



## THE ASSOCIATE PARLIAMENTARY GROUP FOR ANIMAL WELFARE

*An all party group for members of both houses at Westminster formed to promote and further the cause of animal welfare by all means available to the Parliaments at Westminster and in Europe*

Chair: Eric Martlew MP; Joint Vice Chairs: Dr Nick Palmer MP; Rt Hon Elliot Morley MP  
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### **Dangerous dogs - an APGAW mini-report May 2008**

There is a concern amongst the public and media about dangerous dogs, whether it is high-profile attacks on children, organised dog fighting, or young people with tough-looking dogs on street corners.

Over the last year there has been an increasing problem of anti-social behaviour where dogs are used in an aggressive or intimidating way towards the public and other animals, often involving the fighting of these dogs.

Figures revealed earlier this year show that hospitals are treating record numbers of people, including children, attacked by dogs. Doctors saw nearly 4,000 patients last year with bites or more serious wounds which is nearly double the number of casualties that were recorded four years ago.

These figures obtained through a recent parliamentary answer<sup>1</sup> are now provoking calls for laws on dangerous dogs to be overhauled, although many animal welfare organisations have been stating that current legislation is inadequate for a number of years.

Some of the legislation concerning the control of dogs dates back to the 1800s. More recently the Dangerous Dogs Act 1991 (DDA), as amended, was meant to counteract the increasing problem of aggressive dogs and

dogs kept for fighting – in particular Pit Bull Terriers (PBTs).

Section 1 of the DDA sought to prevent four breeds/types of dogs from becoming established in the UK and has singularly failed in the case of PBTs, with some estimates suggesting there are more of these types of dogs in the UK now than during the 1990s.

The Act has also had a negative effect on the welfare of some dogs, which have either been kept in kennels for years or euthanised simply because of their breed or type regardless of whether they were a real threat. Enforcement agencies have the, often, impossible task of identifying PBTs and many do not have the resources or knowledge to do this and thus are disinclined to enforce the legislation adequately.

Yet any dog, under the right circumstances, can be dangerous and can attack other animals or humans and dog attacks are not limited to the prohibited breeds or types.

Clearly there is a problem which needs addressing and statistics on dog attacks showing that they have not reduced since the DDA was introduced demonstrates that the legislation is not always achieving its initial intention.

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<sup>1</sup> Hansard, 5<sup>th</sup> February 2008, col 1079W

Therefore, APGAW has asked relevant member organisations to tell us what they think should be changed to reduce incidents involving aggressive dogs whilst improving the welfare of dogs more generally.

This paper intends to cover the key principles raised by the organisations and points for consideration.

- **Preventative measures and education**

A number of animal welfare organisations<sup>2</sup> acknowledge the need for ensuring serious incidents do not arise by early intervention whether that is through education and awareness raising of responsible dog ownership or enforcement action with a light touch.

Many of the problems associated with dangerous dogs occur from irresponsible dog ownership and educational programmes could assist with reducing the number of reported incidents. Encouragement of neutering and microchipping as well as dog training in some cases is important.

Secondly, there needs to be adequate means of addressing 'low level' incidents where dogs are starting to show an aggressive behaviour but before they actually do any serious damage to people or other animals.

The Dangerous Dogs Act Study Group (DDASG – made up of some of the organisations previously mentioned) has suggested control notices (rather like improvement notices under the Animal Welfare Act) could assist here by providing an early intervention point. The RSPCA has made a similar recommendation about improvement notices. The key is to find a mechanism to address the problem before it escalates.

- **Effective enforcement of updated legislation**

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<sup>2</sup> Including Battersea Cats & Dogs Home, the Blue Cross, the Dogs Trust, the Kennel Club and the RSPCA

The organisations generally believe that the current legislation should be consolidated and updated. The focus should not be on the breed or type of dog but the action of it – i.e. the deed and not the breed. This, they argue, would go far further in addressing the apparent problem of dog bite incidents.

The DDASG organisations feel there is a need to retain a standard offence of having a dog dangerously out of control (rather like s3 of the DDA). The RSPCA agrees with this and believes there should also be an aggravating element of allowing or encouraging a dog to be aggressive and intimidate or attack another person or animal.

The organisations believe that with quite wide-ranging offences there should be a number of defences to protect innocent people and animals, for example where the dog is provoked or if it is a service animal.

Furthermore, the courts should also be encouraged to explore different ideas with regards to penalties including requiring owners to the dog muzzled, on a lead or re-home the animal as well as compulsory training or euthanasia in extreme situations.

Currently the only means of getting a pit bull terrier type dog placed on the Index of Exempted Dogs (IED) is if the dog is seized and the owner is taken to court. The DDASG believes that if the IED were reopened to owner led applications, this would allow responsible owners of illegal dogs to register their dogs (providing their dogs were deemed safe, and met the registration requirements).

The RSPCA however believes that if such a system is to be effective then sufficient checks and balances, often best provided by the courts, should remain in place to prevent unsuitable dogs slipping through the net. But a streamlined system which ensures appropriate dogs are exempted, thus freeing up police time and resources should be sought to

improve both dog welfare and the impact on police forces.

- **The Political View**

Ian Cawsey MP, Labour spokesman on Animal Welfare

“I welcome this report from APGAW on the growing problem of dangerous dogs. It is clear to me that the current legislation is inadequate and we need new measures that will address this. There is a growing consensus amongst dog welfare groups on the way ahead. This report draws these proposals together and I look forward to working with these groups and with APGAW to make them a reality.”

Andrew Rosindell, Conservative Spokesman on Animal Welfare

“The growing concern over the use and abuse of dangerous dogs is another sad aspect of modern-day anti-social behaviour. However, this double-edged sword also brings to the fore the subject of animal welfare and owner responsibility. Both of these issues are of paramount importance to the Conservative Party, and as a government we would treat them as integral to helping improve the quality of life in Britain. We would address the failures of the current legislation by utilising the “Deed, not the Breed” principle and focusing much more on specific owner responsibility and potential aggravated encouragement by victims. We will streamline the most effective aspects of the current law, improving its general enforceability to ensure public reassurance of safety. It is also crucial to attack these practices at their core; preventative measures must share the weight with penalties. These include increasing public awareness of criminal activities and maintaining central databases of all dogs. Legislation must reflect the genuine compassion of the British people in considering the welfare of all dogs, whilst clamping down on those individuals and

practices that seek to abuse our freedoms to enjoy ownership of “man’s best friend”.

Martin Horwood, Liberal Democrat Spokesman for Animal Welfare

“I strongly welcome this report which rightly highlights the key issues. The Dangerous Dogs Act has long been a byword for ineffective legislation but the latest statistics on hospital admissions from dog bites – which have almost doubled in the last four years – are truly shocking. Sadly, some of those statistics are from awful events in my own constituency.

On behalf of the Liberal Democrats, I am happy to endorse the call for reform of the Dangerous Dogs Act and for better education and a shift in emphasis from breed to deed. It also rightly reopens the debate on reintroducing a system of dog licensing or registration. Current Liberal Democrat policy would endorse a new compulsory registration scheme, preferably based on microchips. But we will listen to the wider debate which I hope this report will provoke.”

*If you have any comments on the proposals set out in this report or require further information, please contact Marisa Heath at [admin@apgaw.org](mailto:admin@apgaw.org).*