

Environment, Food and Rural Affairs Committee

Oral evidence: Dangerous Dogs: Breed Specific Legislation, HC 1040

Wednesday 13 June 2018

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Members present: Neil Parish (Chair); John Grogan; Dr Caroline Johnson, Kerry McCarthy, David Simpson; Angela Smith, Julian Sturdy.

Questions 1 - 107

Witnesses

I: Dr Rachel Casey, Director of Canine Behaviour and Research, Dogs Trust; Robin Hargreaves, former President, British Veterinary Association; Bill Lambert, Health and Breeder Services Manager, Kennel Club; David Ryan, former Chair, Association of Pet Behaviour Counsellors.

II: Trevor Cooper, Dog Law Consultant, Battersea Dogs and Cats Home; Dr Samantha Gaines, Head of Companion Animals Department, RSPCA; Steve Goody, Deputy Chief Executive, Blue Cross.

Written evidence from witnesses:

[Dogs Trust](#)

[British Veterinary Association and the British Small Animal Veterinary Association](#)

[Kennel Club](#)

[David Ryan](#)

[Association of Pet Behaviour Counsellors](#)

[Battersea Dogs and Cats Home](#)

[RSPCA](#)

[Blue Cross](#)

Examination of witnesses

Witnesses: Dr Rachel Casey, Robin Hargreaves, Bill Lambert and David Ryan.

Q1 Chair: Welcome everybody. Thank you very much for coming to the first day of our inquiry into dangerous dogs and breed versus deed. It is great to have you all here. Can I first of all say to Dr Rachel Casey that it is lovely to see you here? You fell down getting here. I am sorry that happened. You are going to have it all x-rayed and looked at when you have finished here, so we appreciate you coming in under the circumstances. Dr Casey, could you introduce yourself and then we will go across the panel and introduce everyone, please?

Dr Casey: My name is Dr Rachel Casey. I am director of canine behaviour and research at Dogs Trust. I am a veterinary specialist in clinical animal behaviour and also animal welfare, and a Royal College specialist in veterinary behavioural medicine.

Chair: Robin, it is nice to see you again.

Robin Hargreaves: My name is Robin Hargreaves. I am a practising veterinary surgeon from Lancashire. I have been practising since 1985 so I was in practice before this legislation was enacted and I have seen it since it has been enacted. I was also President of the British Veterinary Association from 2013 to 2014. That is the representative body of the veterinary profession within the UK, which has 17,000 veterinary members.

David Ryan: Good afternoon. My name is David Ryan. I am a clinical animal behaviourist. I was a police dog handler instructor for 27 years and latterly chair of the Association of Pet Behaviour Counsellors. I now see dangerous dogs as an expert witness service, specialising in prohibited and Section 3 dogs.

Bill Lambert: I am Bill Lambert from the Kennel Club. I am senior health and welfare manager at the Kennel Club. I have a particular interest in dangerous dogs. I am a breeder of bull terriers and I was very aware of the Dangerous Dogs Act when it was first introduced in 1991. I have always taken an active interest, particularly in dangerous dogs.

Q2 Chair: Thank you very much. It is good to welcome you all again to our inquiry. My first question is a fairly broad one to all of you. How effectively has breed-specific legislation protected the public from dangerous dog attacks? It is quite a wide question.

Dr Casey: There is no evidence that there has been any effect on the number of bites. It is not ideal but the only evidence is the number of bites coming from medical sources, so the number of bites that are going to hospitals. In the UK, Ireland and Spain—where a similar type of legislation was introduced—bite numbers have gone up since the



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legislation has been introduced. We can quite safely say that the Act has not been effective at reducing the number of bites on people.

Q3 **Chair:** Robin, can you answer from a veterinary point of view?

Robin Hargreaves: I would agree. I remember the atmosphere around the legislation in the early 1990s. There were some dreadful injuries, and we have continued to see those injuries and even deaths since that time. It is very difficult to compare something that has not happened. We do not know what the situation would have been like if the legislation had not been enacted. The data quite strongly suggests that bite injuries are going up.

In 1991 I was practising in Burnley, which was a pretty industrial environment. We had a large number of pit bulls and pit bull crosses registered in our clinic because there was no stigma attached to that at the time. The legislation came into effect. We were supposed to register, neuter, and tattoo—identify—all of those dogs. We did not register a single one. Overnight those dogs disappeared and were presumably re-registered at some other time under a different name and address with a different description.

Q4 **Chair:** It was driven underground, basically.

Robin Hargreaves: Yes.

Q5 **Chair:** In that area, how many dogs were you talking about? Was it quite a number?

Robin Hargreaves: The ones that were declared as being pit bull terriers were probably in the tens or twenties in our relatively small area. It is a long time ago. I cannot really remember. Interestingly, we are getting young people coming now registering pit bulls again and we say, "What?" They are so young they have forgotten that there is a law; they are buying them and they do not realise they have bought something that is illegal.

Q6 **Chair:** I visited various places—both at Battersea and Dogs Trust—where I have seen dogs that are on the so-called dangerous dogs list of breeds but are not dangerous. One of the risks of breed-specific legislation is that everybody believes then that dogs that are not on the dangerous list are not dangerous. If you are the wrong kind of person and want to be cruel and beat a dog and make it vicious, you could make most dogs vicious if you want to. It is horrendous that people do but, without leading you, this is what we are looking at particularly.

Robin Hargreaves: I hesitate to go on, but in practice I feel no more vulnerable to injury now than I did pre-1991. I am wary of certain animals and I am completely confident with some others. It has not changed and yet all those animals are still out there. Those ones in 1991 would have died of old age now but they remained out there and I was no more at risk than I was before.



Q7 Chair: People also went to look for other crosses, did they not? The trouble is that those who want to look for and produce a dangerous dog will very often find a way of doing it, unfortunately, will they not?

David Ryan: It is a very good point. A lot of the dogs that are coming to the notice of the police now are not the pit bulls. It used to be that the drug-dealers would keep themselves a pit bull terrier in order to protect their stash and to protect their property, whereas now they realise that a pit bull terrier draws the attention of the police and so they keep an Akita instead. As you rightly said, they can make it as nasty as they need to or not, because it is all about the upbringing. There are many, many dogs that are at least as dangerous as a pit bull terrier that are completely legal and that we are not protecting the public from at all.

Q8 Chair: Yes. It is fascinating, is it not? We will naturally enquire more later with the questions. It is interesting. We have a lot we are looking at. We either scrap the whole breed-specific legislation or you add to it, do you not? It is an interesting one. It is going to be very difficult to know where you would stop if you started adding to the list.

David Ryan: The problem with adding to it is you would never stop because most of the pit bulls that are identified as pit bulls today are cross-breeds. They are not a true-bred pit bull terrier. They are cross-bred dogs that happen to fall within the confirmation. If you then add American bulldogs to it, for example, you would then need to add crosses of American bulldogs. If you added Akitas to it you would need to add Akita crosses. You end up encompassing everything.

Bill Lambert: I support what has been said. Has the Act worked? Clearly it has not. Hospital admissions for dog bites are up by 63% from 2007 to 2017. Before 1991 there was an average of one fatality by a dog attack. From 1992 the average has increased to 2.7 per annum. These are still very low numbers. The public should not be alarmed because they are very low and that is why they make such big press. They have increased so it clearly has not worked.

We would all agree that the fundamental flaws of the Act are that the burden of proof is to prove you are innocent rather than being proved guilty, and it is an Act that is based on the appearance only. In the very early days of the Act I was involved with trying to get dogs out of police custody that were not identified as Section 1 dogs. We were in a situation where perfectly nice, sweet-natured, well-behaved, well-trained dogs were having to be destroyed. Other dogs that I may have had reservations about were being released because they did not fall into that section. An Act that is based purely on appearance is absolutely flawed.

Q9 Chair: I should have looked at the Act, but is there anything in the Act that talks about the temperament of the dog, or not?

Bill Lambert: The Act is based on a breed standard of what the dog should look like. Where it has gone wrong initially is that the way the Kennel Club interprets breed standards is they are not necessarily a



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blueprint of what a breed should be like. It is a guideline. Those guidelines can be stretched in whichever way you want to go. There are people who are professionally trained in identifying what falls under that legislation, but it is still down to opinions and it is largely based on the appearance of the dog rather than the temperament.

Q10 **Chair:** Robin, did you want to come back in?

Dr Casey: I agree with Bill completely that because it is a type, it is an appearance, and, as has been said before, they are quite often cross-breeds. It is just about if they fit that particular shape of head and measurement. It is not even a breed in the way that you would talk about a Staffordshire bull terrier or a Labrador; it is a physical type and most of them are cross-breeds, which means that there is not a genetic breed or a type. You could not look at a genetic profile to identify a pit bull. It would have to be only by appearance, which highlights the craziness of Section 1.

Robin Hargreaves: One place where temperament does explicitly get mentioned is in the exemption, which is very anomalous, because a dog can be seized because it has the appearance of a pit bull terrier. I would defer to David, who has much better knowledge of the legislation, but you can appeal and you can get an exemption for it. It can be released back to you under certain circumstances, but one of the criteria is that it has to be judged to be of no risk to the public. Then it has to be muzzled and walked on a lead. In order to be labelled as a dangerous dog, it has to be established to be not dangerous and then it has to be muzzled and kept on a lead the whole time. This is having established that it is not dangerous. The one place where temperament is measured is an anomaly.

Chair: Thank you. We will deal with some of these aspects again in other questions.

Angela Smith: I ought to declare two non-financial interests. I am an honorary life member of the BVA and I am co-chair of the animal welfare group here in Parliament. I ought to put that on the record.

Chair: I should also declare that I am a member of the BVA as are a number of us, I think.

Q11 **Angela Smith:** Rachel, first of all, we have received evidence of the research that has taken place around the issue of the reasons behind dog attacks. We have received evidence from Battersea and your own evidence, which draws quite wide, broad conclusions. I wonder whether you could elaborate a little on what the reasons are behind dog attacks and what role breed plays, if any, in any of this?

Dr Casey: There is a lot of misunderstanding about what I am going to call dog aggression, if you do not mind, rather than dog attacks.

Angela Smith: Absolutely. Yes.



Dr Casey: There is a lot of public misunderstanding about aggression, because people tend to think of a dog as either aggressive or not aggressive in the same way that some people think that some people are nasty or not nasty. As we know, as human beings most people are generally okay but, in some circumstances, you might react in a particular way because of what you have learned in the past. What we know about dog aggression is that it is exactly the same. In the vast majority of cases, aggression is a response from dogs to feeling threat, either to themselves or to something that they highly value. It might be social—somebody in their family—or something that they really value, like food. If they perceive there is a threat to it, they might respond either by running away, showing appeasement behaviours or showing aggression. The aggression will develop if they learn that that is successful.

It is not really anything to do with a trait or a characteristic or something that is inherent in a breed. It is something that happens across all mammalian species if they feel threatened in a particular context. For us as behaviourists, it is crazy to be thinking about aggression as something that is more likely to occur in a particular breed, because we know from all of the evidence and all of the research that it can happen in any breed. It is very specific to a dog learning about particular circumstances.

More bites occur when dogs are in their home environment. More of the evidence for bites is where dogs are in their home environment with members of their family. More people are bitten by their family dog than being out in the park and being attacked by something. Very often it is the kind of circumstances where the dog feels threatened, such as the dog being approached when it is eating, or leaning over or falling over it.

David probably sees these a lot more than I ever have, but a lot of the cases that come up under the DDA Section 3 are often really sad cases where somebody has tripped down the stairs and fallen over and the dog has bitten them because of that particular circumstance. Aggression is not something that is specific to breed. It varies probably more within a breed than between breeds. It is something that dogs can learn to do in response to the things in their environment.

Q12 **Angela Smith:** I would like to hear comments from other members of the panel, Chair. I wonder, as well, how reliable you all feel that the studies forming the evidence base on canine aggression are.

Bill Lambert: There is a huge need here for us to collect data. There is insufficient data. Whenever a dog attack occurs, or certainly when there is a serious incident, the first thing that happens is that the dog is put to sleep without investigating what led up to that attack. There may be all sorts of circumstances. We have some anecdotal evidence but we do not have a hard evidence base. One of the things that does need to happen is that we need to collect information. We want to see prevention. We do not want to see heavy penalties because something has happened.



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We want to try to prevent them. We can only prevent them if we start to collect the reasons why certain things have occurred. In a lot of cases, the dogs have come to the attention of neighbours or the public for other reasons. We would like to see early prevention measures take place.

We talk about general aggression with dogs. There are a number of reasons why they could be aggressive. You have to separate them. There are those dogs that are trained to be aggressive. There are dogs that are bred to be aggressive. By taking a dog that has aggressive tendencies and breeding it with another dog that has aggressive tendencies, you are likely to continue those traits. That is one aspect. There are then other dogs that are aggressive because of negligence: they have not been well socialised; they have not been well trained. That is just literally negligence. There are then dogs—Rachel touched on this—that become aggressive because of external influences. She mentioned falling down the stairs, or things like fireworks; there are other behaviours like shouting in the home. These things can have an effect.

You cannot just say aggression across the whole piece. You have to take individual cases of why dogs could be aggressive, and there are a number of reasons why.

David Ryan: Could I clarify something? Bill was talking about dogs that are bred to be aggressive. Aggressiveness is not something that you can breed in or breed out, but you can breed in temperament traits that are more likely to make a dog want to act in a way that is aggressive. We are not breeding aggression in but there can be either poor breeding practices—not taking account of the breeding of the dog—or very early rearing practices, which are almost indistinguishable. The gene environment interplay is so complex that we cannot separate it out.

Q13 **Angela Smith:** Can you give us an example of the first one, then, of a temperament trait?

