

Environment, Food and Rural Affairs Committee

Oral evidence: The work of Defra, HC 321

Wednesday 6 February 2019

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Members present: Neil Parish (Chair); John Grogan; Dr Caroline Johnson; Mrs Sheryll Murray; David Simpson; Julian Sturdy.

Questions 290-375

Witnesses

I: David Rutley MP, Under Secretary of State for Food and Animal Welfare, Department for Environment, Food and Rural Affairs; Marc Casale, Deputy Director, Animal Welfare and Exotic Disease Control, Department for Environment, Food and Rural Affairs; Tamara Finkelstein, Director General, EU Exit Delivery, Department for Environment, Food and Rural Affairs.

Written evidence from witnesses:

- [The Department for Environment, Food and Rural Affairs](#)

Examination of witnesses

Witnesses: David Rutley MP, Marc Casale and Tamara Finkelstein.

Q290 **Chair:** Welcome, David. It is nice to have you. It is the first time you have come before the Select Committee since you have become Minister, so welcome. Starting with Tamara, could you just introduce yourselves across the piece, just for the record, please?

Tamara Finkelstein: I am Tamara Finkelstein. I am the Director General for EU exit at Defra.

David Rutley: I am David Rutley, Minister for Food and Animal Welfare.

Marc Casale: I am Marc Casale, head of the animal welfare team in Defra.

Q291 **Chair:** Welcome. Naturally, we did notify you, David, of the fact that we would like to ask you other questions, because you also have a role over the readiness for Brexit. I just want to ask a question to start with. What discussions have you had with the French Government about minimising disruption of food trade at Calais in a no-deal scenario?

David Rutley: Personally, I have not had any conversations myself, except that I have with officials in the French Government. One of the first things I did when I got appointed to this role was to go to Dover and to Calais, and to see for myself how the whole process works, with that continuous loop. I went over and met with the president of Port Boulogne Calais to see the situation there. Clearly, what we are trying to do is to ideally get a deal so that we do not have to worry about the concerns of no deal, but as any responsible Government would, we are working flat out to prepare for any eventuality, including no deal.

I understand that there are conversations that are being had at senior levels to see what progress we can make there. Reports are suggesting that the French are now moving forward with enlarging border inspection posts at Dunkirk, building ones at Coquelles and also at Calais. There is action being taken. I also understand that they are recruiting border force individuals as well, which would seem to be helping to facilitate a better interaction and better flow of goods at the time, but we cannot plan on that yet. We are preparing for all eventualities, although it does seem as if the French are moving things forward.

Q292 **Chair:** I do have real concerns, because I was in the European Parliament from 1999 to 2009. We were trying to get British beef back into France after the BSE crisis. We were then part of the single market and we had huge problems getting beef back into France. We really have to go in with our eyes open, because, much as I love the French, they are very good when they want to stop trade. They will find all sorts of reasons to stop it. We have got a lot of lambs that go into France. I really



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need to be reassured that, in Government and in Defra, we are not just putting our rose-coloured glasses on and saying, "It will all be fine".

The border posts are a mixed blessing, are they not? They might be useful in getting people through; they might be very useful in stopping people getting through as well. Are there any sort of assurances of what sort of attitude the French Government are going to take to trade? Probably not, I would imagine. That is the issue for me.

David Rutley: There are other officials who are working on the interactions with the French Government. All I can say is that in my personal interactions with the port, they are very keen. Clearly, there are others in the north of France who are keen to seek to facilitate trade. I think we would all agree in this committee room that we want to find every possible way to continue that flow of goods. That is why we are working so hard for a deal.

Just to reassure you, Mr Parish, because I know you take a huge interest in this, we are not taking any of this lightly. We have 53 major projects that are being taken forward in a huge programme of change, as you know. You will be seeing more about the systems tomorrow. You are coming to Defra to see our new import notification system and other systems. Huge amounts of works are going on. I just want to reassure the Committee that the manpower is being put in place as well. It is a huge transformational change at Defra.

Over 1,300 people were recruited last year. Another 1,400 are being recruited during this year. That degree of transformational change is very rarely seen in any major businesses, but it is going on in a Government Department. Having spent a lot of time in the private sector before coming to this place, I can say with real sincerity that the programme is being very actively managed, the projects' plans are extremely good and I hope that you come away from your meetings tomorrow with that sense of reassurance.

Chair: Yes, we are going tomorrow, naturally, to see this, because it is not just about manpower. It is about making sure that that is being put to good use.

Mrs Murray: If I could come in, Minister, your role is, as far as I am aware, responsible for the EU exit, but when you answered Mr Parish's question you said that there were other people who are dealing with this. I would not expect you to know every single detail, but surely you are able to tell us what systems you are going to have in place should we get to 11.00 on 29 March and find that we have not got a deal. It is not very long, and really I would have expected Defra to be more than adequately prepared at this time, particularly as that is the default position. If you cannot tell us now then maybe you could write to the Committee, but I would like to hear that you actually have some definitive processes in place so that my farmers can be reassured that they are not going to find that they cannot export anything.



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David Rutley: Maybe I did not answer Mr Parish's question in a way that was clear enough to you, so I apologise. I understood his question was more about the interactions with the French Government. I am not involved with those conversations.

Q293 **Mrs Murray:** It was quite clear; it was about minimising disruption. I need that reassurance.

David Rutley: To answer your point on minimising disruption, absolutely. We have these 53 different projects that we are taking through, one of which—the most important probably, in terms of impact—is going to be our import notification system, which will enable third-country products to come through and get registered in the UK. That will be our replacement for TRACES, which is what is currently in place with the EU. We are seeking to mimic the current system, put it into a UK system and then make sure that we put all of our processes in place to minimise disruption on this side of the Channel.

Q294 **Mrs Murray:** Have you got reassurance that that will be reciprocated on the other side of the English Channel?

David Rutley: That is the question. That is where Mr Parish was quite keen to hold my feet to the fire, because we do not have those reciprocal arrangements. That is why what we are doing is working for a deal where we can get reciprocal arrangements in place or clarified, but clearly with no deal there are risks on both sides. What we are seeking to do is absolutely minimise the risk by getting rid of potential friction at the border, so that any friction that might be in place is on the other side, on the French side of the border.

Q295 **Mrs Murray:** Inspections will take place away from the border for agricultural products.

David Rutley: As they do today. There will be lots of places where we are not looking for checks. What we are trying to say is, "We will keep continuity". EU products are developed at a very high standard, like the ones we have today. There will be no change. We are not going to be putting those frictions and checks in place. There are some produces, such as higher risk plants, for example, where there will need to be checks, but just as they are today, they will be away from the border.

Hopefully I can reassure you, Mrs Murray, that I do not know exactly what is happening on the French side. All I know is that there are reports to suggest that they are taking some action now. Will they be 100% ready on day 1? We do not know. We do not control that. What we are doing is planning for any eventuality on our side. Tomorrow you will see some of the programme management that is bringing all of these projects to bear, and you will also see some of the systems first-hand that we are putting into place.

The other thing I should stress is that this is not all about Defra. To keep the borders flowing and goods flowing across the border smoothly, we



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need to make sure there is really good interaction with HMRC and with DfT. I can assure you that we are working incredibly closely with them. One of the Defra team has been seconded to work with the DfT team working on borders and on vessel capacity, which we may want to explore further. It is that sort of joined-up working that is really making the difference. Within Defra we have operation centres. The teams that might have been in silos before are now absolutely working together around the table in the interests of getting all of these things sorted for day 1.

If you are able to come tomorrow, I hope you can see it. If you are not able to come tomorrow, please come another day, and other members of the Committee who are not here are more than welcome to see the steps being taken forward.

Chair: Also, Minister, could we have something in writing too from you about the systems that are in place? It would be great to see it tomorrow, but that would also be really useful, because this is something that we are naturally very keen to know more detail about.

Q296 **Mrs Murray:** Finally, very clearly we already have systems in place for imports and exports that take place from companies outside the EU. Really you would be looking to roll those over once the EU member states become third countries in the event of no deal or World Trade Organisation rules.

David Rutley: That is what we would be looking to do. We are mimicking the system. We do not have an import system at the moment. We are bringing ours on board. What we are then doing is using it to mimic, as best we can, the EU system and actually enhance the front end to make it look a lot better and more easy to use. That way we will make sure that it is an easy-to-use system.

Q297 **Mrs Murray:** Does the system that we now have with non-EU nations mimic the EU system at the moment?

David Rutley: It is the EU system. TRACES is the system by which we take care of our imports. We are not going to be able to have access to that, so we have built our replacement for TRACES. That will first of all take care of the third countries. Then what will happen is that over time, depending on how things move on with our import system with the EU, it can be used for other purposes as well. That is much further down the line. Today we are worried primarily about day 1. What happens after day 1 and beyond with our relationship in a no-deal scenario would require a huge amount of negotiation. I am sure we will be back around this table again, exploring that in a lot more detail.

David Simpson: David, it is good to see you again. To follow on from what Sheryll has raised, it was some time last year, whenever the Secretary of State was here, and we questioned him on the same issue in relation to having arrangements made in Calais or wherever. I understand that that arrangement has been agreed by the British



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Government for product coming in from the EU through Calais, but it has not been reciprocated. That was last year. We are now 60 days off the 29 March. We should try to step that up, to try and get some kind of agreement.

The Chairman mentioned the French. With the greatest respect, you could not trust them as far as you could throw them. We have seen the actions of the French: burning British goods. There is nothing to say that will not happen again, because we will be seen as the off-scouring of all Earth because we dared to leave the European Union. That may happen again.

Also from a Northern Ireland perspective, I do not know if you can comment on this, but I understand that in terms of Dublin ports and in Belfast ports, certainly in Dublin, there is a substantial amount of money—€30 million—has been spent to upgrade the docks to carry out inspections. The inspections can be carried out in Dublin and at the airports in Belfast the same, so the border issue does not really come into it. Checks can be done, as it will be done here from Dover to Calais. Would the same system be used right across the whole of the United Kingdom, or would there be differences made for the devolved nations?

