enforcement purposes” – *Battersea Dogs & Cats Home*

Q38: Do you think further training for police officers to become Dog Legislation Officers would improve the situation regarding dangerous dogs?

Yes – 63% No – 37% (1,778 responses)

Yes –

- But also training for dog wardens.
- Specialist dog units are important as police have more important issues, would enable standardisation and could incorporate understanding of 'dog behaviour'.
- Cities that have taken on DLOs have already seen improvements.
- Would enable faster breed identification.

No –

- Improved legislation that is workable (currently it is not) would be better.
- Would not improve the current situation regarding dog bites, officers should be pre-emptive.

Quote

Yes:

"Police officers need to know the law regarding dangerous dogs and to use it. In addition, it should be possible to train local authority officers as Dog Legislation Officers." – *Manchester City Council*

No:

"It needs commitment from the Police to deal with the issue." – *Bradford Metropolitan Council*

Q39: Do you think the Government needs to do more to raise public awareness of the existing law and what to do if you are aware of a possible breach?

Yes – 72% No – 28% (1,774 responses)

Yes –

- But current law is flawed.
- Education should focus on dog welfare, dog control, and responsible dog ownership, especially for prospective/new dog owners who are not aware of what is required to be a responsible owner.
- Through various different media.
- Not just with general public e.g. Lewisham's BARK project in Oct 2009.

- Should be targeted to specific groups e.g. children and owners of large dogs.
- Laws in place, but lack of awareness. Specific guidelines would be useful.
- Law is confusing so greater awareness may improve situation.

No –

- Most serious incidents result from encouragement.

Q40: Do you think there are better ways for the Government to communicate with the public and dog owners, including owners of ‘status dogs’?

Yes – 81% No – 19% (1,744 responses)

Yes –

- Primary schools, community projects and meetings.
- Animal welfare organisations should provide education schemes in schools and in all media with financial help from the Government.
- Better enforcement for those that use dogs to harass.
- Family Intervention Programme should include reference to dogs.
- Criminal and anti-social laws needed for status dogs.

Responses by Key Interested Parties to Headline Questions (Qs 1, 4, 7, 10, 16, 19, 4, 29, 36, 37, 38)

This section summarises the responses of key interested parties (31) to the headline questions in the consultation.

In deciding what is a “key interested party” we have tried to identify those organisations which have a direct involvement in dangerous dogs. We accept that others may disagree with our choice of key interested parties but the intention behind this part of the summary is to allow people to see the responses of organisations, who are close to the issue of dangerous dogs, to some of the big questions.

The figure in brackets against each answer is the percentage of all responses, including the public.

Some of the answers given were not necessarily clear cut and many “yes” or “no” replies came with caveats. For details of the full replies given, please refer to the individual responses available from the Defra library.

The most popular proposals are as follows:

- 88% of all responses and 24 of key interested parties do not consider that breed specific legislation is effective in protecting the public from dangerous dogs.
- 84% of all responses and 27 of key interested parties support the introduction of compulsory microchipping.
- 78% of all responses and 26 key interested parties agree that dangerous dogs legislation should be consolidated into one law.
- 71% of all responses and 20 key interested parties support the repeal of breed specific legislation.
- 68% of all responses and 28 of our key interested parties consider that the introduction of Dog Control Notices would be a good idea.

List of key interested parties:

Association of Chief Police Officers (ACPO)
Battersea Dogs & Cats Home (Battersea)
British Veterinary Association / British Small Animal Veterinary Association (BVA/BSAVA)
Camden Community & Police Consultative Group (CC&PCG)
Communication Workers' Union (CWU)
Dangerous Dogs Act Study Group (DDASG)
Dogs Trust
Local Authorities Co-ordinating Regulatory Services (LACORS – now known as Local Government Regulation)
Local authorities (14 that have responded and are identified separately)
Metropolitan Police (Met Pol)
National Animal Welfare Trust (NAWT)
National Dog Warden Association (NDWA)
PDSA (previously known as People's Dispensary for Sick Animals)
Royal College of Veterinary Surgeons (RCVS)
Royal Society for Prevention for Cruelty to Animals (RSPCA)
The Kennel Club
West Midland Police (West Mids Pol)
Wood Green Animal Shelters (Wood Green)

Reponses of the key interested parties to the headline questions:

Option 1: Extension of criminal law (i.e. section 3 of the 1991 Act) to all places, including private property

Q1: Do you think that the Dangerous Dog Act 1991 should be extended to cover all places, including private property where a dog is permitted to be?