David Ryan: Nervousness is an inheritable trait. You can breed nervous dogs together and get more nervous dogs. You can breed dogs that are very nervous, or conversely you can breed dogs that are not temperamentally nervous but you put them in an environment that brings them up to be nervous—for example a puppy farm where they are not exposed to anything and so they are more likely to react nervously towards new stimuli. The interplay between genes and environment is so complex that it is very difficult to tease apart what is happening at the time. If you breed nervous dogs then they are more likely to be more reactive later in life. If they are more reactive then they could react in an aggressive way. That is one example of a possibility of the breeding of dogs that subsequently turn out to be aggressive. That can happen in any breed.

Robin Hargreaves: The BVA certainly feels we need to get a deal more research done. I completely concur with that. I am seeing dogs sourced



very differently from how they were earlier in my career. We are getting a lot of dogs coming from large-scale breeding enterprises that are sold through dealers. If you have a dealer close to your practice, you will get a lot of dogs that have come from large-scale breeding, which is licensed but very large scale. We are also getting a lot of dogs imported that have come in from very uncertain backgrounds. If we are not doing the research into these incidents in the future, we will never find out how those backgrounds might or might not influence what is going on. That is the sort of thing we need to know, because we can then go to the public and say, "We absolutely know that these criteria are blue touch paper for problems in the future. Be very careful". We could give people hard evidence about buying dogs from dealers and buying dogs from abroad, which really says that we have identified that this is part of the problem. We have not got that data. We need it.

Q14 Angela Smith: Finally, Chair, everything I am hearing leads to my final question, because in 2009 the Defra evidence review concluded that there was insufficient evidence to draw firm conclusions. Does the panel think that the Government's priority here should be to build up the evidence base?

Dr Casey: We definitely need to build up the evidence base. Going back to what David was saying about the reasons for aggression, that is an area across species that we probably need to know and understand a lot more. There is quite a lot of research looking at personality and temperament characteristics. As David said, we know that nervousness is important, but probably on its own it is not important because if you are nervous you could run away or show aggression. It is probably a combination between multiple temperament factors that influences whether a dog has an increased or reduced risk of showing aggression. It is probably more complex than one genetic characteristic. It is probably an intersection of multiple characteristics plus the right kind of environment and the right kind of learning experience.

That is very, very difficult to research. You need large sample sizes. You need to collect genetic data and you need to follow dogs and collect lots of environmental information over time. This is something that at Dogs Trust we have started to do. We have a big project called Generation Pup where we are recruiting puppies and collecting buccal cell samples, to get genetics and follow them through life, to try to start collecting that kind of complex data that we need. It is definitely something that we need to focus on and collect more of.

Having said that, we have quite a big back catalogue of research that tells us that breed is not a predictor. We want to know what the predictors are in terms of personality characteristics and environment but we can quite confidently say that breed is not a predictor from the evidence that we have so far.

Angela Smith: That is interesting.



Q15 **Chair:** Robin, you have already said you thought we need more research and more data?

Robin Hargreaves: It is both. We need to really look at the data. The data that already exists needs to be analysed very thoroughly, because there is a lot of data out there. We need to be looking at new evidence. Where really serious incidents occur there is an opportunity there to do more. Those dogs are often destroyed immediately and we do not learn a lot from those. We might be able to do some work where we are looking at and analysing those dogs' behaviour and whether anything could be learned.

Chair: I imagine you all agree.

David Ryan: Regarding the list of deaths caused by dogs that the RSPCA has provided, I have been involved in five of those investigations. In every one of them, once we look into it, we can see that it was an accident waiting to happen. We can see that once we start to look into the history. It is the history that is more important than anything else. As Rachel says, breed plays a very, very, very small part in it. It is about size. It is about size of dog. Small dogs do not kill adults but they can kill babies. It is about size rather than the actual breed of the dog.

In almost every case that I look into as an expert witness we can see where this was going. Eventually, inevitably it was going to end up in some kind of serious incident. We cannot predict exactly what and exactly when but in lots of the cases you can see, "That happened, which led to that, which led to that, which ultimately led to this very serious incident happening".

Q16 **Chair:** You raise an interesting point on size. Terriers can be pretty ferocious, can they not, but they probably cannot quite do the damage that perhaps a Rottweiler can? It is making sure that we know the temperament of that dog, is it not?

David Ryan: Absolutely, yes. It is about socialising the dogs properly, especially with babies. Some of the tragic deaths have involved babies.

Q17 **Angela Smith:** Is it fair to say that no dog can ever be entirely trusted not to show aggression?

David Ryan: Do you mean towards children?

Angela Smith: Generally. Rachel's point was that any dog can show aggression at some point so all owners should be aware of that.

David Ryan: Absolutely any dog if pushed hard enough, if pushed far enough, into a really bad place, could eventually show aggression. The ease with which that happens will differ from individual to individual and circumstance to circumstance, but I would never absolutely rule out any dog.

Q18 **Chair:** It is socialisation and it is temperament. Am I right in saying that a dog is 97% wolf; is that right? I do not know. Certainly, it is quite



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high DNA-wise, and then it is behaviour over generations that has made the difference. Would that be a generalisation?

David Ryan: With respect a dog is to a wolf as we are to a chimpanzee.

Chair: Right, yes. So there are changes, for most of us, anyway.

David Ryan: Dogs are not wolves.

Chair: Right, okay. Bill, you were happy with that answer.

Bill Lambert: Coming back to the data, there is absolutely a need to collect data. You can almost have a checklist of things you need to do. You need to look at the background to the attack, the medical behavioural history of the dog and circumstances surrounding the incident—the behaviour of the owner and those involved with the dog, and also outside influences; it could be even something like weather. That may sound ridiculous but it does seem that on hot days we hear of more incidents. There is no evidence to support that but from working in a press team that is how it seems. All those things may play a part but without that evidence to work on, we are shooting in the dark a little bit.

Q19 **Chair:** Certainly dogs do not sweat, do they? They do feel the heat. We have a Labrador that really does feel the heat. It is always difficult for us. We sometimes look at dog behaviour as we look at our own behaviour, do we not? Naturally, if we are hot and flustered we are probably likely to be a bit more snappy. You would have thought that was the same with a dog. Not being an expert, one has to be careful on these matters.

Bill Lambert: We expect a lot of our dogs. We expect them to always be in the same mood.

Chair: Normally they are.

Bill Lambert: We know that is not the case with all of us.

Q20 **Angela Smith:** Finally, Chair, I am sure we will look at ownership later and standards on ownership and education, but does it surprise any member of the panel how often it is that owners leave dogs alone with babies and children?

Bill Lambert: Is it surprising? Certainly, as an organisation, we have always given the message that you should not leave a dog alone with a child. Most of the other organisations give the same message. Yes, it is always surprising. The question was asked earlier, "Are dogs safe to be left with children, or are they always 100% predictable?" I can give examples of dogs that you would absolutely consider very, very trustworthy and that would pose very little risk. Nevertheless, it is a responsible attitude to always keep an eye and always be aware. Certainly, we hear of some terrible situations where people go out of the house and leave a child alone. Certainly no one would ever countenance that as being good ownership. There is an education issue but we have



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been giving that message for many, many years and it has not always sunk in.

David Ryan: One of the strong predictors of dogs biting people seriously as opposed to not seriously, if I can put it that way, is that there is a vulnerable adult and there is not a responsible adult there to protect them. Someone who is disabled, through physical disability, through drink or because they are a tiny baby, is far more at risk of very serious injury as opposed to a less serious injury if there is someone there in order to help. That is a strong signifier in many cases that there is not a responsible adult there to protect them.

Q21 **Julian Sturdy:** I wanted to go back to a point that a couple of you made. You said that recorded hospital admissions on dog bites have gone up. For my record, I wanted to clarify how hospitals record dog bites. To what level of detail are they recorded?

David Ryan: They simply record them as having happened and they only record one overnight stay. If it is less than an overnight stay, it is not recorded.

Chair: It would have to be quite a nasty dog bite.

Q22 **Julian Sturdy:** That was my point. We are talking about getting to the level of detail and understanding whether we are seeing more incidents. There is no recording of how severe those dog bites might or might not be when someone is admitted.

David Ryan: As the Chair rightly said, we assume it is reasonably severe because it has involved a stay overnight in hospital. Apart from that, there is no evidence recorded.

Q23 **Julian Sturdy:** That could be down to the fact that that might be a young child rather than an adult?

David Ryan: Absolutely, or it could be an elderly infirm person, yes.

Q24 **Julian Sturdy:** Exactly, or a person with other difficulties that might mean they have to stay overnight.

David Ryan: It could be. If it helps, Carri Westgarth at Liverpool University did a study this year, 2018, which was a selective random study in Cheshire. It suggested that in the UK about 1.25 million people a year suffer a dog bite of some kind, which is a huge figure compared to the 7,000 that are recorded in hospital.

Julian Sturdy: Because a lot are going unrecorded.

David Ryan: Because they are minor and they are treated at home or treated at a doctor's surgery.

Q25 **Julian Sturdy:** It still could be a dog bite that is needing severe stitches and things like that.



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David Ryan: Absolutely. I have seen horrific dog bites that people have not been to hospital with.

Q26 **Julian Sturdy:** Even going to hospital and being not kept overnight, they are not recorded.

David Ryan: Yes. They go to A&E, are stitched up and are sent home.

Q27 **Julian Sturdy:** I have a last question on this, Chair. I take it that there is no recording of the type of dog bite. Again I am surmising a little bit here, but I am surmising that there is a difference depending on breed, so if you are bitten by a Labrador it might be different to being bitten by a pit bull.

David Ryan: Try different breeds. Try collie and American bulldog, because there you will get two different kinds of bites, because collies nip and you get a full mouth bite with the other.

Q28 **Julian Sturdy:** Yes, exactly. Is there no information?

David Ryan: I stand to be corrected but I think in 2014-15 the NHS broke the figures down into the part of body that was bitten. There were so many bites to the face and so many bites to the hand. That is not a general thing. That was a specific one-year thing that came out. To be honest, other than illustrating that small children get bitten in the face more than adults do, it was not a huge amount of use to us.

Q29 **Julian Sturdy:** Would you like to see more information kept, or more detailed information?

David Ryan: Absolutely, yes.

Bill Lambert: Can I add something, Chair? We have to be a little careful with some of this information, because there is more reporting now than there was. The last time I looked at the statistics there were other things recorded, for example strikes by a dog. If a dog runs into someone and they fall over and break their leg, that gets included.

David Ryan: The category is "dog bite or strike". If you get knocked over by a dog, that is included too, so things like broken legs and dislocated hips are included.

Bill Lambert: Also public attitudes to dog bites have changed slightly. I certainly know that when I was a child I used to deliver newspapers, and I would be bitten from time to time by a dog. It was considered at the time as, perhaps, an occupational hazard. The public attitude now is that dog bites are less acceptable, perhaps, than they were at one time. Attitudes have changed over the years.

Julian Sturdy: I have had it delivering leaflets. Many people have. I imagine it is a lot like the postman.

Q30 **Angela Smith:** Going back on that point, for delivering leaflets and also for Royal Mail workers—postal workers—this is a really key issue. I



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joined forces with the CWU on this issue when we got the law extended to private homes. That is really important, and surely it is a good thing that we take it more seriously.

Bill Lambert: I am not suggesting it is not. I was just demonstrating that when you are looking at data and statistics, it is sometimes unfair to compare when attitudes change and more is reported perhaps.

Chair: That was very good legislation. We all worked a lot with the postal workers on that particular one when I was chairing the all-party group.

Q31 **David Simpson:** This question is to Robin. As I said last night, you are going to get a hard time but we will go as easy as we can. How dangerous are banned dogs compared with those not prohibited under the Dangerous Dogs Act? Is there a case for adding more dogs to the list?

Robin Hargreaves: Theoretically I should not see any of the banned dogs now, because they should have died of old age in the 2000s. I do not feel that there is any material difference. When I am at work I have been bitten on occasion. The last one that was visible was a Jack Russell. It happens and it is usually my mistake. I take my eye off the ball for a moment. With the dogs that you might consider to be similar, such as the bull terriers and the Staffordshire bull terriers, I do not consider them to be any greater risk to me at work at all. I only see them during my work. In terms of those clients that come in with behavioural issues, saying, "The dog has bitten my nephew that was visiting", or, "The dog has bitten my wife", I sense no particular specific type. It is an absolute spectrum from the Westie Jack Russells to the Chihuahua, which will probably try to bite me more often than anything else, because you have to physically handle them quite differently.

I see no difference. You have got to remember within the Act there are three breeds that I have never seen because we just do not see them.

Q32 **David Simpson:** We talked there about babies or children getting bitten by dogs. Is it a myth, or is it correct, that some dogs—if not all dogs—have a jealous streak in them and that they do not like to see a child or someone else coming into the house? Is that a myth?

Bill Lambert: I do not think there is evidence to support that. There are some breeds that have a particularly kind disposition towards children. A lot of breeds particularly like children and are good with children. I personally think it is great for children to grow up with dogs. They learn to respect animals; they learn to respect adults. There is no hard evidence to suggest there are. There is a tendency, as the Chair mentioned, to try to see our own feelings in dogs. Dogs do not behave quite like humans.

David Simpson: No, I understand that.



Bill Lambert: Sometimes we are trying to read into things. People say, "Look, he is smiling". He is not smiling; he just has that expression. There is a danger of trying to put too much of human feelings into what dogs are thinking or feeling.

David Simpson: I remember when my first grandchild was born, the dog in the house was one of these cockapoo things. It was the pet. It was the child before the baby came. The parents took the dog in when the child was there about a week, and the dog sniffed around the child. It actually has become the child's guardian. The nature of the dog is such that you do not touch the child. I do not mean that it is aggressive or that it will bite you, but if you go towards the child the dog goes to the child. It is a protective thing. Rachel, you were going to say something.