David Rutley: Just going back to Calais, clearly there are all sorts of eventualities that could happen. We are working to prepare for any eventuality—for the real challenges that could be happening. Genuinely, it is not in anybody's interests to get to that point. We want to keep relationships on the level and we want to make sure that we have a continuous flow of trade and of goods. The reason why Calais is so important is because there is a continuous loop of ferries and trains going all the time. When there is any friction, the number of those ferries that can go across in any given day reduces.

The difference with the Irish Sea is, yes, there is a very active ferry trade, but they are not a continuous loop. There are gaps in between. If there was any friction from the UK to the Republic, then I would not have the back-up problems that we would see in Calais. That is reassuring. That said, you then asked the question about how our systems would interact. The systems that we are talking about—our import notification systems—and our processes would apply across the whole of the EU. Our relationship with the Republic would be the same as with France as well. You will be better qualified on this subject than me, but the only difference is obviously the Northern Ireland-Republic border. The Prime Minister has been there over the last few days to visit, to better analyse the process.

David Simpson: There are just a few problems there.

David Rutley: Yes, there are a few challenges. Again, we are working very closely on that; there are multiple Government Departments working on that, and I know your colleagues and you are working on that issue too and reacting to it.



Q298 **Chair:** Minister, if we leave with a WTO-type Brexit, we will then be treated as a third country by the EU and we can then trade with them. For the health certificates and everything that is needed, hopefully that will be demonstrated to us tomorrow. To a degree we are demonstrating things in lorry parks and elsewhere, but we are not demonstrating them on scale. This is probably the worry for all of us. There may be a system that you are putting together, but can it deal with the scale once we leave without a deal? Hopefully we do not do that, but if we do then we are a third country and we have to have all of those necessary processes in place so that the meat product, the dairy, the fish and everything else can be moved with those certificates in place. Are you confident that we have enough scale and capacity to deliver that? I do not know whether Tamara or Marc wants to have a word as well as you.

David Rutley: Let me have a first go at that and then hand it over to Tamara as well. She can give some reassurance. Of course, again you raise a really good point about scale-testing. There is never anything quite like testing something in live. With the import notification system, which is absolutely critical, I have sought reassurances and had sign-off meetings where I have personally been involved to ask about volume checks that have taken place. I have been given the reassurances that those have happened. We are now moving on to private beta shortly and then we will move onto public beta.

The thing again to reassure you is that with each of these projects not only are we working to land the project well but we also have a contingency plan as well. If at any point there is a problem, we pivot through to a contingency. On some of these projects, we have already decided to pivot or move on to a contingency, because we felt there was risk in taking forward the system.

Q299 **Chair:** For instance, if there were any of the electronic systems that you were not entirely were going to work, you would go to a paper-based system. Is that right?

David Rutley: That is a bit of a simplification, but it is the sort of approach. Again, tomorrow you will see with the import notification system that we are taking forward the IT process, but at the same time we are developing and finalising our business continuity approach. If at some point during private beta or public beta we are not comfortable with where we have got to, then we pivot to business continuity. It would be the same if, let us say, we move forward with the system and three months down the line there is problem with the system; you always have to have business continuity there. That is how we are moving it forward.

Similarly with exports, I realise at the BVA dinner last night you heard lots of conversations going on around health certificates and how we are preparing for that. We are not going for the more techy approach on day 1 for the export health certificates. Obviously, again you will see more about catch certificates tomorrow for fisheries. All of these projects are being managed. I hope again that brings some satisfaction to Mrs Murray



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that all of these projects are being managed in different ways and to different degrees of sophistication. The key to this is they have to work on day 1.

Q300 Chair: You know how many lorries at any given time are passing through. I know it varies from day to day, but over a period of a month you will know the scale and the number that are carrying food and perishable products. Do you have any of those figures? It is not about half a dozen lorries. It is about probably several hundred lorries, if not 1,000 lorries. This is the scale that we all worry about. I am not saying that you cannot do it, but I just want to know whether you have given real thought to that.

David Rutley: For the areas that we control directly, absolutely we have. Once we start moving on to the flow of transport, we are having to work very closely with DfT.

Q301 Chair: Defra will have to supply the certification for all of these. It is absolutely imperative that we know the numbers, because otherwise we have no idea whether you have scaled up enough.

David Rutley: We do know the numbers. Clearly in terms of the absolute figures of trucks, we can get those figures and we have them within DfT. I do not have them right with me now. We can provide you with all the numbers.

Q302 Chair: Can you supply those to us in writing?

David Rutley: Yes. It is more difficult to determine how many are refrigerated and how many are not. Eurotunnel has done some analysis on that. I will hand over to Tamara, because it is a complicated picture. We are working cross-Department to deliver this as best we can.

Tamara Finkelstein: I should say that we continually look at ways in which we could de-risk the programme. We started the programme by thinking we were going to do 20 systems; we went down to six. On the export health certificates, we made the decision to effectively ramp up the system that we have. We have estimates: we think that we will issue 300% more export health certificates. We have developed and strengthened the existing system on that basis, and we are very confident on that system. That will be shown to you tomorrow as well. We have been testing internally the other systems, including their robustness to scale. Now we are going to private beta, so that will expose us to users, and then into public beta. That is all planned and on track.

As the Minister says, we have then looked at what the contingencies are that are in place. We do have quite a lot of confidence around it, but IT systems have challenges within them. We have put a lot of resource and a lot of expertise into testing and assuring ourselves. We are, as part of a partnership with the Department for Education, using some of their expertise to be a fresh pair of eyes at this point, to check that we are not in group think and thinking that these things are going to deliver. We are



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going through a series of assurance with them. We are doing the best that we can in assuring ourselves that we have business continuity arrangements if things are not working to plan.

Q303 Chair: Naturally, I want these systems to work, but do not forget what history has shown. Several of us sat on this Committee all through 2014 to be absolutely assured that the system of the basic farm payment was all going to be done electronically and it was all going to work perfectly, only to have it pulled in March, at a very late stage, into a paper-based system, because the IT system was not compatible. That was particularly a mapping system.

These systems that you have in place may not be as complex as that—I do not know—but that is why we have to have a contingency plan. The last thing we want is for the system to go down and everything to be stopped. You have to reassure us this afternoon that that is not going to happen, Minister, are you not?

David Rutley: That is what I am seeking to reassure you, yes. With each of these projects there are clear contingencies that we move to. Decisions are being reviewed on an ongoing basis. I am personally involved with those decisions and those review processes. Like you, I have a natural scepticism of new IT systems, but we will need to introduce them. The question is about what stage we do that. We are working flat out to make sure they land well. If they do not, there is a business continuity or contingency approach that we move to. I am as anxious as you are, more so probably, because I can see it day to day, to make sure that all of this lands well. It is absolutely critical.

Q304 Chair: I have just a final question on this. In a WTO deal or side deal where the UK would set import tariffs, how does the Government intend to ensure both low food prices for consumers and the financial viability of businesses in our food supply chain? For instance, at the moment lamb would be 40% going into Europe. Are we going to reciprocate with the food coming in? On one hand, you push food prices up. On the other hand, you will ruin our farmers if you are not careful. Where do we stand, as a Government, on tariffs?

David Rutley: Obviously, the first thing is we want a deal. With a deal, we will not have tariffs. I just want to reassure you that that is our priority. If we do go to a situation where there is no deal, clearly we will need a tariff system in place. That is being actively worked on. The different scenarios are being reviewed. We have said publicly that they will be made available as soon as possible or as soon as practical ahead of no deal. They will be coming forward in the near future, given that we have only seven weeks to go.

Q305 Chair: I have heard rumours that we may not put tariffs on imported food, because that pushes up prices to consumers. There are members of my own party that would like to see a very quick win on Brexit—cheap food. Where do the Government actually stand on this?



David Rutley: You are quick to intervene. I was just about to say that as that tariff schedule is developed, we need to balance off the interests of consumers and producers. Absolutely, we understand the needs of the sheep and beef sectors. They will be given due consideration as those tariff schedules are pulled together.

Q306 **Chair:** They will be given due consideration. What does that mean, Minister?

David Rutley: I cannot give any more detail on that, because we will need to get the tariff schedules out there. I just wanted to reassure you that that is the balance that we need to look through. It is a very active debate at the moment within Government. Obviously, it not only involves Defra but also the Treasury and other Departments.

Q307 **Chair:** On the WTO-style Brexit, in the worst-case scenario, there is still an opportunity, I imagine, though it would have to be done by agreement, that we could still have food treated both in EU and ourselves on a non-tariff basis. It would have to be an agreement between the EU and ourselves. Is that possible? The moment we start sticking tariffs on, not only does it make food dear for us, it also makes it dear for the French or whoever else is buying it in Europe. There is a real advantage on both sides to keep tariffs off of food. Is that possible or not?

David Rutley: I will write to you to clarify 100%, but what I would say is that the EU is not just trading with the UK. It has relationships with other third countries. My understanding is that they would be putting tariffs into place on their MFN bases.

Chair: Yes, because we are treated as a third country, and of course, if they treat us differently to another third country, they cannot necessarily do that.

David Rutley: It would be their most-favoured-nation tariffs. That would be my understanding. I will get back to you on that. My understanding is that the sort of scenario that you are talking about would not be envisaged.

Q308 **Chair:** Are you going to get back to us on the issue of whether we are going to charge tariffs on food that is imported from the EU into this country?

David Rutley: Yes, but what I want to caveat on that is that clearly it is not just this Committee that is interested in those tariff arrangements. All the businesses that we are working with are as well. It is incumbent on Government now to work through those calculations, consider them very carefully and then get them out into the public domain. I will get back to this Committee on the particular point around whether there is a scenario where there can be zero tariffs on either side. As I said, my understanding is that is unlikely, but I will clarify that. As soon as we are able to on the tariff schedules and our approach, you will be the first to hear from us to clarify.