Yes	ACPO; Battersea; Blue Cross; Bradford Council; BVA/BSAVA; Camden Council; CC&PCG; CWU; DDASG; Dogs Trust; Greater London Auth; Haringey Council; Kensington Council; Lambeth Council; Lewisham Council; Manchester City Council; Met Pol; NAWT; NDWA; PDSA; RSPCA; South Northants Council; Tendring Council; Tonbridge & Malling Council; The Kennel Club; Wakefield Council; Wandsworth Council; West Midlands Police; Wokingham Council; Wood Green (all responses: 37%)
No	LACORS (all responses: 63%)

Option 2: Additions or amendments to (including possible repeal of) section 1 of the 1991 Act

Q4: Do you think that breed specific legislation, in its current form, is effective in protecting the public from dangerous dogs?

Yes	ACPO; Lewisham Council; Met Pol; West Mids Pol; LACORS, Tonbridge & Malling Council; (12%)
No	Battersea; Blue Cross; Bradford Council; BVA/BSAVA; Camden Council; CC&PCG; CWU; DDASG; Dogs Trust; Haringey Council; Kensington Council; Lambeth Council; Manchester City Council; NAWT; NDWA; PDSA; RCVS; RSPCA; South Northants Council; Tendring Council; The Kennel Club; Wakefield Council; Wandsworth Council; Wokingham Council; Wood Green (88%)

Q7: Do you think that breed specific legislation should be repealed?

Yes	Battersea; Blue Cross; Bradford Council; BVA/BSAVA; Camden Council; CC&PCG; CWU; DDASG; Dogs Trust; Haringey Council; NAWT; NDWA; PDSA; RCVS; RSPCA; South Northants Council; The Kennel Club; Wakefield Council; Wandsworth Council; Wokingham Council; Wood Green (71%)
No	ACPO; Greater London Auth; Kensington Council; LACORS; Manchester City Council; Met Pol; Tendring Council; Tonbridge & Malling Council; West Mids Pol; (29%)

Option 3: Repeal of the Dangerous Dogs (Amendment) Act 1997 to prevent any more dogs being added to the Index

Q10: Do you think that the exemption introduced by the 1997

amendment should be removed?	
Yes	CWU; Kensington Council; Lewisham Council; South Northants Council; Tendring Council; Tonbridge & Malling Council; Wandsworth Council (38%)
No	Battersea; Blue Cross; BVA/BSAVA; DDASG; Dogs Trust; Greater London Auth; Met Pol; Haringey Council; Lambeth Council; Lewisham Council; Manchester City Council; NAWT; NDWA; PDSA; RSPCA; The Kennel Club; West Mids Pol; Wokingham Council; Wood Green (62%)

* Some people may have answered Q10 in the affirmative either because they did not want prohibited type dogs added to the Index or because they want breed specific legislation repealed altogether.

Option 4: The introduction of Dog Control Notices	
Q16: Do you think Dog Control Notices (DCNs) might be an effective preventative measure for tackling dogs which are not being properly controlled?	
Yes	CWU; ACPO; Battersea; Blue Cross; Bradford Council; BVA/BSAVA; Camden Council; CC&PCG; DDASG; Dogs Trust; Greater London Auth; Haringey Council; Kensington Council; Lambeth Council; Lewisham Council; LACORS; Manchester City Council; Met Pol; NAWT; NDWA; PDSA; RSPCA; Tendring Council; The Kennel Club; Tonbridge & Malling Council; Wandsworth Council; West Mids Pol; Wokingham Council; Wood Green (68%)
No	South Northants Council (32%)

Q19: Do you think it should be possible to issue DCNs which apply to private property?	
Yes	ACPO; CWU; Battersea; Blue Cross; Bradford Council; DDASG; Dogs Trust; Greater London Auth; Haringey Council; Kensington Council; Lewisham Council; Manchester City Council; Met Pol; NAWT; NDWA; PDSA; RSPCA; South Northants Council; Tendring Council; The Kennel Club; Tonbridge & Malling Council; Wakefield Council; Wandsworth Council; West Mids Pol; Wokingham Council; Wood Green (46%)
No	(54%)