Dr Casey: I agree with Bill. We have to be quite careful about using human terms for dogs.

David Simpson: I appreciate that.

Dr Casey: Jealousy is quite a good example, because we talk about jealousy in terms of coveting your neighbour's Jaguar or whatever. That requires a degree of abstract thought that we do not think that dogs have. They will not be sitting there thinking, "I wish I had a bowl like the neighbour's dog", or, "I wish the owner treated me like a child".

David Simpson: But he will still take the bone off the other dog.

Dr Casey: The kind of behaviours you do see are related to what they learn. If someone walks in without the baby and they greet the dog, and they walk in with the baby and do not greet the dog, the baby becomes a sign that the usual thing does not happen. The dog can react differently when the baby is present. You can obviously prevent that. If you are giving messages to people about how to prepare to have a baby, you get them to adjust their behaviour beforehand so the dog does not learn that. It is quite easy to educate people in preparation for having a baby so they behave in the right way, so that that kind of learning does not happen. It is quite important to get those kinds of quite simple messages across to people, so that they do not start thinking that the dog is behaving out of jealousy or things that are quite human types of emotions.

David Simpson: That is interesting.

Q33

Chair: We had a second part of the question about having dogs in the family. We have dealt with that. You do not believe that is the way forward at all.

On this behaviour one, we have two grandchildren and we have the Labrador dog. I make a complete fool of this dog. He is very good-tempered but when the children come I am always conscious that he does watch me with the children, because normally he is the baby and now he is not, if you see what I mean. This is interesting. Whether it is



jealousy or what it is, I do not know. Again, am I putting too much into it? It is interesting.

Dr Casey: Dogs are very good at learning about context. They are absolute masters in what we call social cognition, which we as humans are as well. They learn, "In this situation when this is happening that happens and my owner does this, that is the consequence". They are very good at putting together all of these things. He will learn, probably, that when your children come on a particular day and it is warm and you behave in this way, then his best option is to do this. Most dogs will be learning about how their owners behave in different circumstances.

The example I gave before was one where that could lead to aggression that gets interpreted as jealousy, but it comes through that learning about something happening when you have the baby and something different happening when you do not have the baby. One of the potential outcomes for that could be going off and sitting somewhere else. It could be jumping up. One of the potential consequences could be aggression. It sounds like your dog has learned that he does not get any interaction.

Q34 **Chair:** You try to make sure you still make a fuss of him as well. Then you have to be conscious that the children do not go up to him. It is fine to pat him and what-have-you, but they should not grab him or what-have-you. That is the other problem: that the young child wants to grab the dog.

Bill Lambert: There are subtle changes that you will make that you may even not realise. Dogs are very perceptive and pick up on things. I know that first thing in the morning if I go downstairs and I have my jeans on, my dogs know they are going to go for a walk. If I put my suit on they know I am going to work. They can pick up on that. It is subtle things that you may not even realise that the dog will be picking up on.

Chair: They do. They immediately go, "Those are not the clothes that we go for a walk with". It is interesting.

Q35 **John Grogan:** David and Bill, you both referred to the effect of early training and socialisation on a dog, and some dog breeders maybe do not do this very well. Can this make a big impact, and should there be more regulation? What could be done about it?

David Ryan: Absolutely, and certainly from the breeder's end of it, because socialisation starts before the dog is even born, when it is still inside mum. There is lots of evidence in mammals that if mum is well looked after, in a good place and not stressed, she will give birth to offspring that are better able to cope with stress and not as likely to, in dumb terms, if you like, be aggressive in certain circumstances later in life.

One of the first ways that we can work towards future-proofing dogs is by making sure that breeders are aware of, and take into account, their



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breeding practices. The better the breeding practices are, the better products we will get at the end of it.

The other aspect is that we can breed for temperament. We know we can breed for temperament. As Rachel said, we do not know exactly what we are doing when we are doing that but we know we can breed dogs with better temperaments or temperaments better suited to everyday life. We should be breeding for pet dog temperaments. We should not be breeding for working dog temperaments if we want a pet dog because it does not always fit. Likewise we should not be breeding for racing dogs when we want a pet dog. We should be breeding for the niche that we want. Pet dogs should be bred to be pet dogs. I am a big believer in that. We have to take that forward as a message for breeders: that if you want to sell pet dogs, breed pet dogs. Do not discard show dogs or working dogs into the pet dog community because they are not wanted in the niche that they could not be sold into.

Bill Lambert: Coming back to your question about socialisation, it is generally accepted by most behaviourists that there is this 16-week window of socialisation that is very, very important. Puppies will usually be at a breeder's until they are eight weeks old. There is lot of socialisation work and habituation that the breeders can do, and then there is lots of work that the new owner has to do, but there is that window. The dogs are so much more susceptible in that first 16 weeks of life and they do learn lessons for life during that period, so socialisation is something that the Kennel Club has always been pushing. It is mandatory for breeders to socialise their puppies and members of our Assured Breeder Scheme have to do socialisation and have to follow socialisation programmes.

Robin Hargreaves: If we asked our clients whether they have any behavioural issues with their dogs, if we had the time, we would probably hear in a huge proportion of them that to some degree there is something their dog does that they would rather he did not do. Very often, if the behaviour problems are severe, their immediate reaction is that this dog has been mistreated in some former existence somewhere. This is not scientific but my feeling is that if the number of animals that are supposedly mistreated to develop behaviour problems really were mistreated, we would be seeing dogs being beaten in the street left, right and centre, and they are not being.

I suspect that it is largely neglect, and often just benign neglect. People are not even realising. They are not doing enough in the early stages. We will get dogs and puppies, from farms, for instance—a little collie puppy from a farm. Farms are busy environments. A dog has puppies. A dog sits in the building with the puppies. It nurtures the puppies but nobody goes near it. At eight weeks of age somebody takes a puppy from the farm and it has not been mistreated; it just has not had any introduction to television and children and cutlery crashing around and



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people coming and going. It is a massive shock for them. These things we know and they are relatively easy to correct.

Dr Casey: If I could add to that as well, I agree entirely about socialisation but you also asked about training. It is very important that we educate people. It is broader than what we traditionally talked about in terms of training, because you could have a very obedient dog that sits and comes back to you but still develops problem behaviours. The education message that we get across to people is about some of the key things about understanding dog behaviour, like it being very important to be consistent. Our research suggests that actually the commonest reason why dogs develop problem behaviours is because people are inconsistent with them. They are allowed on the sofa one day; they are told off for it the next. If you educate people to be consistent, that is probably much more important than teaching your dog to sit. There are some simple things.

If you want a dog to be a good pet dog in a home, as David said, we need to breed the right dogs, but we also then need to get the right education messages across. Most people want their dog to walk roughly next to them when they are walking around, come back to them in the park, settle down when they go off to the bar and have a glass of wine and not bother them when they are watching telly. Getting those messages on how you get your dog to behave in those kind of ways are probably more important than the traditional obedience-type training.

Q36 **Angela Smith:** This evidence is fascinating and begs all sorts of further questions, but I will restrict myself to asking not whether or not the new regulations relating to breeding are going to work, but whether we should be conducting careful studies to see how much impact the new regulations are going to have.

David Ryan: Comparative studies are always going to be useful to inform us for the future. I am not sure how much that will inform us because we will never know until the outcomes. It is certainly interesting to see going forward where that is going to take us.

Bill Lambert: It is a difficult question, because it is difficult to get information about people who are breeding dogs that they want to use for illicit activities. People who are breeding pit bulls, for example, are underground, so it is very difficult to get information.

Angela Smith: I am talking about regulated, licensed breeders.

Bill Lambert: It is highly unlikely that if someone is breeding dogs illegally they are going to get a licence.

Q37 **Angela Smith:** I am talking about the licensed breeders, Bill. We should all be licensed. The underground trade is a real worry but we have new standards in the regulations now in relation to licensing breeders. I am wondering whether the panel thinks we should be monitoring very carefully—or rather Defra should be monitoring very carefully—the



impacts of the new regulations.

Bill Lambert: I absolutely would agree with that. The more information we have the better. Longitudinal studies are always extremely valuable.

Dr Casey: I have two points to add to that. First, it is good to get a baseline, if possible. Second, it is also good to get a large enough study because, as we have all talked about, there is so much variation in terms of genetic input and variation in behaviour in socialisation and experience. If you want to look at the impact of one thing, like changing licensing regulations, you have to have quite a large sample size to be able to pick up that effect. It would have to be a large sample size.

Q38 **Angela Smith:** That is fascinating. Moving on to the identification of breed, which is obviously key to the identification of the banned breeds, how effective and accurate is the current approach to determining whether a dog belongs to a banned breed or type? This question is primarily for you, Bill, but I am sure other panel members will want to comment.

Bill Lambert: David is probably the expert, but I made the comment earlier on, which I will perhaps enlarge on, that at the moment identification is done by a breed standard. There is a lot of laxity in applying that standard. You can apply that standard to a lot of dogs. All dogs have certain characteristics in common: they all have teeth, they have four legs and they have a tail. When you start to try to identify breeds, there are breeds that look very similar but that have very different traits. Our opinion is that this is one of the flaws of the Act currently. It is based on appearance rather than on what the dog has done or what the dog is capable of.

David Ryan: In terms of the current way of identifying a pit bull terrier, the Act says “a dog of the type of the pit bull terrier”, not the breed. It does not have to be a true-bred dog. It just has to be of the type. The courts decided in Brock and Dunne, way back in 1997 or something like that, that the standard that would be applied would be the American Dog Breeders Association standard for the American pit bull terrier.¹ That is what everybody works to now. It is the way that police officers are taught. It is the way that everybody else identifies a pit bull terrier.

Chair: You say this was 1907.

David Ryan: No, 1997, after the 1991 Act. I could be wrong about that date. It was a case that went to the High Court and it was decided that this would be way that everybody would identify the pit bull terrier from now on. The actual document is about five pages of rambling—I do not mean him any disrespect—by a guy called Ralph Greenwood, who was the President of the American Dog Breeders Association at the time. He

¹ Note from witness: The case was Regina v Knightsbridge Crown Court, ex parte Dunne: Brock v Director of Public Prosecutions - Queen's Bench Divisional Court (Lord Justice Glidewell and Ms Justice Cresswell), 2 July 1993.



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just wrote a standard for it. He wrote it in text. It is about five pages of, "The pit bull terrier should be really nice towards people but you can expect a little bit of aggression towards other dogs". It is a huge rambling document.

It was narrowed down again by the American Dog Breeders Association some years after that, so we have a bullet-pointed one and the original Greenwood long, rambling one. Most people butcher two things together and you end up with a standard for a pit bull terrier. I have racked my brains about this, because there should be a better way of identifying what constitutes a pit bull terrier. I cannot think of one. I honestly cannot think of one.

Q39 Angela Smith: That is the supplementary question. Are there better ways of assessing banned breeds, and are the problems unique to pit bulls?

David Ryan: The bottom line is that we are assessing the looks of the dog. It is not the looks of the dog that kill people or maim people. It is the behaviour of the dog. We are not assessing the behaviour of the dog. There is a tiny bit in the American Dog Breeders Association standard that says it should have "stamina, agility and gameness". Gameness just means a tendency not to give up.

Q40 Angela Smith: You seem to be indicating that it would be better not to even think of assessment of dogs that have attacked and may be deemed dangerous on the basis of breed but rather on the basis of behaviour.

David Ryan: It is deemed on breed. You cannot get away from it. You just cannot get away from the fact that there are many, many dogs that are equally potentially as dangerous as a pit bull terrier of different breeds or types. It is probably better to talk about types than it is about breeds, because we talk about the mastiff types, the bull types, the terrier types and the bulldog types, which all have similarities. It is the mastiff-bull-terrier combination of huge powerful jaws, big powerful body and that terrier tendency to hold on and shake, and adding to that the persistence aspect of it where dogs do not back down. Even your cute friendly Staffies do not back down. They will play forever.

Angela Smith: Jack Russells do not.

David Ryan: Likewise, if they go wrong, they will fight for ever.

Q41 Chair: It is in their nature. Going back to the original legislation when it was brought in to ban specific breeds, I imagine this was a reaction at the time to some vicious attacks of the certain breeds. What is interesting looking at it now in hindsight is that it obviously has not worked. The logic at the time must have been a series of dog attacks by certain breeds and naturally everybody calls for action, politically and the public. Action was taken that we will ban these particular breeds. Am I right in that analysis?



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David Ryan: Going back to 1989 and 1990, there were two serious attacks by pit bulls. However, the majority of attacks at that time were probably carried out by Rottweilers and German Shepherds. However, Rottweilers and German Shepherds are recognised by the Kennel Club and owned by some very smart people whereas pit bulls are not recognised by the Kennel Club.

Q42 **Chair:** They were an easy target, were they?

David Ryan: Yes, historically that would be the case, yes. It was an easy hit to hit the pit bulls.

Q43 **Dr Johnson:** Are you suggesting that we should extend the ban to a greater number of dog types?

Chair: Please answer the question, but we have covered this. I think the answer is “no” to that, really.

David Ryan: It came up earlier.

Dr Johnson: Sorry. I had a meeting.

David Ryan: What we said was the pit bull type—because it is not a breed—also involves crosses of pit bulls. Defra has said before in regulation that pit bull crosses will be regarded as pit bulls for the purposes of the Act. Anything that fits the confirmation is close enough. The problem you have is that if you then ban Cane Corsos, Caucasian shepherds, American bulldogs or any of the other big, strong dogs that can do a lot of damage, you also have to ban their crosses, because their crosses can be equally dangerous and possibly even more so, depending on what they are crossed with.