Q309 **Chair:** Defra hopefully has done the arithmetic on the fact that the report we did a year or so ago shows that things like sheep meat, in particular—lamb—will be very badly affected by tariffs. Dairy products will to a degree, but we can probably dissipate some of the imports, whereas with lamb you are very often exporting more of the lower end of a carcass and importing higher end from New Zealand, like legs. That is where you could have a dramatic effect on the price of the lamb sold in this country. It could be decimating for parts of the British farming industry. I do not like having to keep on about the worst-case scenarios, but we have probably got to a stage now where we have to do these figures. Have they been done?

David Rutley: Do you mean in terms of the impact on sheep meat, for example?

Chair: Yes.

David Rutley: Yes, we understand what those impacts are likely to be under different scenarios. We are working through the risks to individual sectors. Clearly, as you have highlighted, there are risks particularly to sheep meat and to the beef sector. We need to understand how we can interact in a range of different scenarios. It is not just tariffs; there will be other factors at play as well, including currency and other cost-related issues. All of that will need to be seen in the round. As we keep saying, that is why we have to get this deal. That is the key thing.

If we do not have the deal, there will be some sectors that will be more challenged than others. Some sectors are particularly close to the hearts of members of this Committee, and as a Minister here, representing a seat close to the Peak District, including a chunk of the Peak District, representing sheep farmers, I take this very seriously. There are dairy farmers too.

We are working with the sector to understand the implications. In the worst case, obviously we will need to understand what market interventions might need to be put into place. All of those scenarios are being actively worked through. We have to see, if we do move into a no-deal scenario, what the reality of that particular situation is. We will then have different responses we can put into place.

Q310 **Chair:** Are these figures private or are you able to give these figures to us?

David Rutley: We can talk about the sector in general. In terms of different scenarios, we cannot put scenarios into the public domain.

Chair: No, because that is a market matter anyway.

David Rutley: It is very market-sensitive.

Chair: I accept that.



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David Rutley: I am sure you already have the overall sector size and so forth, but we understand the implications.

Chair: We do not expect the exact figures, but if we could have the implications from you in writing, that would be useful.

David Rutley: We will see what we can come up with on that.

Q311 **Mrs Murray:** Minister, I welcome the fact that I saw yesterday published advice to fish processors with regard to trade overseas. I read it this morning, actually. What are you doing to publicise this? I am publicising it, as I am publicising a lot of the Government advice with regard to preparation. I get the impression that it is not being disseminated out there very publicly and very quickly and easily. Can you just reassure me that all of the advice for businesses to get prepared is actually going out there?

David Rutley: It is going out there, but you make another really good point. It is one thing getting the word out and another really getting people engaged with it. That is our challenge, which is particularly acute with small and medium-sized enterprises. A lot of the fishing sector will be incredibly busy doing their work, rather than necessarily thinking about what they need to be worrying about in seven weeks' time if there is no deal. There are a few ifs, buts and maybes, but, as the Chairman said, we need to be absolutely focused on no deal now, as a scenario that could absolutely happen. We are focused on it.

What we are doing is we are upping our game on the communications. We put the technical notices out at the back end of last year, if you remember, which helped us set out what I described as trying to narrow the amount of grey. We could explain to people what is not going to happen and then some of the other eventualities. What we are hoping to do as soon as we can is to give people the absolute black and white. We do not have it yet, because we have not defined the deal and we are still working out, if there was a no deal, what the circumstances would be like. We are trying to get closer to black and white, but we are definitely getting those communications out.

We are working through sector by sector, so not just fishing. If you think about all of the different food processors and the manufacturers on a targeted basis, we are trying to work out how we can communicate to them and engage with them. It does not matter if it is trade journals or whether it is social media, we are finding the best way forward.

Each week we have a meeting now with what is called the F4, which is the Food and Drink Federation; the NFU, who link in with the other farmers' unions; with UKHospitality and also the British Retail Consortium. I chair that meeting. The Secretary of State is a very frequent attendee. We interact with them to work out what else we need to do to improve our communications and improve the policy. Next week, again, we will be reviewing what we can do to track through and make



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sure that we are not just pushing the communications out, but that we are engaging and that people are acting on it.

Q312 **Mrs Murray:** It might be helpful if those people, when they are disseminating the information, actually put a positive slant on it. We are hearing so many negative messages that really frighten some of the people that are going to be affected. Maybe you could ask them to stop the negative scare stories and make sure that they provide the information in a way that is going to be helpful.

David Rutley: That is understood. There is a balance to be struck here with reassuring, but at the same time there is potential disruption.

Q313 **Mrs Murray:** To use it as a scare story, which I am hearing constantly, is wrong.

David Rutley: We do not want to create scare stories, but what we do need to help people understand is, "There could be potential disruption. This is how you deal with it". You need to keep it calm. With your permission, given that I know your experience, perhaps we could get some of the team to talk to you about how we could improve some of those communications.

Mrs Murray: That would be very useful.

David Rutley: I am sure that Minister Eustice would be particularly grateful as well, but we will follow up on that one.

Chair: Also, while I accept Sheryll's view that we do not want to scare people, we also have to work out what the tariffs would be on the fish, because again we are a third country. There will be quite heavy tariffs on it. All of that has to be factored in. That is why you should let us be prepared in every way. I do not think people necessarily know the tariffs. I do not know whether raw fish is different than processed fish and so on.

Mrs Murray: It is treated differently whether it is landed directly into a port on the other side of the Channel and whether it is exported as well.

Chair: That is right.

David Rutley: Now is the time. We know we have a defined window and we need more to get engaged. One of the tasks, and an important one, that is not directly related to Defra but it is cross-Government is that HMRC are trying to encourage a lot more SMEs to get their EORI number, which is absolutely vital for international trade. There has been a response. Quite a number of businesses have been involved, but it needs to increase dramatically. We will be working with them to try to communicate with the food sector. Similarly, we need to get the word out on the catch certificates process, the import notification process and all of these things. There are some very clear communication grids that are being taken forward. We might talk about the pet travel arrangements.

Chair: Yes, we are going to do that in a minute.



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David Rutley: That was the first situation, given the long lead times, where we started to communicate to the public, with some success. Clearly we need to learn lessons from that and there is a lot more we still need to do in a short period of time.

Q314 **David Simpson:** Yesterday I met with the Secretary of State to raise concerns on the tariffs, certainly with the lamb situation in Northern Ireland. Lambs are worth about £95 per head. You could be facing £43 to £45 per lamb on tariffs going into the EU. We export 90%. It does not matter if it is reciprocated or not, that would decimate the lamb industry in Northern Ireland and would certainly have a massive impact across the whole of the UK. We need to address that. The other thing that concerns me—and this is not a subject for today—is any move to liberalise trade that would have a detrimental impact to the processors across the whole of the United Kingdom, but that is for another day.

We are on to the puppy-smuggling issue. In November, Defra stated that they were pursuing a holistic approach in tackling puppy smuggling, which includes working closely with the Dogs Trust to tackle the issue. Given that the EU pet travel scheme enables illegal puppy smuggling, why have the Government stated that there will be no change to the current requirements for pets entering the United Kingdom from the EU after 29 March? Lastly, what will your holistic approach be in tackling puppy smuggling? It is a very simple question.

David Rutley: Thank you. The simple answer in answer to your question is that we are seeking to have continuity of the border. Again, we are not looking to create extra friction. We want to enable people, the best we can on this side of the Channel, to be able to conduct the business that they used to before, whether it was bringing a pet in or whatever else. However, leading on to your second question and the key one, which is about the holistic approach, that is not to say that we are trying to turn a blind eye or dial down our commitment to tackling puppy smuggling—far from it.

What I have learned in the time that I have been in this role is that it is a heinous crime. It is creating all sorts of animal welfare issues for those dogs involved. It is misleading consumers. It could actually put at risk animal and public health. It is being done on an industrial scale, not so much with kittens but certainly with puppies, because of the value inherent in them. As a new Minister, I found that quite staggering, so I asked the officials to map out the whole journey of this puppy smuggling. As the Dogs Trust set out in their really excellent report showing the problems in Serbia and Hungary that they highlighted, we looked at that whole journey.

Obviously given the other things that we are trying to do at the moment around the EU exit, we have to get the time and the phasing right on this. There is a lot of work we need to do right at the beginning of the supply chain, on a diplomatic basis, to seek to work with EU member



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states, such as Hungary, and others who are not, such as Serbia, to help them understand what is happening to these animals.

We then need to make sure that we are really rigorous at the border. We have been carrying out some really in-depth, deep-dive analysis of what has been going on at Coquelles and, just before Christmas, at Dover as well. That was some really forensic analysis and examination of what was happening on scale. We are looking to get those reports back soon so that we can better understand what has been happening in terms of seizures and so forth.

The other thing is we then have to look at the demand side. There is a huge amount of work that we now need to do to try to stop puppy smuggling. We have taken some steps around that by banning third-party sales, but we now need to do a huge programme of work, which I would love to start tomorrow but have to restrain myself a little bit on because of everything else that we are doing. We can really start raising awareness of the responsibility of being a dog owner and the purchasing situation as well.

I think you will agree that the Department, way before I joined, has a really active programme to improve the welfare of companion animals and to try to tackle the issues around the demand side. One step that we need to take a lot more action on is this awareness, helping people understand where their dogs are coming from. Obviously, we want to find ways to make sure that they buy the puppy with the mother present. We need to prove that that is the mother.

Q315 Chair: A lot of these are set up as complete scams.

David Rutley: We have to find out ways to sidestep that, get round it and stop them doing it. What I am trying to say is it is an end-to-end journey. We need to look at all aspects of that journey. Some of those are more developed than others, but there is a big piece of work in due course on the diplomatic front. There is another big piece of work that needs to be done on the demand side. I know you feel equally strongly about that. That is an area where we could work closely together in the months ahead.