Option 5: A requirement that all dogs be covered by third-party insurance	
Q24: Do you think that third-party insurance should be compulsory for all dog owners?	
Yes	APCO; CWU; Kensington Council; NDWA; South Northants Council; Tendring Council; Wakefield Council; Wokingham Council; Wood Green (41%)
No	RSCPA; Battersea; Blue Cross; Bradford Council; BVA/BSAVA; Camden Council; DDASG; Dogs Trust; Greater London Auth; Haringey Council; Lambeth Council; LACORS; Lewisham Council; NAWT; PDSA; The Kennel Club; Tonbridge & Malling Council; Wandsworth Council (59%)

Option 6: A requirement that all dogs, or puppies, are microchipped	
Q29: Do you think that all dogs should be microchipped?	
Yes	Battersea Dogs; Blue Cross; Bradford Council; BVA/BSAVA; CC&PCG; CWU; DDASG; Dogs Trust; NDWA; Haringey Council; Kensington Council; Lambeth Council; Lewisham Council; Manchester City Council; Met Pol; NAWT; PDSA; RCVS; RSCPA; South Northants Council; Tendring Council; The Kennel Club; Tonbridge & Malling Council; Wakefield Council; Wandsworth Council; West Mids Pol; Wokingham Council (only with insurance); Wood Green (84%)
No	Greater London Auth; LACORS (16%)

Option 7: More effective enforcement of the existing law, including a consolidation of existing statutes into one new updated Act	
Q36: Do you think that all legislation relating to dangerous dogs should be consolidated into a single piece of legislation?	
Yes	Battersea; Blue Cross; Bradford Council; BVA/BSAVA; Camden Council; CWU; DDASG; Dogs Trust; Greater London Auth; Haringey Council; Kensington Council; Lambeth Council; Lewisham Council; Manchester City Council; Met Pol; NAWT; PDSA; RSCPA; South Northants Council; Tendring Council; The Kennel Club; Tonbridge & Malling Council; Wakefield Council; Wandsworth Council; West Mids Pol; Wokingham Council; Wood Green (78%)
No	(22%)

Q37: Do you think that more effective enforcement of current legislation would improve the current situation regarding dangerous dogs?	
Yes	Blue Cross; Bradford Council; CC&PCG; Greater London Auth; Haringey Council; Kensington Council; Lambeth Council; Lewisham Council; Manchester City Council; Met Pol; NDWA; PDSA; RSCPA; South Northants Council; Tendring Council; Tonbridge & Malling Council; Wakefield Council; Wandsworth Council; Wokingham Council; Wood Green (53%)
No	Battersea; BVA/BSAVA; CWU; DDASG; Dogs Trust; NAWT; The Kennel Club (47%)

Q38: Do you think further training for police officers to become Dog Legislation Officers would improve the situation regarding dangerous dogs?	
Yes	ACPO; Battersea; Blue Cross; BVA/BSAVA; CC&PCG; CWU; Greater London Auth; Met Pol; Haringey Council; Kensington Council; Lewisham Council; Manchester City Council; NDWA; PDSA; RSCPA; South Northants Council; Tendring Council; Wakefield Council; Wandsworth Council; West Mids Pol; Wokingham Council; Wood Green (63%)
No	Bradford Council; DDASG; Dogs Trust; NAWT; The Kennel Club (37%)

The Way Forward

Defra will look to address gaps in the law to stop this anti-social and criminal behaviour continuing, rather than making more piecemeal changes to existing dangerous dogs legislation.

Defra will continue working closely with interest groups to look closely at community initiatives and other issues raised in the consultation - such as breed specific bans, micro-chipping and attacks on private property.

Defra is working with the Home Office on their review of all anti-social behaviour tools and powers, including Dog Control Orders. The review will tackle a range of anti-social and intimidating behaviours that affect the community, and a public consultation is expected on proposals in early 2011.

We are currently funding a study to investigate the risk factors for aggressive dog/human interactions:

<http://randd.defra.gov.uk/Default.aspx?Menu=Menu&Module=More&Location=None&Completed=0&ProjectID=16649#Description>.