If we go back to the RSPCA list of dogs that have caused human fatalities over the last 10 years or so, the majority of them are the bull, terrier and Staffy, but they are all crosses, apart from a couple of Rottweilers and I think a Cane Corso. They are just big mastiff type dogs.

Q44 **Dr Johnson:** If we got rid of, or banned, the big mastiff type dogs would that protect people?

David Ryan: No, because you then get into Akitas, German Shepherds, Rottweilers, and crosses of them. You will end up banning everything.

Chair: We come back to the argument that it is the deed and behaviour of the dog.

Q45 **Dr Johnson:** We have been given this survey from the Battersea Dogs and Cats Home. If you look at it, 3% say it is very important, 21% say it is important and 51% say it is slightly important. If I have my maths right, 75% of professional canine behaviourists and trainers say that it has some level of importance.

David Ryan: What does, sorry?

Dr Johnson: The breed as a cause of aggression.



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David Ryan: It does. It is not necessarily the cause of aggression but the way in which the aggression is expressed.

Bill Lambert: Can I add something? There are two other factors here. First of all, we have to accept the fact that a large dog—a powerful dog—does have more capacity to inflict a more serious bite. You cannot separate this from ownership. If I am someone who wants to have a dog for protection or to intimidate other people, I am highly unlikely to choose a Chihuahua. I am going to choose a different dog. The fact that a certain breed of dog is illegal adds to that cachet that I would have from having that dog. You cannot separate that same dog brought up in an environment of a family where the dog is treated well. The dog is highly likely to turn out completely differently. It does not matter how badly a Chihuahua is treated—it could be taught to bite or it could be a nasty dog—but the level of damage that the dog is likely to inflict is going to be less.

Q46 **Dr Johnson:** You at making an argument for a wider ban, though, are you not?

Bill Lambert: Not at all. There is no such thing as an inherently dangerous dog. A lot of it is about the way the dog is reared and the way the dog is looked after. The ownership plays a far more important part than the breed of dog.

Q47 **Dr Johnson:** But you cannot police how they are brought up as effectively as you can police the breed, can you?

Bill Lambert: You cannot effectively police the breed. Pit bull terriers are illegal and that type of dog is illegal under law. I would suggest there are lots around that are still walking the streets today that are perfectly nice dogs in the vast majority of cases. If we were able to wave a magic wand and make all pit bull type dogs disappear overnight, the people that want to own that type of dog would turn to another breed or another cross-breed, and suddenly you would have another problem. The Kennel Club recognises 220 different breeds. They all have different characteristics but, in the right hands, they can all be reared as nice family pets.

Robin Hargreaves: We have not talked about education. All these various incidents are very rarely a case of a person wilfully setting a dog on somebody else in order to injure them or wishing that to happen. There is, largely speaking, some kind of interaction between victim and dog. They have approached it; they have stroked it; they have taken something from it; they have tried to share something with it. There has been an interaction. We all see these things. We see on the internet, all the time, films of what appear to be cute interactions between children and dogs. They are entirely inappropriate and you see the dogs giving signals of stress, signals of being distressed and people are not picking up on those. Experts and people like us in the business can see as plain as day that a dog has its ears back, it is licking its lips and it does not



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want the interaction to take place. Yet people are filming it and parents are thinking it is lovely.

There is a really low-hanging fruit here, in terms of educating people about how to interact with dogs. There is evidence that if you get into schools with education on how to interact with dogs we could make a much greater impact on the number of incidents than you could ever do by trying identify the problem dogs, find them and remove them. There is a lot more to do with educating how people deal with dogs.

Chair: That brings us neatly into Kerry's question.

Q48 **Kerry McCarthy:** I was going to ask whether you would you be able to reduce the risk of attacks with better information, education and training programmes for dogs. We have been given an example of Calgary in Canada where they seem to have quite a comprehensive programme. I want to separate that out from people who deliberately want aggressive dogs for whatever reason. We will deal with that separately. For good dog owners that want their dogs to behave well, what is the role of education in that?

Dr Casey: I agree with you completely. As Robin was saying, the way to approach the problem is to educate people and to get the right messages out. That is through two ways. One is education of children in schools. There are a number of different studies that have looked at educating in schools and trying to get messages across to children about how they interact with dogs, which have shown an impact of that kind of education. We have a programme called Be Dog Smart, where we have teachers going out and giving workshops to children to try to educate them.

Even more widely, I was talking before about the kind of messages that we need to get across to every dog owner when they first take on a puppy or a rescue dog not necessarily being the obedience training; it is, "Be consistent, teach your dog it is okay to be left on its own, make sure you introduce new things gradually and carefully, look for those signs of stress and know what to do when you see them, and yes, teach your dog to come back when it is called", but those first things are the key fundamental messages.

We need to move away from the old-fashioned Barbara Woodhouse idea that you train your dog in a particular way. There is a quite simple common-sense messages that we really need to get out to our dog owners, as a kind of a cultural understanding of, "This is what dogs are and how they behave, and this is how you modify their behaviour really easily".

Q49 **Kerry McCarthy:** You are at the University of Bristol.

Dr Casey: I am at Dogs Trust. I was previously at the University of Bristol where I did a lot of research there.

Q50 **Kerry McCarthy:** When you were saying you run schemes, I was just



going to ask whether you do the Be Dog Smart—

Dr Casey: Be Dog Smart is Dogs Trust. We also have something called Dog School, which is where we are trying to get those key behaviour problem prevention messages out to members of the public by having classes running around the UK to try to educate people, when they first take on a puppy or a rescue dog, about how you interact with a dog, how you do basic training and how you prevent problem behaviours developing in the future. It is something that we are really passionate about.

Q51 **Kerry McCarthy:** There have been calls more generally for animal welfare to be part of the citizenship or the PSHE element of the curriculum. That has been when there have been children acting cruelly towards dogs and tying things to their tails and stuff like that, or perhaps with a view to stopping people in adulthood treating dogs badly. You would support that.

Dr Casey: Absolutely. If you get good animal welfare messages out to children, it encourages empathy. If you teach about animal sentience to children and they start thinking about other animals in the world and how they react and think about things, that encourages a wider empathy towards people and the environment of things as well. We are definitely very supportive of that.

Robin Hargreaves: The BVA has long been calling for animal welfare to be introduced in the national curriculum. It is always very hard to get people to introduce new things to the curriculum. These can all be done together. Animal welfare training and producing empathy, as Rachel said, is great. How to behave around animals could be introduced. My experience in practice is that we get a whole range of behavioural difficulties with dogs, not just aggression and some biting incidents. What people are often surprised at is they want you to change the dog: "The dog does this. Can you change it so it does not do that?" What they are surprised to learn is that it is the people who have to change. We do not train dogs; we train people. We train people to behave differently. We create an environment and the dog now suddenly relaxes, because of consistency.

When I am telling my clients to try to visualise why this is—and I am not a behaviourist so I stand to be corrected—it is the case that for thousands and thousands of years dogs evolved in groups where everything happened pretty predictably and consistently. Their brains have evolved. They have not changed in the last 150 years. They are hard-wired to live in a consistent environment where things happen consistently and the same things happen predictably when things happen. They cannot cope with chaos and inconsistency.

We have to create an environment that is appropriate for the hard-wiring of a dog's mind, which is that it wants to see things happening in a consistent way. If you do that, we have seen chaotic dogs and anxious



dogs suddenly chill, particularly dogs that are rescued from one environment to another. The key thing when someone rescues a dog is to develop routines. For goodness' sake, develop routines. Let the dog sit in a routine. It will relax.

- Q52 Kerry McCarthy:** What about faux aggressive play? It is quite common that the dog will have something in its mouth and people will be pulling at it or an old shoe or something like that. Does that breed aggressive behaviour or does the dog know the difference between playing and aggression?

Dr Casey: They are very good. We were talking before about social cognition. They are very good about learning about different contexts.

Kerry McCarthy: They know you are having fun with them.

Dr Casey: Yes. That kind of play is very good. We use that play quite a lot in dogs in our rehoming centres to teach them about leaving things and to control their own behaviour. You have a period of play and then you ask them to stop play. You reward that by starting it again. Play is very useful to educate dogs about controlling their behaviour outside of the play context. It provides an outlet for all the kinds of behaviours that dogs naturally do. If you ask people to not play with their dog then all of those kinds of behaviours that they want to display get pushed into other different contexts.

It is really important to educate people how to play effectively, because if you hold a raggy rope in front of a dog and wobble it around a little and then pull it back so the dog jumps up and catches your arm, you are teaching it exactly the wrong thing. If you play with it in a controlled way, ask it to drop the toy then start again, you are teaching it the right behaviours for life. That is that one context where you are teaching people how to set up the situation so your dog learns the right thing. If they have that right understanding from the start, they can proof their dog against problems right through life.

- Q53 Kerry McCarthy:** Should all first-time dog owners be exposed to some sort of training course?

Dr Casey: Ideally, yes. It is very difficult to say that would be mandatory. If it was a culture of training, that would help. If you have a child, you send them to school. If you have a puppy, you go to get an education course.

- Q54 Kerry McCarthy:** That is like cycling proficiency classes or something like that. You learn to ride a bike. You learn how to look after a dog.

Dr Casey: That would be amazing, because when you tell people it is important to be consistent they go, "Oh, yeah". Until they know that, they have very human-based ideas or cultural ideas from misunderstandings from their parents about how dogs should behave. Once the penny drops, it is almost like you have changed the way that



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person behaves with all of their dogs all through their life. Until you tell them, they do not know that. Finding a way to get that message to as many people as possible is really important.

Chair: The negative side of that—the other side of the coin—is where you have behaviour within families that is wrong with the dog, and that is inclined to perpetuate itself as well. It is how we break that. It is fine where children are getting a good example at home, but when they are getting a bad example they almost think that is the right way to bring up a dog.

Q55 **Kerry McCarthy:** I was going to go on to people who want intimidating, aggressive dogs, either as a status symbol or perhaps because they might send the dog into action at some point, and the link to maybe dog-fighting as well. I suppose that is a sub-question. That is a very different ball-game in that these owners cannot be approached in the same way. What do we do in terms of that?

David Ryan: We already have laws about dog welfare and dog-fighting that, if applied, adequately cover that. Likewise if a dog is used as a weapon, then it is a criminal offence. The law largely covers that already. The issue of dangerous dogs is not to be confused with that because it is almost like knife crime. They are using the dogs as a weapon, rather than a dog that has become dangerously out of control in a public place, which is what Section 3 is about.

Bill Lambert: As I mentioned earlier, in many cases where dog bites or dog attacks occur, there have been a number of incidents where the dog has come to the attention of the local community. What we would like to see is early intervention so that when a dog has come to attention and there have been complaints about it, then we could introduce things like compulsory training for that owner, so that owner has to demonstrate that they can be responsible to keep that dog. We could see greater use of the protection orders—ASBOs, for example—with dog owners who are not acting responsibly, and make them conform and act responsibly.

Q56 **Kerry McCarthy:** There have been some quite horrible cases of people mistreating their dogs and then they might be banned from keeping a dog for a certain period, whereas you would think that that is it; they should not be ever allowed near a dog again. Is there scope for a stronger use of those powers in terms of banning dog ownership? I suppose monitoring is different.

Bill Lambert: I would totally agree with you. Sometimes the acts reported are so awful, that rather than a period of time that an owner is banned, you think they should be banned for life. I would share your view but it is a matter for the courts to decide in each individual case.

Robin Hargreaves: There is a middle ground. You were talking about people who might wilfully want dogs to be potentially aggressive or domineering and give them some kudos. There is another group of people that find dogs endearing when they are small. They have a



puppy. This is a silly example but if you see a puppy and it is called Chaos, you sense that maybe they like the idea that it is a bit crazy and it growls at people when they come, because it is only this big. They say, "It is a tough little thing, is this". They do not realise that when it is 15kg they have let the genie out of the bottle a little. They did not want to have a dangerous dog in the house that frightened their relatives and meant their kids could not bring their friends around, but when it was little they did not understand.

The BVA has a campaign to try to get people who are not registered with vets to register with a vet. That is one opportunity to give this sort of advice. We tend to see puppies at about eight weeks of age. It is a wonderful opportunity. We liaise with our behavioural experts: what can I do in 15 minutes that could put the building blocks in place of good management for the rest of this dog's life? It is quite difficult. We can do that. Veterinary nurses can follow that up later. We are a really good conduit for this but we have to get people into our practices to do it, and just explain to them that you cannot just turn this off when it is a little older. The damage is done if you do not get it right at the beginning.

Q57 Angela Smith: A facetious way of summarising the evidence we have heard in relation to Kerry's questions would be to say that we need a Sure Start for dog owners. Always the key responsibility—the prime responsibility—for control of a dog and the behaviour of a dog is the owner. It belongs to the owner, but we do have to consider the role of the state, the role of the charitable sector and whether or not we have sufficient capacity in the country to deliver the kind of behavioural and socialisation education for dog owners and their pets that we need to see and that your evidence is clearly pointing to. I wonder whether we have this right, whether the Government have done enough, whether the charitable sector is doing enough and whether we have that capacity.

David Ryan: Everybody agrees that education is the way forward. Education is the thing. The Dogs Trust and the RSPCA and other agencies as well are putting out some wonderful programmes of education. There are two real problems we have with education at the moment. One is that the dog-training and behaviour industry is unregulated. Anyone can set themselves up as a dog-trainer. It is completely unregulated. There are some horrendous examples of dogs being made worse by bad training practices.