David Simpson: There is no doubt that there has been some success from the Government's side and from authorities in catching some of the pups that are coming in, but there are still a substantial number of pups and dogs coming in that are not being detected. We need to step that up to see what can be done. Yes, we are talking to people and getting that out there in the public, in terms of the proper looking after of dogs and the ownership of dogs, but sometimes, when it comes to the financial side, if dogs can be bought cheaper one way people will go in that direction. There is also a lot of money being made from it. It is a bit like drugs. You displace it if you close it down in one area. Because there is a demand you will always get the supply. That is the difficulty.



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Q316 Chair: Just one more question on this. At the moment, under the pet passport scheme, you can bring up to five puppies in. I am not convinced that the average dog owner needs to go and buy five puppies. If they do, they can get a special licence to do that, in my view. Minister, have you considered a maximum of two puppies and then a special licence for more, because there are quite a lot of illegal puppies coming in, if you like, legally, for the fact that they legally can bring in five puppies. They are not for themselves. They are then going to sell them. You have all sorts of interesting vets in some of these countries that sign off these certificates. You will find not only is there illegal puppy smuggling but there is almost legal puppy smuggling coming in because of this particular loophole. Have you given that due consideration?

David Rutley: It is not an issue that I have been directly looking at now. The Chair of the Committee is obviously ahead of me on this issue. To me, that sounds like something we need to take a closer look at. I understand from Marc that is something that is being reviewed. Clearly, our focus right now is on keeping some continuity and keeping things simple for pet owners at the border.

Chair: I accept that.

David Rutley: To day 1, we just need to keep the focus on continuity, but we were just having a very brief conversation about the approach you have set out. It is something we have examined.

Marc Casale: We have been raising it recently, including our Chief Veterinary Officer. There is limited support at the moment from other member states, but it is definitely one of our ambitions because, as you say, five dogs seems like too large a number. It is something we are continually pressing and it would be an opportunity that we wish to pursue in future.

Q317 Chair: There is another issue that the Dogs Trust raises. Am I right in saying that puppies have to be eight weeks old before they can come in on the passports? There is an argument that they would like to see the age of the puppy raised, because they are saying a lot of younger puppies are coming in and it is very difficult to know the age of these puppies. If you put it up to perhaps 12 weeks or more, then it would be easier to tell the age of them and you would not be taking them away from the mother when they are far too young to be taken away. There is quite a lot we can do under the legal system of bringing puppies in that I am not sure that we are looking at. Are you looking at that as well?

Marc Casale: We are definitely sighted on that one as well. We have had lots of feedback that puppies are being brought in and, as you say, you cannot tell how many weeks old the puppy is, because it is very young. That is another key issue that we do need to address.

Q318 Chair: Another interesting issue, before I leave this one, is that we want to make sure puppy breeding is done well and we do not want massive puppy farms where the breeding is wrong, but, of course, it would



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actually be better if we bred more dogs in this country under good conditions. There is a demand, hence why these dogs are worth the money they are. I do not suppose it is Defra's job to provide a system of breeding puppies in this country, but there is an argument that if we are going to tighten up on puppy smuggling, we also need to try to work out how we are going to create that option, because people do want a puppy, so if they cannot get a puppy one way, they will get it another.

David Rutley: The third-party ban on puppy sales will help with that; there is no question. It is really interesting. I know we will probably be touching on greyhounds in due course are well. In having meetings with GBGB, it was quite revealing to me that around 85% of the greyhounds in the UK are bred in Ireland. We have a close relationship with Ireland, but nonetheless it was quite surprising to me that such a small number were actually being bred in the UK. That is something that GBGB would like to try to address in due course.

Q319 **Chair:** Also there is probably an argument that more can be rehomed and there could be a lot of people, perhaps, who would have had another type of dog and would consider a greyhound. If we can make the situation tighter, so that there are not these dogs coming in potentially under-aged, not socialised with their mother, potentially with disease and all of these things, and then actually have a better breeding programme here, there could be a win-win for everybody, both economically and from a welfare point of view.

David Rutley: Agreed.

Q320 **Chair:** I know I am making the issue quite wide, but it probably needs to be dealt with in a slightly wider context.

David Rutley: It is part of the mix that we need to address.

Marc Casale: As part of the third-party sales ban initiative, we will be working with breeders and breed associations to see how they can produce more dogs in future, so that they can fill that demand. That is parallel with the demand side reforms that the Minister outlined beforehand.

Chair: Naturally, where there is demand there will always be somebody that will fill it, one way or the other, which is the point that David made just now. That is why we need to take this, again, with a holistic approach. We will leave that one there.

Q321 **John Grogan:** That leads us on, Minister, to greyhounds, which I will come to in a second. Perhaps just allow me one sentence before, because I was very disciplined and did not come in when listening to the opening question. Just to give the range of opinion on the Committee, no deal is not just a scare story. I do not want to reopen the debate but just to express an opinion. In terms of farmers and manufacturers, as the weeks go by, how you get that balance between consumers and producers is obviously going to affect livelihoods. I wish Sheryll well in giving a



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cheerful message, but people do feel their livelihoods are at stake and we all have to contemplate our votes in the weeks ahead. I will not say more than that, but there is a range of opinion on the Committee, and I find no deal a bit scary.

On greyhounds, Minister, you kindly wrote to us last week. The original report, Chairman, was February 2016, which was before the general election, when I was not in Parliament. Quite a lot of work has been done since then. I wonder if you could give us a flavour of that. You have managed to get a voluntary contribution from the bookmakers. I like greyhound racing, but we all get many letters from constituents about welfare. Can we be sure that the bookmakers are in there for the long term and that this is not just a one-off contribution until the issue dies down a bit?

David Rutley: Just to your point about deal or no deal, of course we are all going to have to look at this really carefully, are we not? There are real-world implications. The way to mitigate these risks of disruptions, as I said several times to the Chair, is that we need to find a way forward with the deal. That is what we are committed to doing. Hopefully I have been able to reassure the Committee that if we are not able to do that, we are well prepared for no deal.

As far as greyhounds go, I have had a chance to meet with GBGB. It is fair to say that they have really taken their role very seriously in improving animal welfare, which is a great thing. It is good to see the positive action that has been taken. I cannot claim credit for the extra funding from the industry. I know officials from Defra were involved, but the lead there was DCMS. Mims Davies and Tracey Crouch should take credit for that extra funding.

That really will be useful. It will make a difference, because it is not landing flat-footed. It is because there is real progress being made within the industry already, and they know exactly what they want to do with that money. They are going to be upgrading kennels, on and off the track, they are going to be supporting injured greyhounds through their own programme, Injury Recovery Scheme, and they are going to be supporting the Greyhound Trust through rehoming. They know what they want to do with the money.

They also have some really interesting ideas that they want to take forward, which I thought were quite innovative. I will share them with the Committee, in case you have not heard. Within their greyhound commitment, what they want to do is reduce to zero the number of dogs that are being put to sleep because the vet costs were too high or no home was found. That is about 400 dogs. That is over a five-year period.

The other idea that they put forward and said that I could mention to you is that they want to announce shortly a new greyhound retirement scheme. What that will mean is that they are looking at creating a financial bond—I suppose it is a bit like a portable pension—that is linked



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to a dog, which is part-funded by the owner and part-funded by GBGB. That will lead to improved retirement prospects for dogs and help with that transition from racing to becoming great pets. I guess it is a bit like Premier League footballers.

Q322 **Chair:** You are buying a pension, are you, for your dog? It is an interesting concept.

David Rutley: We will find out the exact details, but what they are talking about is a financial bond, linked to the dog. The owner contributes and also GBGB contributes.

Q323 **Chair:** You would contribute that when you bought the young dog, would you? Is that the idea?

David Rutley: I have not got the detail, but they just wanted to let you know that they are thinking in a quite innovative way about how to deal with this. I am sure they will be in touch with you. I have asked them to provide details to me about what can be done. The industry is in it for the long haul. There is still more funding that we should seek to get, from pay-per-view and other forms of betting, which will help even further. With the change to online, we need to make sure that we are getting enough of those online betting companies involved with this as well, but there is real commitment to move things forward. Personally, there is always more to do.

I have had meetings with the British Horseracing Association. In terms of the number of fatalities at the track, in horseracing it has declined a bit, but my understanding is with greyhounds it is at a level. There is a real commitment from GBGB to address that. I will ask them to write back to me to set out what steps they can take to try to reduce the number of fatalities at the track. That is often where the animal's body—the dog's body—is under most physical stress. We need to better understand whether the surface could be improved, the conditions could be improved or the inspections could be improved to reduce that number. They have committed to come back with an action plan on that.

John Grogan: Thank you. Chair, it might be something that the Committee comes back to at a future date, to look at the impact of these changes and so on.

Q324 **Chair:** John, online gaming at the moment are offering 0.6%, which nets about £3 million to rehoming and looking after injured greyhounds. That gives them 99.4% of their income, which is huge, to spend on something else. If greyhound racing did not take place, they would not make any money at all. It is just crazy that they do not give more. I very much welcome what GBGB want to do, for the greyhounds that are uneconomic, as I think it is said, in terms of having veterinary care and having their injuries looked after and rehabilitated. That should happen, but it should be paid for by these online gamers, because it is a crazy world.



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There is plenty of money in the industry, but it is just not getting back to probably the racetracks, to the kennels, to all of the facts of what makes greyhound racing and keeps it being done properly. They are all working hard. Partly I am not a great lover of gambling in the first place, but I also think that this is a crazy world where they are making far too much money out of people's misery on gambling, and then it is not getting back to the greyhounds that create the wealth for them in the first place.

I know it is not directly your responsibility, Minister, but I really would like you to work with DCMS to make sure that we really get this sorted. £3 million or 0.6% is just not enough. In horseracing, is it 1% or 1.5%? They should be paying that sort of money, at the very least. Otherwise, they make no money at all. They must not make money out of misery, because there are lots of people in this country who would like to close down greyhound racing. I do not want to do that, but I do want to see it properly policed, properly looked after and these greyhounds properly rehomed. If they are injured, but it is going to cost a lot of money to put them right, there should be the money to do that rather than to have them euthanised. We really have to work even harder than we are. We are going in the right direction but we need to do more.

David Rutley: I agree.

Q325 **Chair:** You have to do something about it.

David Rutley: Absolutely. Again, you are very quick to intervene, Chair. I was just about to say, based on the challenge you have provided there, I will commit to meet with the Sports Minister personally to review this. I know at an official level there is a very active dialogue and we will move forward on it. I would say, though, getting that extra funding in place is a big step on. We should pause and celebrate that fact. It is good, but clearly there is more to do.

Q326 **Chair:** I accept that, but when we did our inquiry, all of us that did the inquiry found that on the whole the racing is well done and the inspections at the tracks are well done, although, like I said, too many dogs are euthanised that should not be. The idea that there is not enough money for rehoming and rehabilitation is wrong. Like I said, there is money there; it is just not getting back to the tracks and to the dogs. I welcome much of what you have said, but we just need to do a bit more.

David Rutley: Our feet are held to the fire once more by you on this. We will move it forward. Is there anything you wanted to add, Marc?

Marc Casale: I would just say that the extra £3 million is on top of the current £7 million, roughly.

Chair: That comes from the betting. This is the online betting, which is now getting more and more pronounced. The other £7 million comes from the tracks and from the betting that is laid at betting shops and so on.



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Marc Casale: The total pot is about £10 million and the bulk or three-quarters is for welfare.

Q327 **Chair:** Why should the other betting industry pay £7 million and the online, which is actually probably making more money, only pay £3 million? You have dug your own hole there, I am afraid. Like I said, that is where I am absolutely adamant that the online gaming industry has to pay more money.

David Rutley: We are absolutely not seeking to dig a hole. We recognise the point that you are making. We have made some good strides in the last few weeks and months. Now, we move on to the next challenge ahead.

Q328 **Chair:** As you know, it is something that I feel very passionately about, and it is something that could be put right. We just have to make sure we do.

Marc Casale: The new annual data being produced by GBGB on injuries and retirements should also shed light on how the sector is working. We have the new kennel standards that came out recently. That is very helpful too. Also they are seeking UKAS accreditation, so there is a package of reforms to improve the welfare of greyhounds. As you say, there is always more that we can do and we want to do.

Q329 **Dr Johnson:** We are moving on to the Dangerous Dogs Act and a report that we did before Christmas, looking at whether the Dangerous Dogs Act was currently fit for purpose and was doing what it should do in protecting people from attack. I should say that it has to be less than a year ago that I was attacked by a dog when delivering some of our leaflets.

David Rutley: I remember the situation, yes.

Dr Johnson: I have a personal interest in this, perhaps. You told us at the time we published the report that Defra had commissioned a research project into dog control measures, attacks and behavioural problems. Can you tell me how that is going, what the timeline is for that and what the terms of reference are?

David Rutley: Yes. Hopefully we spelled out some of this in response to the questions that were put to us through the Committee. The research is being undertaken by the University of Middlesex. This is going to be tackling a number of issues around the effectiveness of current dog control measures. It is also going to be looking at the factors and situations that may cause the dog attacks, if we can be better sighted of that. The other thing would be about how we can promote dog ownership as well. We are putting significant resource into this. There are four main researchers working on it. We expect the work to be complete by August.

Q330 **Dr Johnson:** Is that August this year?



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David Rutley: Correct, that is August of this year. It is going to be involving a full literature review and a number of engagements with stakeholders, including the welfare groups, police forces and local authorities. First of all, there will be the documentary analysis, and then there will be the research and qualitative interviews. There will then be the analysis and reporting. This is a serious piece of work, which can hopefully help inform our approach and also respond to a number of the points that you have raised as a Committee.

Q331 **Dr Johnson:** Do you think it will give you enough information to know whether the legislation is fit for purpose and doing what it is supposed to do or not?

David Rutley: It will help inform our approach. One thing is for sure: it will certainly help with one of your key recommendations, which is about how we can improve on education and training.

This will probably lead on to one of your other questions. One of the questions in the Committee is around the types of dog. Our view at the moment, trying to anticipate your question, is that, when looking at the data around the attacks that we have, there is and remains a reason to keep these types of dogs in the Act. That is our current position, but clearly we will seek to learn from the research as well.

Q332 **Dr Johnson:** Do you think you will get information on how many dog attacks are actually reported and in what form? Following my own attack, I went to A&E, but there is no mechanism for A&E reporting that to any central database. How do you know how many dog attacks there actually are?

David Rutley: I will let Marc come on to that question in just a second. In terms of what other insights it might provide, what it can do is help provide the circumstances in which a dog attack is likely. We can then be in a position to work out how we can communicate to people, whether it is post workers, who obviously we are very concerned about, or children, and then work out how we can best communicate those things. Marc can speak in terms of the number of dog attacks.

Marc Casale: It is not going to be a full statistical, quantitative analysis as such. It is going to be focusing on the risk factors. That also includes aspects of the dog: its breed, its age, its size and those things. It is aspects of the owner as well, and the setting in which the attack occurred. The idea is to identify what we can do, both to prevent these attacks from arising in future, and also to identify what circumstances and situations we need to prevent. It is very much a focus on all dogs, not just the prohibited dogs, to see how well we can target future interventions. It will be considering the use of recent community orders, which were introduced a few years back, to see how well they are being used, whether they can be used better, as part of the bigger picture on dog attacks in general.



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Q333 Dr Johnson: You mentioned children. We know that children, particularly young children, under nine, are much more at risk of being attacked by a dog than adults and older children. What specifically are you looking to do to try to reduce the risk to those vulnerable children?

David Rutley: First of all, we need to understand some of those risk factors. There will be an active dialogue with DfE, for example, and the welfare groups, about how we can communicate. It was a bit like the question about getting prepared for EU exit and how you can think you have some good communication and just communicate it out, but we need to make sure that it engages and lands with people, and that is why we need to work with DfE and also with the welfare groups to work out the best mechanisms to communicate this going forward.

Q334 Dr Johnson: There is also an educational aspect to that, with some of the children, school-age children, but also with the parents of the younger children, to make sure that they are not left.

David Rutley: That is where we can engage. Obviously, we have our own resources, but we can also engage with the welfare groups to make sure that we link in with as wide an audience as possible.

Q335 David Simpson: Just to follow on from Caroline again, the legal dog breeds account for the clear majority of "dangerously out of control" section 3 offences. Can you now clarify the Government's position on whether other dangerous dog breeds also will be prohibited?

David Rutley: The Committee does not want to add any further types or breeds of dog to the prohibited list and Defra agrees with that. We are not looking to add any other types on to that list.

Q336 David Simpson: What is your reason for that?

David Rutley: The reason for that is the legislation does two things. One is it has a bearing on the dogs that are bred for fighting, and it also has an element that is there to deal with dangerous dogs. We are talking primarily about pit bulls here. Looking at the data that we have in terms of the serious attacks, it is disproportionately with pit bulls, so that is why it is right to have them there from a public safety perspective. There are other mechanisms in place to make sure that we can find better ways to protect people, through the Dangerous Dogs Act, from dogs that are not one of the four types. We are not looking to increase the number of types. The protection is in place, but we are not looking to remove dogs from those types either.

David Simpson: That is the Committee's position. Thank you very much.

Q337 Chair: I am not going to let you get away with that one quite, Minister, because 80% of the dog bites actually take place with dogs that are not on the dangerous dogs list. You do want your cake and eat it, do you not? You are saying that you do not want to increase the number of breeds on the dangerous dogs list, and yet obviously the breeds on there now only



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amount—I am not saying it is bad—for 20% of the dog bites; it is not really fulfilling.

In a minute we are going to ask you questions about how we deal with those dogs that are already on the dangerous dogs list, but what is the strategy? Either you have a list of dangerous dogs and you target those, or you take all dogs off the dangerous list and then just target the individual dog as to what it would do, its temperament and whether it is a dangerous or not. The four breeds—the pit bull is quite a big number, but you have the Dogo Argentino, the Japanese Tosa and the Fila Brasileiro—are not massive numbers of dogs, and they are not producing most of the bites. What is the strategy? What happens when different breeds come in and there are cross-breeds that particular sections of society want to use as status dogs? Have you got any strategy for dealing with those?

David Rutley: Taking your first question first, as I tried to explain to Mr Simpson, there are two aspects to the Act. One is about fighting dogs and one is about dangerous dogs. There is a difference. There is a reason why, a few years ago, in South Park in Macclesfield, the low-hanging branches on trees were all being pulled off. That is because there were dogs being hung on to those branches to strengthen their jaws to fight. That is very different from a dog that is being used as a pet in the home that might get aggressive on occasion or on several occasions. There is a real difference in magnitude here. I understand the point that you make, with characteristic conviction and passion, but there is a difference in intent as to what these dogs are bred for, often.

Q338 **Chair:** Are you looking at other breeds, or are you just isolating it to these four breeds? Either you believe there are dangerous breeds of dog out there or you do not. All we have done is we have picked on four breeds, and then we do not seem to have moved on or off of that position. I am not convinced it is working.

David Rutley: We can see how things develop in the future, but for right now, looking at the statistics—let us just take a couple of examples—pit bull terriers, not on the DDI, accounted for 92 of the section 3 cases in 2015-16. Staffordshire bull terriers accounted for 84. You might think, “Let us have a look at the Staffordshire bull terrier category”. The difference is that, in terms of the pit bull terriers, we do not know exactly how many there are but there are 3,000 on the DDI, so let us say there are around 3,000 that are not; that is just an estimate for an example. There are 300,000 Staffordshire bull terriers.