The Animal Behaviour and Training Council is an organisation—a charity—that is set up with all the right people, such as the RSPCA and the Dogs Trust, with the support of the leading behavioural organisations, that is trying to get more support in order to get the ball rolling so it will become the recognised one. I might be speaking out of turn but they are also trying to get Royal College of Veterinary Surgeons approval as well as a paraprofessional. Hopefully that is going to come further down the line. Some Government recognition of the ABTC would be one way forward, at



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least to start giving trainers that are responsible rather than someone who can set up today and set up tomorrow.

The next issue that we have with education is that at the moment education is only sought out by people who want it. There is a huge complacency amongst members of the public that they do not need educating about dogs. They think, "It is just a dog. Everyone knows how to treat dogs". They clearly do not. We need to get some form of state intervention of compulsory education. That could be something as simple as everybody joining together in the charities involved, and getting the insurance companies involved, so you pay a registration fee. You pay a registration fee before you get your dog, and you get a free lesson at your dog warden service or your Dogs Trust.

Angela Smith: Or insurance reductions.

David Ryan: Exactly. There are masses of ways. You can get a reduction in your insurance. You could have a sliding scale of fees depending on the size of your dog. You can get veterinary treatment. Your first veterinary treatment would be included in it, which would then get you registered with your local veterinary service. Your vaccinations might be included. We could get the drug companies on board. There is huge potential for a registration service. Once we have a registration service, your pit bull problem starts to go away because they are also registered. They are all registered, and American bulldogs are registered. It might need a little bit of ringfencing some money to set up the dog warden services, but there is no reason why it cannot be self-funding.

Chair: That is an interesting point.

Dr Casey: Very briefly, I was going to say, very similarly to David, that we all need to have a very consistent message. The problem at the moment is that there is not. Some people are giving poor messages. Regulation of training and behaviour is absolutely fundamental to get this sorted.

Chair: I wrote that down. We got that one loud and clear.

Bill Lambert: It was mentioned in the previous question, but it is about the importance of getting this on the school curriculum and things like teaching children how to behave around dogs. That can be done in a school quite easily. The Kennel Trust runs a Safe and Sound programme to teach children how to behave around dogs. There is a number of educations in place. The Kennel Club has a Good Citizen scheme. It is obedience training but it also teaches manners. It teaches dogs good manners. I totally agree with the need to regulate behaviourists and trainers. One of the reasons why the Kennel Club's accredited structure scheme has been successful is because you need to teach people how to be able to teach people about dog aspects.

Chair: We have an organisation in Devon with dogs for kids, and they take dogs into school, because not all families know how to treat dogs.



Bill Lambert: If it was consistent across the country on the school curriculum, it could be done so much better.

Q58 **Dr Johnson:** I have a couple of little questions. You said about teaching children to behave around dogs, as a way of preventing injury. That makes good common sense but, equally, in all of the cases where people are bitten by dogs it is not necessarily the fault of either the child or the adult that is bitten. They may not be doing anything at all when the dog bites them. For example, last year I was walking in an entirely straight line along a street, wearing ordinary dark-coloured clothing. I was not making a sound. I was not swinging or carrying any objects at all. A dog came from nowhere straight into my leg. I did not even know the dog was there until it bit me. I saw the flash of a shadow come around and then it bit me.

It is not always going to be in the control of the person that is bitten to prevent themselves from getting bitten. My concern is to make sure that that is clear. My concern also is that the people who attend the training courses that you describe for their new puppy are likely to be those who would have treated the dog better in any case. Those people who train their dogs to be aggressive are likely to continue to do so and not to attend your courses.

Bill Lambert: It comes back to the point that I made a little while ago. I do not know enough about the circumstances of your dog bite. There is a possibility, or a likelihood, that that dog has already come to the attention of the local community. The dog may have done it before, and therefore action could have been taken in terms of a compulsory training, for example, for their owner. The fence may have been adequate. A notice to have the dog fenced in could have prevented that. I completely understand that not all dog bites are the fault of the victim. That is certainly not the case but there is a lot that can be done. We are particularly concerned about children getting bitten, and that can often be because of inappropriate behaviour.

What has happened is that we have perhaps lost focus a little. When we had a large stray dog population, it was quite normal for parents to teach their children how to behave around dogs. We do not have such a large stray dog population, so it is possible for children to grow up in a community where there are not many dogs around, so they will not get that education. That is why it is important to put it on the curriculum but I am not suggesting that it is always the victim's fault. That is certainly not the case.

Q59 **Dr Johnson:** Can I ask about the number of fatalities related to the number of dogs owned? What is the level of the number of dogs there are in the UK as compared to what there were?

Bill Lambert: It is a very interesting question because, unfortunately, we do not have accurate statistics on how many dogs there are. We work on a figure that most people agree: that there are somewhere



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between 8 million and 10 million dogs in the UK. The one thing that will hopefully come out of the compulsory micro-chipping is that we will get more accurate figures, but we are still in the very early days of that.

Dr Johnson: The difference between 31 and 34 can only really be properly assessed if you know how many dogs there were.

Bill Lambert: Absolutely. It comes back, again, to having data.

Q60 **Chair:** Do we think dog numbers are going up or down? Where are they going?

Bill Lambert: They have been increasing but, as I say, the figures that we have are not necessarily accurate. Most people agree on figures from the Pet Food Manufacturing Association. That is the figures we tend to use but they are still very vague.

Q61 **Dr Johnson:** How much has that gone up?

Bill Lambert: I am afraid that I do not have that information in front of me.

Robin Hargreaves: It is interactions, is it not? The population numbers change and how many people are vulnerable changes. On your point, I would not for a minute think that dog-bite injuries are predominantly the responsibility of the victim. What I would say is that it is largely human factors. In that situation, you had very little to do with that. There were a lot of human factors at the other end, such as whether it was properly contained, whether it had ever been socialised, where it was sourced from and how it was brought up. It is human factors. That dog did not choose to be the way it was. It was a result of its environment and its management. It all came together in a horrible experience for you. The dog was subject to a lot of human factors before that ever happened.

David Ryan: You rightly say that the people who are responsible for dogs with that kind of behaviour do not go to the training classes, so we have to capture those people somehow. It is almost impossible to get them to do it voluntarily.

Q62 **Dr Johnson:** If you make it compulsory for everybody who owns a dog, you are going to put dog ownership out of the price bracket of many people who are poor but would like to have a family pet. Even if it is provided for free by the vets and the pet shop owners, ultimately that cost still gets passed on to the consumer.

David Ryan: We need to increase the value of dogs to people, and the only way you can increase the value of dogs to people is by increasing the cost. You can either do that financially or you can do it in a way that they have to submit time. If they have to go along to a puppy class, and they will get information given to them at the puppy class, as part of their necessary registration scheme for a dog then you are starting to capture people that you would not previously have caught.



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Robin Hargreaves: There is an issue there. In the early days of my career a springer spaniel would get pregnant by a farm sheep dog, and there would be these cross-bred puppies and they would be free or £10 or £25. Now almost every dog that you buy is hundreds of pounds. Most of those people spend a lot of money getting that dog, whether they bought it off the internet or wherever. They are spending hundreds of pounds.

Chair: You have designer dogs now.

Robin Hargreaves: There are almost no £10 puppies out there anymore. People have already chosen to spend £300, £400, £500 or even £1,000 on a dog.

David Ryan: It is not a collie crossed with a springer spaniel anymore. It is a Sprocker or—

Robin Hargreaves: Yes, it has a name. Dogs have been monetised, and it feeds into all sorts of things, such as dog theft, because they now have a value that they never had. The idea that somebody who has a dog could not afford a modest amount to be involved in some kind of training is probably not entirely true because they have mostly spent a lot of money already.

Chair: Julian, please ask the last question because I am conscious I must get our other panel in. It is very good evidence, thank you.

Q63 **Julian Sturdy:** Robin, you touched on this briefly already, but is it possible to fully rehabilitate aggressive dogs?

Robin Hargreaves: I am not a behaviourist. I will defer probably, but my experience is that most moderate and low-level problems can be resolved but frequently are not because it requires a very consistent approach by the client and most people want a short cut. It is difficult because people do not do what they need to do to resolve it, but it is probably resolvable in most cases.

Dr Casey: That is a very good answer for a non-behaviourist. For aggression, there are really good behaviour modification programmes out there, and there are a lot of great behaviourists around the UK who do behaviour modification programmes with clients and rehabilitate dogs. The earlier you identify the problem, the easier it is to change. If you have a dog that has very well-established behaviour in multiple contexts and it starts to react very soon, that is the hardest to change. It does not mean it is impossible to change but there is a kind of degree in how much work and commitment is required to make that behavioural change. It is definitely possible to rehabilitate and change the behaviour of most dogs.

We said before that any dog can be aggressive. If a dog has been aggressive in the past in a certain context, you would always have to have a degree of caution or management in that context to make sure



that dog was not put back in a situation where it is likely to show aggression. That is part of the management programme that a lot of behaviourists would do. We have about 15,000 dogs coming through our centres each year, and we have more dogs coming in with problem behaviours all of the time. A lot of our work is to do with rehabilitating dogs that have come in with problem behaviours and trying to rehome them into new homes and providing those new owners with programmes and advice and management, to be able to happily live with those dogs, post-rehabilitation.

Q64 Julian Sturdy: What you said at the end there is quite crucial. A lot of it is about change in the environment as well.

Dr Casey: As Robin said, it is about the owner understanding how their behaviour impacts on their dog, so changing their behaviour. It is sometimes changing the environment but also teaching the dog something different. When I was talking about aggression before, I said most cases are because of anxiety or fear. The dog is worried by somebody putting their hands towards it, for example. You can teach a dog, through the process of learning, that people putting their hand towards it are now associated with something good, rather than something scary. It is changing people, it is changing environment but also doing active programmes with those dogs to teach them something different about the context in which they react.

Bill Lambert: I can give a very good example. There was a very high-profile case in America with an American NFL quarterback called Michael Vick. He was involved in a dog-fighting ring. He had 49 pit bulls that were trained to fight and trained to be aggressive. All but one of those dogs was successfully rehabilitated. Even in the extreme cases, those dogs' behaviour can be changed.

David Ryan: Every dog can be improved but you need to apply a basic risk assessment. The basic risk assessment is the severity of the injuries that the dog has caused and the likelihood that it is going to do it again. If it is a minor injury that a dog has caused, then it is not very likely to do it again and it is quite easy to work with it. If it is dog that has caused very severe injuries and there is a likelihood that it is going to do it again, because of either the ease with which the dog drops into aggression or it does it in many different circumstances, then it will be a lot more difficult to work with it to the extent that it might not be worth the risk anymore.

Chair: Thank you. Can I say to Dr Rachel Casey to please go and get your leg looked at? I am sorry you fell down on the way here and we appreciate you coming and giving evidence in the circumstances. Can I also thank you all very much for a very good session. We could have gone on all day but we have another panel. It is good stuff and a good start to our inquiry. We really thank you very much for coming in.



Robin Hargreaves: Thank you very much. The BVA has asked me to thank you for looking at this issue, because it has been a concern to us for a long time.

Chair: If when you leave, in a blinding flash you think there is something else you would have liked to have told us, you can give it to us in writing because we take evidence all the way through in writing until we do the report itself. Thank you again very much.

Examination of witnesses

Witnesses: Trevor Cooper, Dr Samantha Gaines and Steve Goody.

Q65 **Chair:** Thank you for joining us this afternoon, our second panel. It is great to have you here. Starting with Trevor, please, if you would like to introduce yourselves across the table, we will keep going.

Trevor Cooper: Good afternoon. I am Trevor Cooper. I am the dog law consultant for Battersea Dogs and Cats Home. I am a solicitor and I have been qualified for 30 years. I did my first dog case 24 years ago, very shortly after the Dangerous Dogs Act came into force, so I have 24 years of experience of the Dangerous Dogs Act 1991.

Dr Gaines: I am Dr Sam Gaines, head of the companion animals department in the RSPCA's science group.

Steve Goody: I am Steve Goody, the chief operating officer and deputy chief executive for the Blue Cross pet welfare charity. I have been involved in this sector since the early 1980s and was on the original Dangerous Dogs Act reform group shortly after the original Act was enacted, back in 1991.

Q66 **Chair:** Between you, you have great experience here. The first question is to Dr Gaines in particular, but you can all answer. Current legislation requires dogs to be seized if they are deemed to belong to a prohibited breed. Can you explain what this process involves and what animal welfare concerns this raises?

Dr Gaines: It is quite a big question, so bear with me. In order to understand the welfare impact, it is necessary for us to cover what typically happens if a dog is suspected of being Section 1. Normally what would happen is the police would come and seize that dog from either a public place or from the owner's home. That dog would then be transported to police-appointed kennels and the owner definitely would not know where that dog has gone.

Q67 **Chair:** Sorry to stop you there. Has it been reported that, at a house, there is believed to be a dog of a dangerous breed? How does it come



about that it is seized in the first place?

Dr Gaines: That can be the case. It can be someone reporting—a neighbour for example. It might also be a dog that is out in a public place that is seen by an officer who thinks that that dog is potentially a Section 1 dog. There are a number of different ways in which they can end up being seized, but they will then be taken to police-appointed kennels, where they will wait to be assessed by a dog legislation officer. This is someone who has expertise in the law. They will then look at the dog in front of them to determine whether that dog is a prohibited type.

As the earlier panel explained, that is generally done by them using the Association of Dog Breeders' standard for pit bull terrier types.² They will compare that standard to the dog in front of them to see whether there are sufficient characteristics and whether it is a close match. That process can take quite a long period of time until the assessment takes place but then, depending on whether the dog is of that type or not, it can make that process even longer. Certainly the RSPCA figures have suggested that, in some cases, dogs can be kept in kennelled environments for anything from a few days and weeks right through to a couple of years.