Q339 **Chair:** I accept those arguments, but there are also other breeds, are there not, which, even if there are not that number, are quite vicious and are being brought in and cross-bred.

David Rutley: We will certainly need to keep an eye on that. The difference is that the four types that we have identified have historically been bred for fighting. When looking at the number of attacks that have been made, there seems to be a high degree of aggression; this is from pit bulls not on the DDI. Those on the DDI are showing that they are not



being aggressive, so the call that has been made to put them on the dangerous dog index is an accurate one.

Coming back to the fundamentals, we are not just trying to do one thing with the Dangerous Dogs Act; we are trying to do two. One is being concerned about potentially very aggressive breeds of dog, bred for fighting, and then the second purpose is dealing with dangerous dogs more generally in situations where they are not under control. I understand the point that you are making, but there is a different perspective on this. We can do both. Clearly we need to monitor the number of breeds or types that are on that first list. I hope that explains it.

Chair: I have the next questions, so I will come back on some of that.

David Rutley: I am sure you will.

Q340 **Julian Sturdy:** Good afternoon, Minister. I just wanted to pick up, David, on something that you said about an issue when you were in Macclesfield. You mentioned about the parks in Macclesfield and the low branches.

David Rutley: It was one incident but it was quite telling, to me anyway.

Julian Sturdy: It is a good example. If it could happen in Macclesfield, it can happen anywhere in the country, I would argue. At the end of November, you wrote me a very good and detailed letter in response to my response regarding strengthening the law on dog fights, on making dog-fighting illegal. As I say, it was a really good response back from you. You talked about the fact that, at the moment, animal-fighting is against the law on animal cruelty grounds, but not specifically dog-fighting, but that the vast majority of incidents that are prosecuted are related to dog-fighting. You talked about the fact that Defra has not had any information from the police or the RSPCA regarding the current law and enforcing the current legislation being a problem.

My question, just following up on that, is whether you have had any consultation directly with the police, whether at a constituency level in Macclesfield or in the Defra position, to ask them whether the law needs strengthening or whether it needs a specific measure against dog fighting.

David Rutley: It has been a while. It has been several years since we had the incident in Macclesfield, so I do not want to draw too many conclusions from that. The good news was that stopped, so hopefully that means that perhaps some people are not trying to train dogs for that sort of fighting, for that purpose. I have not been involved in any conversations with the police on this particular issue. Marc, can I look to you to see if you can provide any update on dogfighting?

Marc Casale: We have a regular dialogue with the police on dangerous dog issues, including prohibited dog issues. At this point in time, we are



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not seeking to change the law. They are advising us on what is happening in terms of which types of dog are being used, how they are being used and whether the existing penalties are working fine. We have announced that we do plan to increase penalties, not necessarily for fighting specifically, but for abuse more widely. That may have some wider impact.

Q341 **Chair:** Do you mean from six months to five years?

Marc Casale: Yes, that may have a wider impact in that area.

Q342 **Chair:** When are you actually going to do that?

David Rutley: We are aiming to get that legislation in as soon as possible.

Q343 **Chair:** “As soon as possible”—we have been hearing this for several years now.

David Rutley: Mr Parish, you are a very challenging Chair; that is for sure. I know you feel passionately about these things, but clearly when looking at the range of activities that we are looking to take forward across Defra, that is a priority. We will see it through. Based on our earlier conversation about EU exit, there is quite a lot we need to do. We are looking to onshore our fisheries, agriculture and environment policies and improve our animal welfare, and we are working very hard across Government to make sure we can get the right slots. We are very ambitious, just like you.

Q344 **Julian Sturdy:** Can I just come back? I accept that the letter that I got back from David said that there had been no correspondence from the police or the RSPCA to say the current law was a problem. My question was about whether Defra has been proactive and actually gone to talk to them about the issue.

Marc Casale: That is one of one of the issues that we constantly engage with the police about, and also with the welfare groups, because it is a constant menace: people using animals for fighting purposes, illegal betting around it and the criminality around it. It is something also that we speak to the police about in the context of seized dogs, of course, because some of the prohibited dogs are used for these illicit purposes. It is constantly on our radar screen.

David Rutley: Let us write back to the Committee on that, as to what the latest situation is.

Q345 **Julian Sturdy:** You make a very valid point about the wider criminality that flows around it, because there is a big issue around that.

David Rutley: It is linked to other challenges, such as hare coursing and others. Let us follow up in writing and give you a more considered view, and we can then decide how best to take that forward.

Q346 **Chair:** When you are following it up, can you also look at the situation in



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Northern Ireland? I believe in Northern Ireland they have really tightened up the legislation and it has been quite effective. It is worth looking at that. Just one final shot at you on the five-year sentencing—

David Rutley: That sounds quite harmful.

Chair: This is a very cross-party, non-controversial issue. We could get it laid down tomorrow before Parliament. I cannot see anybody objecting to it in their right mind. Why on earth do we not do it?

David Rutley: I would love to move it forward as soon as possible as well. It requires primary legislation.

Q347 **Chair:** It could be tacked on to any Bill, and it could be done tomorrow if you get on with it.

David Rutley: Message received. All I would say to try to reassure the Committee is that there are number of vehicles that we are looking at, and we will move it through. It is on top of my list. We are having active discussion within the Department.

Q348 **Chair:** Let us hope these vehicles, Minister, can move a little faster than they are at the moment. They are rather slow, dare I say it. The Government's response to our report said it is not a priority to change the law on transferring section 1 dogs to a new owner, even if that dog is of good temperament. Why is this?

David Rutley: As I tried to explain earlier on, there are some breeds of dog that we believe have a high propensity to cause some dangerous attacks, and what we are keen to do is to get more of those dogs of those types on to the index, because what we have learned is that if they are on the index, the propensity for attacks is much lower. That is the key thing: to get them on the index. If a stray dog turns up, for example, and it happens to be on the index, then there are circumstances in which that dog could get rehomed, as we set out in paragraph 21 in response to your excellent report. Officials have been engaging with charities on this. I understand, again, your passion on this.

Chair: Yes, I have not finished yet. Do not worry.

David Rutley: I am waiting for the follow-up blows. I understand your commitment on this issue because you have told me, on a number of occasions, how strongly you feel about this. I have been working with officials to try to understand whether there are circumstances where dogs could be rehomed. There are a number of situations. I am not saying that will help tackle the scale of the challenge that you are talking about. There are some scenarios, and, as we said in paragraph 21, we are not looking to try to close those down. We recognise that there are those circumstances.

There needs to be an active dialogue around this to see if we can move things further forward. Notwithstanding that, I know there was a lively conversation with Lord Gardiner as well. We do need to balance off public



safety too, but I recognise his concerns, and I look forward to the follow-up question.

Q349 Chair: As you know, I saw this dog at Battersea. This dog was good-tempered. It had belonged to somebody who could no longer look after it. There was not a problem with the dog biting, but it was brought into a rehoming charity, i.e. Battersea. Battersea, naturally, under the rules, has to ask, because it is potentially of a banned breed type, then the police have to come to investigate it, look at it, measure its head and measure its conformation. If they decide it is of a pit bull type, then it has to be put down. That dog was very good tempered. There was no reason to put that dog down whatsoever. I accept that that dog has to be rehomed carefully, but it should not have been put down, in my view. I know you are looking at it, Minister, so that is why I am not firing at you like I was firing at Lord Gardiner. It is just against natural justice, as far as I am concerned. You do not put down a dog that is of good temperament. There are other dogs out there, probably of a different breed, that are much more dangerous, which are still there.

We have to develop a system where Battersea, or whichever the charity is that is rehoming, can then say to an individual, "It is probable that you would rehome that with a couple or a person that do not have children, that know that this is potentially a dangerous dog but it is still of good temperament". I am not saying that there do not have to be special measures to rehome that dog, but I still do not believe that dog should have been put down. The trouble is that I am not quite sure about the responses we have had. You have moved a little way towards the temperament and the deed, not the breed, but we need to take that more into consideration. Can you assure me that is a road you are looking at, or not?

David Rutley: What I can say is that we are having an active dialogue with welfare groups to better understand the different scenarios. We need to understand whether the dog is on an index and whether it has any other adult that has either been a co-owner or had interaction with it in the past? There are a lot of "ifs". What I do not want to do, because I know how strongly you feel about this, is to give a sense that we can magic this away.

Chair: It is not easy. I accept that.

David Rutley: It is not easy. There are real public safety issues at stake. We talked about the attacks, and we talked about dangers to young children. I do not want to give any false hope. What I can do is say that I have asked officials and I have been reviewing the different scenarios, but we live in a real world here, and we are going to have to see how far we can take this.

Marc, you have been having the dialogue with the different charities. Maybe the fact that we are having this conversation might encourage them to take a more active look at this. Remember, we are talking about



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the law, and charities do not want to get into a situation where they might feel as if they are putting themselves, or indeed possible potential owners, into a difficult situation.

Q350 **Chair:** Before Marc comes in, I just want to add that the police also are in a difficult position. Naturally, they have to take a breed-specific decision, and if it comes up to that breed that dog almost has to be automatically put down, irrespective of if it is good tempered, because if they do not and there is a problem, it comes back on them. I understand the law, and I understand that we have to protect the public. I do not want to allow every dangerous dog out, because I know there is always that, so do not get me wrong.

I am a farmer; I have dealt with animals all my life. Normally, most animals are either dangerous or they are not. This was quite a mature dog, it had never shown signs of being dangerous and it was a good-tempered dog, but it was the wrong breed so it was destroyed. I could go around my farm, see a cow that was a particularly good cow that was good tempered, and decide that I did not like the look of it and destroy it. You would not do it. This is the bit that gets me so worked up. Marc, I do not know whether we are going to get anywhere, but you see where I am coming from.

Marc Casale: There has been some recent case law, because obviously we have the primary legislation but then there is the matter of how that is interpreted in practice. In the situation you have just described, if another person had come across that dog that you described, then the court could make a decision, if that person is fit and proper and the dog had the right temperament, that they could have had that dog. The difficulty is if you have a completely stray dog that does not have a current owner at all. You cannot give that dog to someone who has never actually met it, before the court case. That is not feasible under the law, but the court can decide to give the dog to someone who has, for the time being, been in charge of that dog, prior to the court case.

Q351 **Chair:** A rehoming charity cannot do that, and the police then have to come to inspect it, because a court is not involved. That is the problem.

Marc Casale: That is the issue we have started to discuss with the rehoming centres: what happens before a case comes to court and the extent to which a person might, for the time being, be in charge of the dog. That is what we are discussing with them: what happens in practice. The situation you have described is interesting because you said that dog already had a previous keeper; it was not a complete stray.

Q352 **Chair:** It is just the person who was keeping it could no longer afford to keep it. That was the problem. That is why it comes in. That is why it came to the rehoming charity.

Marc Casale: The recent case law is focused in that area. It is not quite as black and white as may have been portrayed to you. It is something that we are exploring further because it is all in a sort of grey area of



what the case law allows and does not allow and in which circumstances. There is one thing you cannot do. The court cannot say, "Here is a dog that has no previous known owner at all, and here is a person who has never come across the dog ever beforehand, and that dog can go to that person". That is not possible, but if someone happened to come across it beforehand, then the court can decide that the dog goes to that person.

Chair: I am glad you are at least looking at it.

- Q353 **Dr Johnson:** Very often when you see tragic stories in the media where some child has been seriously attacked or injured by a dog, there will be a comment from a member of the family saying, "The little dog was terribly lovely before", and they never thought the child would be ever at risk with the dog, because it was a kind and gentle and lovely family pet that suddenly snapped and turned on the child. What does your research tell you? What does your background tell you about what predictive factors there can be? Is it really possible to tell whether a dog is likely to attack somebody or not simply on the basis of the breed? Is it more down to the probability that that breed is more likely than others to attack?

Marc Casale: It is going to look into just that issue, because there have been some cases where someone has a dog, and they are looking after the grandchildren, and the dog has not been used to having different people in the house, and suddenly it has just kind of flipped a bit, and then you have had a bad incident happening. That is one of the scenarios that the research is looking into: what situations should you avoid? That is one of the cases.

- Q354 **Dr Johnson:** What I was more doing is challenging the idea that, because the dog has had previously good character and been very gentle before, that means that it will not attack in the future. Is that really predictive or not?

Marc Casale: Hopefully the research will shed light on that, and also on what children should not do or should do when they are in the company of dogs that are unknown to them. Should you stare at the dog or not? Should you smile and laugh? Should you poke it and play with it? Part of an educational and awareness campaign that we are developing is just focusing on that side. There are some dogs they say you should not stare at; for others, maybe you can pat them or something.

David Rutley: There are some basic lessons we all strive to teach our children. When a dog is about to eat, you probably do not want to get too close because he is much more interested in having a meal than interacting with you at that particular point in time. There are some really practical measures, which I am not trying to belittle, but instead of it being passed on word of mouth, we need to have a more systematic approach to how we communicate that.

Dr Johnson: With the evidence to base it on.



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David Rutley: With the evidence base behind it, yes. We look forward to sharing that with you, and obviously any further thoughts you have about how we could do it are very welcome.

Chair: Do not worry. We will provide you with further thoughts.

David Rutley: To be honest, I was not really worried when I said that.

Marc Casale: What we ought to do is look at the whole process from the beginning, from the decision to purchase the dog, which comes back down to the reforms we had last year on sales and breeding, and then on to how you are to look after the dog. We had the revised dog code launched about a year ago and the ban on e-collars, so how to train the dog. From beginning to end, we want to cover the whole show.

Q355 **Julian Sturdy:** My question is really about education and awareness. Some of that has already been covered in the answers to Caroline's questions. Marc, a few seconds ago you touched on the campaign you are developing. Is that the campaign around making children more aware? There is a campaign around that, is there not, about how to be safe around dogs?

David Rutley: On the back of the research, there will then be a communications exercise later in the year to help communicate this out. As we were describing earlier, that will be quite a mass campaign, but it will be trying to improve people's behaviour. It is engaging rather than just "message out". It is "message received and engaged with". As part of that, as well, we will be working with DfE and other Government Departments, but the public more generally as well.

Q356 **Julian Sturdy:** Do you have any timescales, David, on that?

David Rutley: The research ends, I think, in August.

Marc Casale: Yes, and we have started to scope out the awareness campaign, focusing on the purchasing decisions, and starting from that we are going to think about the wider awareness and also what channel to use that is best for children. These days it is screens, basically, and it might be better to do that rather than always thinking about the school context, and also thinking about how children can actually learn things and convey messages to their parents.

One of the themes could be about what you do if there is an early intervention in terms of a dog that is causing you worry. If we can convey that you can go down this route, with those community processes, then that child might even tell the parent, "There is a scary dog around the corner. Why do you not you go down this route?" We want to cover the whole range of issues that a child ought to know about. Some of it also is how to behave around dogs that are unknown to them and that are strange, as well as how to look after their own dogs.

Julian Sturdy: So August is—



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David Rutley: August is when we finish the research. There are two strands of activity. First of all, there is, as we talked about before, what we can do to help with the purchase decision. There is a communication about purchasing. This research is going to be different than that. It is about, first, addressing the points that have been made around general awareness of what to do around dogs, but also about responsible ownership.

Q357 **Julian Sturdy:** I was going to go on to that responsible ownership section. That is going to be involved in that as well.

David Rutley: That is linked to the research bit. The bit that we are going to be getting on with already is the work on responsible purchasing.

Q358 **Julian Sturdy:** I just need to be clear on the timeline of how this is going to play out over the next 12 months. You are saying in August you will have finished that research.

David Rutley: Yes.

Q359 **Julian Sturdy:** Is that on everything.

Marc Casale: The scoping for the awareness campaign is starting now, and that will start off thinking about purchasing decisions. In terms of the research into the risk factors behind dangerous dog attacks, we will get the first lump of that coming in August, and then there might be some further information by the end of this year, depending on what the first findings tell us. We then also need to think about further communications around things like the ban on e-collars. The responsible ownership will be how you look after your dog, but also there are other reforms that we want to build into this. We are just starting to scope it out now, and we need to think about other partners to involve—other organisations, as well as DfE, local authorities and the police. We are just starting to scope it now, but it is starting now. It is going to be a significant thing to do, and over the next 12 months it should be rolled out.

Q360 **Julian Sturdy:** Are you thinking that the public-facing side of it will be at the back end of this year?

Marc Casale: Or earlier than that, so, as the Minister said, from autumn onwards.

Julian Sturdy: Autumn, okay.

David Rutley: You said the back end of the year, so second half.

Chair: You know which season of the year it is, Minister, do you? The Secretary of State talks about spring and summer and autumn; it all gets rather mixed up.

David Rutley: We will talk about the second half of the year; it will probably be easier. In terms of the purchase strand of that activity, the



Dogs Trust does fantastic work in the run-up to Christmas, and that is a key period.

Q361 **Julian Sturdy:** You really want to hit in on that period. That is the plan.

David Rutley: On the purchasing piece. The ownership and the awareness piece will dovetail with that, but we need to finish the research first, really.

Julian Sturdy: Yes, I get that.

David Rutley: Hopefully, the phasing makes sense. We are getting on with responsible purchasing and we will work out the engagement programme. As far as the research to inform general awareness and responsible ownership, that finishes in August, and then the second half of the year we can start working out how we communicate that. For some of the comms strands, in terms of figuring out the channels, we can be getting on with that now. It is just the point that was made earlier: that we need to make sure that we know what the content is going to be and that it is the best available content.

Julian Sturdy: That is fine. I understand that. Thank you.

Q362 **Chair:** When we took evidence when we did our inquiry, they are taking dogs into schools, with charities, and making sure that the child then knows how to approach the dog, so that, at times, it does not make the dog frightened and more likely to bite at that stage. Educating children on how to approach dogs is a really good thing, because not only are some children not aware of how to approach a dog but some families may not be treating dogs well either. It is really good to have that animal welfare in the school, and looking at how properly to look after a dog and how to approach a dog. Are you working with the DfE to make sure that happens?

David Rutley: I said that we will, as part of this programme—this is not the purchasing but the ownership side—be working with DfE on this, but we still have more research to do. Some schools do it naturally, do they not? Obviously there are pressures on curriculum and so forth.

Q363 **Chair:** I have a charity in Devon. There are several across the country that take good-tempered dogs in schools.

David Rutley: Perhaps you could let our officials know. I personally believe case studies count for a lot. It would be good to show best practice from those case studies, if we could know who those organisations are.

Chair: We will let you have the information that we gain from the inquiry.

Marc Casale: We would like to also progress this locally, engaging with local authorities and welfare organisations. Quite often local authorities have schemes and initiatives in schools, such show and tell. They do that.



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People bring animals to school as well, so there is definitely that angle too.

Q364 David Simpson: The chair of the police livestock working group has told us on the Committee that the Government's response includes inaccuracies in relation to whether section 3 of the DDA applies to incidents of livestock attacks without a person being present. Do you wish to defend or correct the Government's response? Was the chair consulted before any statements or such statements were made?

David Rutley: First of all, thank you very much as a Committee for giving us sight of this. Admittedly it was quite close, but we have tried to do some research on this and understand what is happening and address the concerns. We would like to defend, if that is okay. Marc, do you want to follow up on some of the detail?