Research that I have done with colleagues at the University of Bristol has shown that, for many dogs, the kennel environment is hugely challenging. It is an environment that keeps dogs away from other dogs. It decreases the amount of positive contact they get and it is also a very confined space. Often what is very difficult for these dogs—not in all cases but in some cases—is being labelled as a Section 1 dog, and being deemed to be inherently dangerous has a further impact. We have evidence that some dogs, because of that label, are then not given the contact that they strongly desire. They are not necessarily taken out of their kennel for exercise and they can be kept in very barren environments. That in itself can be hugely problematic.

Chair: It exacerbates their behaviour, in a way.

Dr Gaines: It is of huge concern that often that, in itself, can go against the likelihood of that dog being able to be returned to their owner, so it can prejudice the likelihood of their owner being able to legally keep them. Bearing in mind that these dogs have gone into kennels just because they happen to look a particular way, it calls into question the cost that it can bring to welfare.

The RSPCA is very supportive of the exemption scheme. We called for that in 1997, but that in itself comes at a welfare cost to individual dogs. If you are allowed to legally keep a Section 1 dog, you have to do so under a number of different conditions. That includes the dog being on a lead in a public place and also being muzzled. Both of those can impact upon a dog's natural behaviour. It takes away control that they have

² Note from witness: This should instead read 'American Dog Breeders Association'.



over their environment and also means that they cannot interact with other dogs or people.

Q68 Chair: Sorry to interrupt you. Can you talk a little more slowly, because we have to take in very good evidence a little bit slower? If this dog is allowed to be kept, they have to be muzzled, but that is not because they snapped at anybody; it is just because they are a certain breed. Therefore, they are deemed dangerous so, therefore, they have to be muzzled. Is that the case? The whole premise of our inquiry is looking at the deed, not breed, so I am trying to get clear in our minds exactly what that is.

Dr Gaines: The dogs we are talking about in that situation are dogs that look a particular way. They have conformed to a standard that describes what a prohibited type of dog should look like. They will not necessarily have come to the police's attention because of their behaviour; they have come to the police's attention because of how they look. As David and Robin explained earlier, these are dogs that then can go to the court. As long as their behaviour does not pose a risk to public safety and they are in the charge of a fit and proper person, they can be returned home but under these very strict conditions. You then end up with dogs that behaviourally are very sound, but are being kept in ways that compromise their welfare for the rest of their lives, because there is no opportunity to revise those conditions of exemption.

The only other area that I wanted to mention in terms of where welfare can be impacted is that, by its nature, BSL and labelling these dogs as being aggressive makes them more desirable to certain parts of the sector. You end up with certain individuals who are more attracted to these types of dogs and then do not look after them in the ways that we would want. They are then more likely to become victims of cruelty and neglect, and we certainly see that at the RSPCA.

Q69 Chair: Trevor, from your point of view and your experience of the Act over the years, how do you see my question?

Trevor Cooper: I will move it forward from the dog welfare point of view, which Sam is absolutely right to emphasise, but remember the dog owners. In many cases, these were owners who did not have the faintest idea what their dog was. So far as they were concerned, this was just a mongrel. That dog would then have been seized from them and their home when the dog had not done anything wrong. That can be devastating: it is a member of the family that has been taken away, they have no idea when they are going to see the dog again and the dog could be away from home for weeks, months or perhaps even longer. They have no right to see their dog during that intervening period, if the dog is not released under the interim exemption scheme. We should not forget that there is not just a victim dog, but there is also a victim owner.

As far as dogs that come into rescue are concerned, I would also like you to have regard for the staff at rescues. People who work at rescues do so



because they love dogs and want to rehome them. The last thing we want to do is to put a dog down just because it looks the wrong shape. It is heart-breaking for Battersea staff, as I am sure it is for other members of staff at other rescues, to have to put a dog down because the law says to, even though that dog could well be a rehomeable dog that could go to a loving family.

Q70 Chair: That is the whole premise of our inquiry, really. There must be a number of dogs that are put down every year because of being considered a dangerous figure. I suppose we probably do not have the figures for those that are genuinely dangerous or are just a dangerous breed.

Trevor Cooper: The statistics for the dogs that are allowed to be exempted are easily available. They are on the index of exempted dogs, and those figures have gone up by 75% in the last five years. As Sam has told you, it is a matter for the owner to prove.

Chair: In that case, one could argue that it is unnecessary to have the breed-specific legislation, in some respects.

Trevor Cooper: The dogs are perhaps proving for themselves that they are not dangerous, because in each one of those 3,500 cases, the dogs have proven they are not dangerous to the satisfaction of a court. So far as destruction orders are concerned, we do not have those statistics. Some owners are so frightened by the whole process that the moment the dog is seized, they are cajoled and persuaded to sign their dog away. Of course, once the dog is dead there is nothing that they can do. I cannot give you figures.

Q71 Chair: Are there figures that exist?

Trevor Cooper: It would be difficult to get them. The figures for dogs that are to be destroyed by court could be ascertained, but figures for where the owners have just decided to have their dogs put down because they cannot face the prospect, the risk or the cost of going to court are not available.

What we know as a sector is the number of dogs that we put down, because as a sector we cannot rehome the dogs. Even if the dog is perfectly rehomeable, we are just not allowed because of the way the Act operates. It is illegal to give away or to sell a Section 1 dog. Although a dog with an owner can be exempted from the prohibition, a dog that does not have an owner, which is in a rescue, sadly does not have that option available to it because of the wording of Section 1 of the Dangerous Dogs Act. That part of the Act has remained unchanged since 1991. It is rescues in particular that are impacted by this law and it is absolutely not a position that we want ourselves to be in.

Steve Goody: The police or those authorities responsible for seizing suspected Section 1 dogs have an option, under the interim exemption scheme—which is sometimes referred to as “doggy bail”—provided that



that chief officer of the police can satisfy himself or herself that the dog is not a threat to the general public, and the person responsible for looking after it is a fit and proper person, to release that dog back into the care of that individual. Police forces are not obliged to do so; therefore, it is a bit of a postcode lottery, in terms of where you live, as to whether you are fortunate enough, if your dog is seized, for that scheme to come into play.

The point that Sam made just now, in terms of the impact on those dogs that are ultimately released back into the care of their owners under those provisions that say they must be kept on a lead when exercised and they must be muzzled, has a significant impact. As an example, we worked with a young man called Jordan Ward, 17 years old, whose dog was seized. It was perfectly well socialised before it was seized. It was in a kennel environment for over four months and was ultimately exempted. It was required to be muzzled and exercised on a lead and it went downhill very quickly. It is fair to say that that dog that came out was not the same dog that went into the police kennels. Ultimately, it had to be euthanised, so there are some significant impacts on owners and dogs as a result of those seizures and then their subsequent release.

- Q72 **Dr Johnson:** Just thinking about the figures on dogs that are sadly put down, the aim of the Dangerous Dogs Act, as I understand it, is to prevent people being harmed and attacked by dogs whose behaviour is not as we would wish it to be. It was suggested by the previous panel that dogs that have caused fatalities and the more serious injuries had come to the attention of authorities or of a community before, as a dog that was causing concern. When a dog creates a small injury, perhaps bites someone's finger or leg, what proportion of those dog owners react by going for additional training and how successful is that? What proportion of families opt to have the dog euthanised because they have caused such an injury to somebody?

Trevor Cooper: We do not have those figures available and I am sure they are not ascertainable. Most people who come to me, with my solicitor hat on, whose dog has injured somebody, tell me it is the first time that the dog has acted in that fashion. They say they have no reason to believe that the dog was going to act in that fashion. Now it may well be that, had they understood more about dog behaviour, the dog had been showing all sorts of signals, but they were just not seeing them, but it is very difficult to know with any clarity. All we have with clarity are the figures for prosecutions, and that is about it.

- Q73 **Dr Johnson:** Do you have a feeling, from the clients you have dealt with or the people who have come to you where the dog has injured somebody, of what proportion of those dogs go on to live happy lives and what proportion are put down?

Trevor Cooper: I have actually done the figures. In the last four years, from my cases for Section 3 aggravated, where there is actual injury, 97% of the dogs were not put down. They were allowed either to remain



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at home or be returned home, but subject to conditions as the court deemed fit.

Dr Johnson: That is the court's decision rather than the family's decision.

Trevor Cooper: If it has gone to court, it is. People would not necessarily come to me unless they were going to court.

Chair: Other statistics would be more difficult to find, Caroline, if they had not been to court, through hospital or registered. That is the interesting part that is going to be more difficult for us to ascertain.

Q74 **Angela Smith:** How effectively has breed-specific legislation protected the public, and would you advocate a complete repeal?

Steve Goody: As was very well articulated in the previous session, there is quite a lot of evidence out there to suggest that the Dangerous Dogs Act 1991 has not been effective in protecting the public. There is a good base of information out there in terms of the number of dog bites having increased and there has already been some conversation around that. In terms of whether, from the Blue Cross perspective, we would wish to see the current legislation repealed, in common with just about everybody who has given evidence, we certainly would. As we have heard, it is both detrimental to animal welfare and fails to protect the public.

We are realistic enough to recognise that that is probably going to take some time. Therefore, a couple of other measures could be considered alongside a total repeal, which is our preferred route. One would include a number of interim measures to help deal with some of the welfare concerns and the breed-specific legislation that Defra might reasonably be asked to introduce sooner rather than later, around some of the issues that have been discussed this afternoon. There would be something around the ability to grant rehoming organisations and others flexibility in being able to do something with those dogs that come into their care and are deemed to be Section 1 dogs that fall within the bounds of the Dangerous Dogs Act. As Trevor has already articulated, currently we have no option other than to euthanise.

Chair: They are of good or reasonable temperament, basically.

Steve Goody: That is absolutely right. That is an increasingly significant issue. I would encourage members of the Committee to have a look at our website. We have a particular case on there of a dog called Duncan, which was a dog with an excellent temperament that came in as a stray to our London hospital at Victoria. The SDU, the dog legislation officer effectively, came in and determined it was of a type. At the end of its seven days it had to be euthanised, which totally destroyed our staff who had been looking after it, I have to say. An amendment to cover that situation would be wholly welcome.



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A more consistent approach across police forces is needed when it comes to how they use the interim exemption orders particularly, given we have said it is a bit of a postcode lottery already. There should be a reduction in the time it takes for courts to deal with cases and probably a subsequent reduction in the time dogs are kept kennelled, which can go on for months and months and is to no one's benefit. A more effective way of monitoring the welfare of dogs while they are in kennels is needed, because that is currently sporadic. It happens or it does not happen at all. It very much depends on the police force and who is responsible for the care of those dogs while they are in kennels. There are some interim measures.

The other possible piece that we might like to see considered alongside, in addition to consideration around a total repeal, is some consolidation of the legislation that currently exists. At the moment, there are five or six different pieces of legislation that impact on the care, keeping and welfare of dogs considered to be dangerous. That makes it very difficult for those who are responsible for enforcing to determine which pieces of legislation they ought to be using and makes it very difficult for owners to understand what their responsibility is within the bounds of law. There are those three things: one is repeal; one is some addition to the current legislation; and the third is looking at some consolidation of the existing legislation to make it more sensible.

Q75 Angela Smith: Further, Chair, I do not know whether the other two panellists want to comment on this question as well, but to Steve, consolidation is an old chestnut. I have been involved in the campaign that you have waged with the other charities on consolidation. Civil servants always say that it is far too complex and will take far too much time to do it. Do you think that is a justifiable objection? Can we quantify the welfare benefits that would accrue if we tackled this and consolidated the legislation?

Steve Goody: I would suggest there might have been efforts to consolidate previously. If you look at the Dangerous Dogs Act itself, the Control of Dogs Order, element of the Clean Neighbourhoods and Environment Act and the Anti-social Behaviour, Crime and Policing Act, there is a degree of crossover and ambiguity within all of those pieces of legislation. If there is a genuine intent to improve the welfare situation for our nation's pets—and I have to say the consultation and us being here this afternoon is a significant testament to that intent, or the welfare sector would hope so—it would be perceived that there is a reasonable expectation of the ability to review and consolidate the legislation that exists into a single something.

Trevor Cooper: From Battersea's perspective, breed-specific legislation does not work and the sooner it is repealed the better it will be. It has not worked since day one. There are elements of the law that could be changed, which would make it less bad, but our point is very clearly that Section 1 should be abolished.



Chair: Your view is quite clear: it is bad law and it needs to be repealed.

Trevor Cooper: Absolutely, but, if the Government were not minded to do that, there are things that can be done. For example, the rehoming point is very important. There is no reason whatsoever that a dog with a good temperament should be put down just because the owner cannot continue to look after it. Those dogs should be able to be rehomed, either through rescue or by the owner themselves. It seems to be that the law is draconian and should allow dogs to be rehomed, whether by sale or by gift. Remember, the burden of proof has been reversed since 1991. It is a criminal offence to have possession or custody of a non-exempted dog. The normal course of events for criminal charges is that you are innocent until the Crown has proven the case against you beyond a reasonable doubt.

Q76 **Chair:** In this case you are guilty until you can prove your innocence.

Trevor Cooper: That is quite so. Perhaps the time has come for us to look at that again. Is it fair on the defendants that they should bear that burden? I would like Parliament to reflect on whether the time has come to bring it back to the ordinary criminal standard.

As far as the interim exemption scheme is concerned, Steve is absolutely right that it is a postcode lottery. Some police forces just will not grant bail for dogs. The way the exemption scheme is worded, if the police choose not to allow a dog to go home on bail, that is the end of it. The court does not have any power to allow a dog to be returned home pending the conclusion of the case. I have a great deal of support for courts in these cases and, it seems to me, if the police choose not to allow a dog to be returned home, surely it should be a matter for a court to make that final decision, not the police. The court can hear both sides and make a fair and proper decision, based on what they hear.