Marc Casale: We were a bit baffled by the letter you received because we have been working closely with the police on this. Last year we did provide some advice from senior Defra lawyers, which was approved by the CPS on this very issue. It was shared with the police group, and I think it is also even on a public website. It does confirm that the section 3 offences can be used in relation to a dog attack on other animals. It is not just for a dog attack on a person. That was shared with the relevant police group as well. We are not entirely sure what the person who wrote you the letter actually had in mind. We need to go back to them and check what it is that they think is not possible legally that we and the CPS agree is possible, and that we have already published.

Q365 David Simpson: Rob Taylor, who is the chair, suggested when he was at the Committee, "As chair I should be consulted before such statements are made". The simple question is: was he consulted or was he not?

Marc Casale: Yes, because we had a meeting with that group last year, where this was all discussed. That is why we are a bit baffled. Maybe there is something going on at cross-purposes here. We just need to understand what is going on.

David Simpson: It could be cross-purposes.

David Rutley: We need to work this through. At the very least, it looks like we can improve on the communication, not least with him, but also more broadly, so I think there are lessons learned from this. At this stage, it is just differences of opinion about what was said and what was not, and what was legally possible, but hopefully what we can do is sit down with him and reassure him on that and therefore, through him you as well.

Q366 David Simpson: That certainly would be useful, and would it be possible, when that is done, for you to come back to the Committee with a written statement, or whatever, on it, to give us the detail of that meeting or correspondence?



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David Rutley: It was certainly new news to me when you sent this letter through; I am very grateful that you did. We have sought to follow up, but we will follow up directly with Rob Taylor as well.

David Simpson: We would appreciate that.

David Rutley: Given he has a significant role to play, we want to make sure he is sighted and engaged.

David Simpson: It is important that all groups are consulted, whether it is the chairman, members or whoever. That would be useful if you could come back to us on that.

David Rutley: We will.

Q367 **Chair:** Just to follow up on that, the main issue appears to be around this, and I will read it out first: the Government's response at paragraph 34 stated that "Defra explained" to the National Police Chiefs' Council livestock group "that section 3 of the DDA (allowing a dog to be dangerously out of control) applies to instances of livestock attacks without a person being present". Rob Taylor stated that, "This is not the case at this time, and we are still in consultation with the CPS, and also the Countryside Alliance, who oppose that that is the point of view". I do not think you did it on purpose, but that is where he believes you have misled the situation in this instance. I do not want to make a big thing of it, but you do need to answer that particular point.

David Rutley: We will answer those points, and regarding the m-word that was just used there, obviously there was no intention to do. There is, as I understand it today, a genuine difference of opinion, but we need to resolve that.

Marc Casale: There was the meeting last August that discussed this, and that had the CPS and Defra lawyers there, and I think there were some supplementary issues that some members of that group wanted to consider further, but I do not think that there was disagreement with the fundamentals of the law. We want to pick up the letter you have received and then come back to you on this.

Q368 **Chair:** I am not suggesting it was done on purpose. I had sheep for 10 years and had two cases of sheep being mauled by dogs, and it is no joke. It is something that we really have to sort out one way or the other. It is a really serious matter, so I am sure you take it seriously.

David Rutley: Yes. We have the same issues locally in our constituency too.

Q369 **Chair:** When will the Defra review on the relationship between the Forestry Commission and Forest Holidays be published, and what action will Defra take if the relationship is found to be inadequate? I do not know if you know a lot about this, Minister, but it is case where leases on land by Forest Holidays have been questioned as to whether they have been given too lenient a lease and have not given enough money for this



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lease, in a nutshell. I do not know if you have looked at it at all.

David Rutley: I have, and again thanks for the insight on this, as to your interest in it. This came to a head, a little bit, several months ago around Mortimer Forest, and obviously Forest Holidays' interest in that particular site, which caused a lot of the concern and put the relationship under the spotlight, has been taken away, and I know that the local MPs around there are pleased with that. That particular issue has gone away. It is quite a formal response to the question, though, so please bear with me on this and I will explain. You will understand why when I explain it.

There is a review into the Forestry Commission's relationship with Forest Holidays that Defra commissioned and was carried out by the Government Internal Audit Agency and completed last autumn. We recognise that there is an inherent public interest in the transparency of the work of GIAA and in the transparency of assurance in relation to the efficiency and effectiveness with which GIAA customers use their reassurances in discharging their functions. However, there is also a public interest in maintaining an independent and objective internal audit service. This is essential to provide the requisite assurance over the adequacy and effectiveness of risk management control and governance within our customers. This is the GIAA speaking. Whilst I cannot share the report, I can confirm that Defra is taking internal action in response to it.

Q370 **Chair:** I take it that is written by a lawyer, is it?

David Rutley: It is the piece of paper that I was able to receive to give you the best update I could, Chair.

Q371 **Chair:** The issue is, when talking to the Forestry Commission, its argument is that a lot of these sites were very run-down, there has not been enough investment, and so therefore the deal they had with Forest Holidays will actually reinvigorate these sites and bring in investment. I can see both sides of it, but, on the face of it, the lease seems to be at a very reasonable price, and that is what we want to make sure: that the Forestry Commission is getting value for money.

David Rutley: That is why the investigation took place.

Q372 **Dr Johnson:** I just want to ask about the Licensing of Activities Involving Animals regulations from 2018 and how they apply to "doggy day care", as it is known. Following the introduction of the guidelines, I had a number of constituents come to talk to me about that and what they perceive as inconsistencies between day care and home boarding care. One of the emails here says she can have a licence for up to ten day care dogs, with billing of a £160 a day at the rates she charges, but occasionally in the summer one of the owners might like to leave the dogs with them while they are on holiday, which means she can then only get a licence for six for night care because of the size of her home, meaning that essentially her income is restricted all year round, simply on the basis of this occasional week during the year.



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The way in which rooms within the home that you would conceivably never use to keep somebody else's dog in, such as your own bedroom, can be included but hallways cannot means they are finding it very difficult to use. I wonder if there is any plan, now the regulations have been brought in, to look at the impact that it is having on these day care services, which are often single people in their own home, and to review how it is impacting them and whether it is having the desired effect on welfare that you want or whether it is just making it difficult for people to run a legitimate business in which the dogs are actually very well cared for.

The alternative to leaving the dog in a "doggy day care", where it is looked after all day, is to leave it at home and come in at lunchtime and let it out, which other people we know do that, and I would not recommend. That is clearly a deterioration in care, essentially caused by the way the regulations are written, and no doubt an inadvertent consequence of that.

David Rutley: You raise a really good set of issues there and, as the newly appointed Minister, several months ago, there were several lessons—maybe one from you as well—from constituents who were concerned about the regulations. Just to reassure you, they were designed with the best intentions from the very start, welfare organisations were involved, and then, as is often the case, when they are actually applied then, first of all, there can be differences in the way they are enforced and, secondly, there are also some measures that might have made a lot of sense on paper but not when actually applied. You raised questions about which rooms could be used and why hallways could not be used. Just to reassure you—I am sure Marc can come in on the detail—following on from those concerns being raised, a number of the complainants were met by Defra officials and a lot of those guidelines have been revised.

As far as I can see right now, they seem to have satisfied quite a lot of people, because the intention here was to raise animal welfare standards. Yes, that might make it a bit difficult for a number of participants to continue to be involved in home boarding, but they were not meant to be unreasonable. They were just trying to bring up to a standard. What we are finding is that the number of concerns being raised, to me anyway, has dropped, but we would be interested to hear anything more. Do you want to just talk about the process of how we refine these regulations?

Q373 **Dr Johnson:** That would help, because it seems impractical to say you cannot leave a dog unattended but then expect you to leave one in every room of your house. What constituents say to me is, "These things do not make sense. It is not physically possible to fulfil them".

David Rutley: I think that relates to certain situations. Marc, why do you not explain?



Marc Casale: We had these guidelines that explained how the new regulations work, and then there was quite a lot of feedback around, as you said, whether this was entirely reasonable in all circumstances. We had quite a dialogue with number of people who wrote to us, and also with the Canine and Feline Sector Group, the RSPCA and others, and as a result of that we amended the guidance, so it is more flexible now. They amended the size requirement per dog, which rooms you can use in which circumstances and this thing about having one dog per bedroom or whatever. Quite a lot of flexibility was introduced and, as a result of that, the feedback we have had from the Canine and Feline Sector Group and others has been positive. We have not had so much feedback about ongoing hot spots.

Q374 **Dr Johnson:** Can people now get a dual licence so that they can have a certain amount of dogs during the day and a certain amount of dogs during the night, rather than having to, if they want to occasionally have a dog overnight, have the more restrictive boarding licence?

Marc Casale: I will double-check that. There are flexibilities in the licensing regime, because what we want to do is to make it work well, so that there is a balance with the welfare of the dogs, because it is better them being in the doggy day care centre than being locked up in a cupboard when no one is there. It is getting the welfare right as well as thinking about how it is from the provider's perspective. We will look into that and confirm where we are with it.

Chair: Yes, please let us have a bit more. That was a very detailed question from Caroline, if you would like to give us some written information on that.

David Rutley: Just to reassure the Committee, I have been writing to a number of colleagues to explain the way we have revised these. The other thing is that we all look to potential new situations, perhaps with rehoming or whatever areas we want to get involved with. We can learn a lot of lessons from this particular experience, where, again, all the intentions were good, but we need to make sure that we do something in the future that can anticipate some of these issues.

Q375 **Dr Johnson:** I do not know if you did already, but perhaps you could include some of the single day care provider people in your consultations.

David Rutley: That is good feedback.

Marc Casale: We try to do so, but it is quite hard when you do a consultation to reach out to people who do not normally engage. It is a broader challenge.

Dr Johnson: You could pick them at random and ring them: "Can you help me?"

David Rutley: We will take that on board. Do not worry.

Chair: I am sure you are up to that challenge. Minister and Tamara and



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Marc, thank you very much for your generosity with your time this afternoon. We have had two hours, and we have had a good session. We look forward to seeing you again, Minister.

David Rutley: I understand, very soon.

Chair: Yes, indeed. Thank you very much.