The fourth aspect, should there be amendments, is a way of speeding things up. In many cases, it is agreed that the dog would not be a danger to public safety. The police are satisfied that the dog has a good temperament and that the owner is a fit and proper person to have charge of that dog. Why on earth do we need to waste the court's time, with all of the delay that that entails, by making it go through the court process?

Q77 **Chair:** Let me be clear on this. What you are saying is, at the moment, even if the police are saying that a dog is of a reasonable temperament, because it is of a banned breed, it automatically has to go to court. Is that right?

Trevor Cooper: Yes. When the Act first came in, back in 1991, your dog could be exempted just by making the application and complying with the exemption scheme. It did not need to go through court. It only became a court matter from 1997. It seems to me that, if it is an agreed application, surely the police and the dog owner could make a joint request to the index of exempted dogs that would cut out the court. It



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would save a great deal of wasted time by courts and a great deal of heartache for the owner.

Q78 **Chair:** Would that need a change in law? How would it work?

Trevor Cooper: It would need a change in the law, yes, because at the moment it can only be done by court order.

Q79 **Chair:** Is that secondary or primary legislation, or do you not know?

Trevor Cooper: I believe it would be secondary legislation, but am not entirely sure. I will get back to you.

Chair: Very often it can be easier to change secondary than primary.

Q80 **Angela Smith:** Repeal is the favoured option.

Trevor Cooper: Absolutely.

Dr Gaines: The RSPCA did a report two years ago looking into breed-specific legislation. We looked at what the original intention of the BSL part of the Act was. It was to bring about a reduction in dog bites. People have already spoken about the hospital data that is available, but it is also important to draw attention to the various scientific studies that have been done outside of the UK, which have shown that BSL has not reduced dog bite incidence, for example in Ireland, Spain, Italy, Canada, Belgium and also the Netherlands. What has happened in some countries, for example Germany and the Netherlands, is they have looked at how valid BSL is. They have looked at the dogs within their countries that have bitten and have shown that there is no scientific basis. The science very strongly tells us that it is not effective, so the RSPCA would absolutely call for repeal of BSL. Like Trevor and Steve have already said, we would want to see a raft of interim measures that better protect dog welfare.

Q81 **Chair:** Do you have any idea across Europe of which countries have breed-specific legislation and which do not?

Dr Gaines: We do have and can definitely send that to you.

Chair: That would be useful, because it would be interesting.

Q82 **Angela Smith:** I have two more quick questions. Sam, you have just mentioned that the Netherlands has repealed BSL. Do you know if there been any assessment yet of the impact of repeal on animal welfare and public safety?

Dr Gaines: There has not been to our knowledge. They abolished BSL in 2008. Basically what they did in the Netherlands was to look at the validity of legislating against certain breeds. By looking at the dog bite data, they found that actually the dogs that were the most commonly kept were biting the most. To apply breed-specific legislation in that case would mean the eradication of huge numbers of dogs, which was not practical or desirable. At the moment, they are still looking at different measures, but it is very much about bringing in responsible dog



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ownership and engendering that within the community, making people more responsible for their dogs and having that ability to intervene from an early stage when there has been an incident. They are looking at prevention, but also having very strict penalties for people who do the more serious incidents.

Q83 Angela Smith: There is no evidence and nobody has heard anything about any negative impacts, so far. It is very difficult for us to know what the impacts of repeal are. The Association of Chief Police Officers has always been a little reluctant, to put it mildly, to support repeal. It focuses instead on the need to change society's approach to responsible dog ownership. Their view has shifted slightly in the sense that they are now saying they would repeal, but only after we have seen a change in society's approach to responsible dog ownership. It is a bit chicken-and-egg, but the BVA has pointed out that, as long as we have the four banned breeds, we are in danger of creating the impression that all the other breeds do not pose any danger at all, or are not capable of the aggression that we are saying the four banned breeds can present. What is your view on the balance between these two views? On the one hand, ACPO is saying we have to wait until we have responsible ownership; and the BVA is saying that the banned breed section of the Act is not doing a great deal to encourage responsible ownership.

Dr Gaines: There is a lot of evidence that BSL is not working. What is hugely concerning, at the risk of repeating what Robin said, is that at the moment we are saying that these four types of dog are dangerous and more so than any other type. It is falsely misleading the public that the dogs are safe. We have evidence of that as well. A study was done recently in Ireland that showed that people were more likely to report a bite that had been delivered by a prohibited type of dog than one that was not. It is showing that by having this label on certain types of dogs at the moment we are misleading the public but we are also increasing desirability within certain sectors of society. If we are labelling dogs as dangerous, they are going to be attractive to certain people. There are a number of issues. Certainly my hope would be that ACPO would equally want to take an evidence-based approach to protecting public safety and would understand that, at this point, BSL is not working and is not protecting the public as it was intended to do.

Steve Goody: It is not even doing what it set out to do in ultimately removing particular breeds of dog from circulation. The Act came into force in 1991; it is 2018 and there are not many dogs that live to 27 years old. Therefore, there should not be any pit bull terriers, but clearly there are more and more on our streets.

Chair: It is interesting.

Angela Smith: It is a good point.



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Trevor Cooper: Bear in mind it is called the Dangerous Dogs Act, yet, for a dog to be found to be of a pit bull type, it does not need to be dangerous at all.

Q84 **Chair:** The two do not relate, do they?

Trevor Cooper: No. Chairman, earlier you asked whether temperament was in the Act. I wanted to pick that up before I forgot. The Act itself only looks at the temperament of the dog when it comes to the second part. If the dog is found to be of the type, the court will look at whether the dog is a danger to public safety. Whether the dog is or is not a pit bull terrier type, the temperament is relevant but not conclusive. That is not in the Act; the High Court has made that ruling.

Q85 **Chair:** Has case law moved it since the Act itself?

Trevor Cooper: That is correct, and that has pretty much been the case law since day one. You can have the nicest dog in the world and it can still be regarded as an illegal type of dog if the measurements are wrong. I encourage you to have a look at the ADBA standard, which was referred to by David earlier. It is largely subjective. Yes, there are some aspects of it that you can measure, but experts do not even agree on measurements, so we end up with a quite ridiculous argument in court about the dog's physical confirmation. The public thinks of pit bull terrier types as being the dogs they have read about in the paper, which give a dog a bad name. The press has continuously made the public think of these dogs in a certain fashion, yet that is not the reality. The reality is mongrel dogs, cross-breed dogs, which are just of the wrong shape. Rather, the defendant cannot prove that the dog is of the correct shape, because of that reversal of the burden of proof.

Q86 **David Simpson:** You may have touched on this point when I was out. You may not, but how do you respond to concerns that repealing breed-specific legislation prioritises dogs' welfare over public safety?

Steve Goody: There has to be a balance struck between the welfare of Britain's pets and public safety. It is possible to achieve that balance through a repeal and a more robust and practical approach, which is evidence-led to developing legislation, which supports best practice and does not compromise public safety, while still securing the welfare of our pets. I do not think the two are mutually incompatible.

David Simpson: You think it could work okay.

Dr Gaines: It is not protecting public safety and it is compromising dog welfare. As Rachel Casey mentioned earlier, we know that breed is not a reliable predictor of risk. If we want to properly protect public safety and protect dog welfare, we need to be moving in a direction that is about adoption of breed-neutral laws.

Trevor Cooper: This touches on something that Dr Johnson referred to earlier. She referred to the Battersea report of dog bites, *What's Breed*



Got to Do with It? This is a survey of 215 behaviourists and trainers, which found that 74% said that breed was either not important at all or only slightly important as a cause of dog aggression towards people. The far more determinant factor was the upbringing that the dog had had from its owner; 86% took the view that socialisation was the most important factor.

Even when it came to those experts who were telling us that breed may well be an important factor, they were not agreeing on which breeds. Hardly any of them—in fact five people—referred to bull breeds, which include pit bull terrier types. There were more who were mentioning other types of dogs, so there is no consensus there, but the vast majority took the view that breed just was not important.

David Simpson: That is very interesting, thank you.

Q87 **Chair:** It was almost seen at the time as the way to go forward because of these particular cases. We seem just to have targeted particular breeds, which has been counterproductive in many respects.

Trevor Cooper: It has allowed us to focus on the wrong end of the lead. I know that is a phrase that lots of people use, but that is the reality of it. We have assumed that certain dogs are dangerous just because of the way that they look. As everybody will say, any dog is capable of being dangerous in the wrong hands. We would much rather look at preventative measures that work, rather than a measure that just puts a dog down because of its measurements.

Q88 **Chair:** We have more or less covered this, but are there any other points you would like to add to what risks would be involved in repealing the breed-specific legislation? I suspect that when we get the police in here or even when we get Ministers in here, this is something they are going to start quoting back to us. Putting your other hats on, what arguments are likely to be made to retain breed-specific legislation, even though you do not agree with it, if you see where I am coming from?

Steve Goody: It is not for us, as the welfare organisation, to make the case for retaining the Dangerous Dogs Act, because we would like to see it repealed. The other ancillary point that we would make is to counsel caution around a hasty repeal that replaces it with something equally as bad.

Trevor Cooper: That is a fair point. This needs to be a measured response. We have had a failure for 27 years and do not want to get it wrong for another 27 years. We need legislation that is fit for purpose in the 21st century. Going back to Ms Smith's point, Battersea supports the idea of a consolidated dogs Bill. We are not frightened to look towards a challenge there. The laws that we have really need to work and to make them work means they need to be joined up, so that we do not just look at dogs that are dangerously out of control in an artificial way. We need to look at other issues. This Committee has looked at dog-on-livestock issues before, and dog-on-dog incidents and dog-on-other-animal



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incidents. We perhaps need to have this all in one place. It would assist enforcers as well as dog owners, but let us get it right this time.

- Q89 **Chair:** To play devil's advocate, one could argue that all big dogs can potentially bite and cause real damage, so ban all big dogs. Will they make a counterargument to say that, by taking out some of these large breeds that could potentially be dangerous, we will be making the situation worse? I am just putting that case. What would you say to me then?

Trevor Cooper: Any dog is capable of being dangerous—big, small or otherwise. We have 9 million dogs or thereabouts. The vast majority of those dogs are well behaved and the vast majority of those dog owners are perfectly responsible. It is just the very small minority we need to weed out. The way to weed them out is not by banning; it is by promoting responsible dog ownership in its widest sense.

- Q90 **Chair:** Should that be targeting those parts of our community who are using dogs specifically as a weapon and being aggressive?

Trevor Cooper: The full force of the law should be used against anybody who is using their dog as a weapon, of course.

Steve Goody: That is not just about the law and the legislation. Key to that particular argument and achieving success is the flip side of that same coin, which is this piece around education and changing attitudes and behaviours. While the legislative piece is very important, so equally is the piece about education and changing attitudes and behaviours, which sits beside it.

- Q91 **Kerry McCarthy:** I wanted to mention a couple of local cases I have come across that illustrate some of the other problems with the legislation. As I understand it, at the moment there is a prohibition on transferring a banned dog. If a dog has an exemption certificate, it can only be given away or sold if the owner is dead or incapacitated. I had a constituency case where the owner went off to Australia. The dog had an exemption certificate and had been well behaved for several years, but was put into kennels and eventually seized, because nobody else was allowed to take over ownership. Have you come across issues like that? Have you had dogs that have ended up as you because of that sort of scenario, where you do not seem to be able to easily transfer the exemption certificate?

Trevor Cooper: That is the reality of it: you cannot. From 2015, the exemption scheme provides that an exempted dog can only be transferred by court order, and then only if the owner is dead or is so seriously ill that they cannot look after the dog. The case you are talking about is a dog called Sky. The High Court made a landmark ruling at the end of last year where they allowed a dog that had been exempted to be re-exempted, but it could only be done either to the owner, which was not possible in that case because they were beyond the seas, or to the



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person for the time being in charge of the dog. In that situation, it was someone who had been walking the dog.

Kerry McCarthy: I think it was seized and locked up for three years and then the kennel staff took over.

Trevor Cooper: Indeed, but that does not help with general rescue dogs, because we want to rehome them externally. At the moment, you cannot have a new stranger keeper, so someone who does not know the dog yet, with the law the way it is at the moment, cannot be appointed a new keeper for it.

Q92 **Kerry McCarthy:** What is the logic of that?

Trevor Cooper: You are talking about breed-specific legislation, madam. It has very little logic to it.

Q93 **Kerry McCarthy:** If the owner of a dog that has an exemption certificate dies, it is okay for somebody else to come in. I am not quite sure how you define incapacitated but, if the owner for some reason has to leave the country, has a child or moves house and cannot have a dog in the house, nobody else can.

Trevor Cooper: Perhaps they have moved to a flat where they are not allowed dogs or maybe they have lost their job and cannot afford to have the dog anymore. At the moment, the way the law is structured suggests that the dog should be put down. It is preposterous.

Q94 **Kerry McCarthy:** There is no logic to it, is there? That is one case. The other one was where somebody rescued a dog from an owner who was quite abusive towards it. It was a Weimaraner/bullmastiff cross apparently, but the dog was taken by police and destroyed. It was six months before she found out that the dog had actually been destroyed, because she was not the registered owner of the dog. This is the sort of scenario where you have somebody who wants to step in, rescue the dog and take it on, but the system seems to work against that.

Trevor Cooper: That would be a Section 3 case. The dog would have been dangerously out of control, I assume. In that situation, the dog would be regarded as the property of the owner and, if the owner did not want the dog to be rehomed to somebody else, it is within their power just to have the dog put down.

Kerry McCarthy: The owner said that he was happy for her to take it off his hands, but it was not official; he disappeared or something like that.

Trevor Cooper: It is within a court's power, if it is a non-Section 1 dog, to allow that dog to be rehomed somewhere else. There is precedent for that.

Q95 **Kerry McCarthy:** The problem in this case was that the police did not acknowledge that another would-be owner had stepped in, because they were not the registered owner. Generally speaking, you would like to see



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that particular element applied to Sky change, presumably. If we were not looking at the overall period of BSL, you would be looking at that provision about banning or transfer.

Trevor Cooper: At the moment, the law is very clear in Section 1. It says that dogs to which Section 1 applies cannot be sold or given away. We would like that repealed tomorrow because, as you rightly say, it makes no sense whatsoever.

Steve Goody: It may require a definition of what is or is not a bona fide sanctuary, because we clearly would not want to create any loopholes, so that might have to be considered as part and parcel of that process.

Kerry McCarthy: That is partly what you said about speeding up the process as well, so it does not take three years. There is the whole issue about not being able to get legal aid and so on to pursue this in court.

Dr Gaines: There are some good examples on some of the police forces, where they are working to expedite these sorts of cases. As an example, Greater Manchester Police and the Metropolitan Police have arrangements with their local courts that allow dog cases to be seen on particular days. That helps speed it up, so that is the sort of thing that we would like to see and may well have helped in the case that you described with Sky.

Q96 **Kerry McCarthy:** Would you like to see consolidation of legislation or ideally a new piece of legislation?

Dr Gaines: The RSPCA, like the other charities, has been calling for reform and consolidation of the legislation. It is very piecemeal at the moment. There are 10-plus different bits of legislation that relate to dog control, dating back to the 18th century. It can be very difficult for officers then to enforce that law. Although there are some measures that exist at the moment underneath the various different pieces of legislation, they are quite complex and they are not necessarily specific to dogs. As well as the reform and consolidation of legislation, we would also like to see dog control notices being introduced as well.

Chair: They should be brought up to date as well.

Kerry McCarthy: The 1871 Act is apparently used when a dog attacks another in a public place. It seems quite odd that that has not been updated, whereas there have been other piecemeal bits of legislation that have come in since then.

Dr Gaines: You could achieve that updated evidence-based approach, as Neil said, if you did the reform and consolidation. What is good about the dog control notices as well is they give you that ability to intervene at a very early stage. They are preventative in approach and also very proportionate as well. If someone is a first-time offender or, for example, their dog is repeatedly escaping or posing a risk to public safety, you have that ability to go in at an early stage and help work with them through education to make an improvement. Equally, you also have very strict penalties under the legislation to target those repeat



offenders or where people have been wilfully using dogs in criminal ways, to intimidate or harass people.

Steve Goody: I am particularly mindful of the dog control notice issue, because our Anti-social Behaviour, Crime and Policing Act 2014 talks about more generic control orders. If you look at what is happening in Scotland for example, their Control of Dogs (Scotland) Act 2010 refers quite specifically to dog control notices. One might argue that, because they are more specific, they are more beneficial. One of the things that we would like to see happen is for Government to make good on the commitment that they made when they introduced the Anti-social Behaviour, Crime and Policing Act to assess its overall effectiveness, because not a lot has been done on that assessment and evidence-gathering at the moment. There is an opportunity with the legislation as it stands that is not related specifically to the Dangerous Dogs Act to do more around the evidence-gathering to determine what works and what does not.

Chair: David, on your question, is there anything in Northern Ireland that you may do better than we do here?

David Simpson: We do everything better.

Chair: I am sorry; I should have remembered that.

Q97 **David Simpson:** It is not everything, believe me, but we will not go into that today. Steve, you talked about dog control notices. In your opinion, do you think they would be effective for dog owners or would they make a difference? Did you make the point that we would need to have more of an evidence base to see if they work?

Steve Goody: There certainly needs to be more assessment around how effective either the dog control notice or the more generic control notices have or have not been. There is a wider issue here, which we have not talked about at all, which is this issue of enforcement.

David Simpson: That is the point I was making.

Steve Goody: From the work that Blue Cross did as part of its *Unpicking the Knots* report back in 2016, there was a very clear indication, based on some good research and data that came back, that said that, over the last three or four years, local authorities have seen their budgets for dog warden services cut dramatically. They have seen their more generic budgets cut, which means fewer people, money and time to do some of this work. As there is less time and fewer people to enforce the legislation that exists, some of the better aspects of what currently exist through dog control orders or other are diluted. A number of things really need to happen: some good assessment and evidence-based recording of what works and what has not; and a root-and-branch review by Government of the resources that they make available to local authorities to enable them to do the job that the legislation says they ought to be doing. There are some big gaps in all of that.



Q98 David Simpson: Just before Sam and Trevor come in, we have noticed that, on the enforcement side of things, if there is underground dog-fighting, the authorities seem to concentrate on it more than they would on what I would term domestic bites or somebody walking up the street and being bitten. The enforcement side concerns me quite a bit, because we hear of cutbacks on policing. We do not have enough to do what we are doing. It is a good enough idea, but how would it be enforced? Would they go the whole journey right through to the courts?

Steve Goody: That is a good point. The National Dog Warden Association has done a bit of work and asked the local authorities, the police and the pet-owning population whose responsibility it is to manage the issue of dangerous dogs. You will get an answer from the police that says it is the local authority; you will get an answer from the local authority that says it is the police. It is not a surprise that there is confusion in the mind of the pet owner about what he or she ought to be doing to ensure that, as much as possible, they are a fit, right and proper pet owner.

Trevor Cooper: Dog control notices are something we would certainly like to have introduced into England and Wales. We have community protection notices at the present time. From speaking to enforcers, I am told that the threshold is just too high. The benefit of a dog control notice is that it has a lower threshold. One incident can be enough to trigger a response. We are looking at early intervention and you need to intervene earlier. There is no point hanging around, so there is that benefit.

The other benefit to a dog control notice is that it can only be served by an officer who has demonstrable skills in the control of dogs, which means you have someone serving a notice who knows what they are doing. It seems to me on both of those levels that it is certainly something that should be explored. When we look at a consolidated dogs Bill, perhaps we can look to include that, and learn lessons from other parts of the United Kingdom that may be doing it better than we are, in that respect. I am not suggesting that it should replace any part of an enforcer's toolkit, but it should enhance their toolkit.

Dr Gaines: We would support it. We have spoken to the Scottish SPCA, which has access to dog control notices in Scotland. They have said that, where they have been used, they have been shown to be really effective. The issue for them is the resources to ensure that enforcement is robust, but that is partly why the RSPCA is a champion of dog licensing. What we would like to see through a licensing scheme is resources that can be generated and ploughed back to help the enforcement of dog control notices. It would lead to better and improved training of officers, so there are systems there.

I would just mention the Calgary model, which was already mentioned earlier. That is a really good example of where licensing has had a huge impact on responsible pet ownership and also on dog bites. They have



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seen a 70% decrease in dog bites between 2000 and 2016, because basically every dog owner there has to have a dog licence and the money that is generated from that is ploughed back into services that benefit owners of dogs and also those with whom they interact. They provide free education, for example, to people who have dogs. They go into schools. It is all about engendering and developing responsible dog ownership, and it is a very good example of where they go hand in hand.

Trevor Cooper: On that point, the Battersea view is not supportive of the return of the dog licence. In that respect, we are not universally in agreement. It was abolished in Great Britain in 1987, albeit retained in Northern Ireland, but it did not work and it was costing more money than was being received. Our view is that it is a tax on dog owners that does not have any demonstrable benefit for dogs nor responsible dog ownership promotion. Why go back to a failed policy from the past? That may well be a debate for another time.

Q99 **Chair:** I am sure we will debate it. I have mixed views on it. I can see some of the benefits, but I also think it can be a tax on the legitimate good dog owner that does not necessarily pick up those who want to act badly outside of the law. We have to be a little careful, but we will give it due consideration.

Steve, you have almost answered my next question. You talked about the local authorities and the police tackling dangerous dogs and how effective they are. What changes of approach would you like from both sides to see whether they can be more effective and also if the legislation we have now or are going to put in place can be enforced better? In an ideal world, what would you like to see?

Steve Goody: I do not want to repeat anything that has been said previously. There are some good examples out there. The LEAD initiative is running in the borough of Sutton, where you have some excellent close working between partner agencies, so the council, police, local housing authorities and charities, to promote responsible pet ownership, quite particularly before an incident occurs. That is a good, solid example of what can be achieved when commitment and thought is given to how a joined-up approach to resolving these issues can be applied, as opposed to it being exclusively dependent on a legislative solution. For me, over and above all of those points that have previously been discussed, that joint partnership working piece will be critical going forward. We have already seen some real benefit as a result of that particular programme.

Q100 **Chair:** Generally across the country, do the police and local authorities work well together or not too well? Where are we, do you think?

Steve Goody: It is a curate's egg. It is inevitably good in parts. In those local authorities and police forces that we work with through our education teams, for example, where we encourage more of a joined-up approach, we are starting to see some real wins in terms of support for



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that sort of initiative. Inevitably, there will be parts of the organisation where there is none of that, where there is no RSPCA, no Blue Cross, no Battersea and no Dogs Trust, where there are significant gaps in that joined-up-working piece between police and local authorities. They both have different statutory responsibilities, they both have different budgets and they both have different priorities, so it is not a surprise, but there is some key learning to be drawn down from those programmes like LEAD where benefits have accrued.

Q101 Kerry McCarthy: We heard from the previous panel that they thought more could be done to educate dog owners about what responsible dog ownership looks like. Are there particular steps you think the Government should take to try to make that happen?

Dr Gaines: It is fair to say that education, certainly of schoolchildren, very much falls under the charity sector, which is fantastic but has meant that it is piecemeal in approach to a certain extent. In some areas, you end up with duplication of effort. We would like to see the Government take that responsibility and, for example, introduce compulsory education to schoolchildren about how to stay safe around dogs. That is one thing that could be done very easily and would certainly make a big difference, if children had a better understanding of how to stay safe when they have dogs in their own home and outside.

Q102 Kerry McCarthy: Presumably it would not take a big chunk out of the curriculum. You would be talking about one or two lessons.

Dr Gaines: Yes, and it goes back to what the previous panel was saying: that there are additional benefits to talking about dogs in the home. It allows you to build in empathy and the benefits of having animals in life. It engenders kindness and that sort of thing, so there is definitely a lot of benefit from having that within the curriculum.

Steve Goody: It is not just about the charitable sector either. Look at what the veterinary profession is doing. Look at what the pet food manufacturing sector is doing to promote responsible pet welfare and how to look after and keep your dogs appropriately. An awful lot of stuff is going on. Fundamentally, what is missing from a strategic perspective is an approach that says what benefit all of this stuff and activity is actually having. There is a real opportunity for Government to take a lead from a strategic perspective, again evidence-based, assessing where the benefit of all of these different programmes is, therefore where the gaps are and how we fill them.

Q103 Kerry McCarthy: At what age should this be done?

Steve Goody: We are doing it at Key Stage 1 and 2. We have started at Key Stage 3 now, so throughout the school curriculum, extracurricular after school and with young adults in some quite difficult environments. Our approach is more outside of the school environment, peer to peer, as opposed to education, because we find that that works best. It is across the spectrum of pre and current pet ownership.



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Q104 Kerry McCarthy: Have you done any work particularly with minority communities? We had a conference in Bristol trying to get people from BME communities more involved in nature and it was very much led by people from those communities. One of the speakers, a Bangladeshi-origin woman, was saying that one of the reasons why people from her community did not go out into parks or the countryside much is that they were really scared of dogs. It is a cultural thing. I have seen that anecdotally when you go out door-knocking with people from other communities, who will not go to the houses with dogs in. It is a gross generalisation, but is that something that could potentially be taught in schools as well to familiarise them, or is that not something that crossed your radar?

Dr Gaines: It would certainly be beneficial, because it goes back to the point that, if you are going to come into contact with dogs, you need to know how to interact with them safely. Certainly some people, as you said, are very frightened of dogs through a lack of understanding. It is important that they are given the tools that they need to understand and recognise different behaviours in dogs, so that they can stay safe as well.

Q105 Kerry McCarthy: The last question I have been given you have already answered with the wrong end of the lead thing. It just says, "Who should be considered primarily responsible for a dog's aggressive behaviour—the dog or its owner?" I know the answer; presumably it is the owner.

Trevor Cooper: It is the person for the time being in charge of that dog, yes.

Dr Gaines: It is certainly not the dog. There is a complex range of factors that affect aggressive behaviour. As well as the owner, we also need to be looking at how the dog has been bred, how they are reared and also the experiences that they have with that owner, whoever is in charge of them at the time.

Q106 Chair: On the education side, this goes beyond our inquiry a bit, but the Americans have done quite a lot of work, and where abuse of animals is going on in a home there is very often abuse of people. If we could find the children young at school where there might be a problem in the home, I suspect we will find more than just a problem with the dog. It is not only dog welfare but probably human welfare. It is a bit beyond our inquiry to go there, but I do not know whether you would like to make any comments on that study that some American states have done.

Steve Goody: There is work going on in the UK as well. The Links project has been working on this particular issue, working with the authorities, social services and police for a number of years. If the Committee is interested, it might be worth looking at the work of the Links project in that regard.

Q107 Kerry McCarthy: Is that a charitable thing?



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Steve Goody: Links is a not-for-profit-sector organisation, but it brings into partnership social services, vets, local authorities and the police, in a joined-up way, to identify that causal link between early abuse of animals leading on to abuse around people.

Chair: Thank you for that. Thank you, all. We have had two very good panels this afternoon and a very good session. It has reinforced our reasons for having this inquiry in the first place. We will carry on and hopefully put a good report together. Let us hope we have a positive response from Government when we are done. Thank you very much.