Kennel Club Response to the Home Affairs Committee’s call for evidence on the draft Anti-Social Behaviour Bill.

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The Kennel Club is the largest organisation in the UK devoted to dog health, welfare and training. Its objective is to ensure that dogs live healthy, happy lives with responsible owners.

It runs the country’s largest registration database for both pedigree and crossbreed dogs and the Petlog database, which is the UK’s biggest reunification service for microchipped animals. The Kennel Club Assured Breeder Scheme is the only scheme in the UK that monitors breeders, in order to protect the welfare of puppies and breeding bitches. It also runs the UK’s largest dog training programme, the Good Citizen Dog Training Scheme and licenses shows and clubs across a wide range of activities, which help dog owners to bond and enjoy life with their dogs. The Kennel Club runs the world’s greatest dog show, Crufts, and the Discover Dogs event at Earls Court, London, which is a fun family day out that educates people about how to buy responsibly and care for their dog.

The Kennel Club invests in welfare campaigns, dog training and education programmes and the Kennel Club Charitable Trust, which supports research into dog diseases and dog welfare charities, including Kennel Club Breed Rescue organisations that re-home dogs throughout the UK. The Kennel Club jointly runs health screening schemes with the British Veterinary Association and through the Charitable Trust, funds the Kennel Club Genetics Centre at the Animal Health Trust, which is at the forefront of pioneering research into dog health. The new Kennel Club Cancer Centre at the Animal Health Trust will contribute to the AHT’s well-established cancer research programme, helping to further improve dog health.
The Kennel Club will be answering the Committee’s Terms of Reference questions from a dog welfare position and will as such only be referring to the main proposals relating to dogs in the Anti Social Behaviour (ASB) Bill.

**Terms of Reference**

**Q1. Whether the draft Bill would introduce more effective measures to tackle antisocial behaviour?**

1. The Kennel Club does not believe that the Anti-Social Behaviour Bill would introduce more effective measures to tackle antisocial behaviour relating to dogs. In fact, it can be argued that there are currently better measures in place in the UK to tackle dog related ASB which includes the Dogs Act 1871, Dog Control Orders in the Clean Neighbourhoods and Environment Act and Dog Control Notices in the Control of Dogs (Scotland) Act 2010 as well as the Dogs (Amendment) Act (Northern Ireland) 2011.

2. Under the proposals, Public Spaces Protection Orders (PSPOs) would serve as new powers to deal with community protection which would see the repeal and replacement of Dog Control Orders (DCOs) under the Clean Neighbourhoods and Environment Act 2005. The Kennel Club has serious concerns regarding such proposals as it feels that DCOs, when implemented effectively, can have a positive impact in communities by promoting responsible dog ownership.

3. The obligation to consult on the PSPOs would principally remain with the local policing body, chief police officer and any community organisation/representatives that the local authority believes is appropriate to consult with. Whilst the Kennel Club understands that removing certain requirements within the consultation process is intended to help save costs, it would argue that the consultation process is a vital element to ensure a fair and democratic process. The Kennel Club also has evidence of incidents when the local authority has consulted with residents regarding dog issues and received a positive response. By engaging with the residents, local authorities can benefit from being kept informed of situations and causes of particular problems which could be potentially solved with a simpler solution. In addition, local councils can also benefit with better compliance from the community due to positive engagement and proactive approach with the public on local issues. We therefore feel that largely keeping the public in the dark regarding any future PSPOs by using the proposed consultation methods would have a negative impact and have an opposite effect to the positive ‘community action’ that has been witnessed as a result of engaging effectively.
4. There are distinct differences between PSPOs and DCOs which raise concerns regarding how effective the PSPOs would be to tackle dog related antisocial behaviour. There are five different types of Dog Control Orders which include dogs on lead, dogs on lead by direction, dog fouling, dog exclusion and the maximum number of dogs being walked by one individual. These five orders allow the local authority to effectively deal with different issues surrounding irresponsible dog ownership. Under the Public Spaces Protection Order however, there is no limit to what can be required which raises concerns on proportionate responses to antisocial behaviour and the consistency of these responses, especially in light of the reduced consultation requirements. It would therefore be much easier for less dog tolerant councils to implement particularly draconian Orders with no restriction.

5. As mentioned above, the consultation process required of local authorities before implementing PSPOs is less demanding. For example, there will be no obligation for a local council to advertise in local newspapers (a requirement that the Kennel Club already deems to be inadequate in current legislation) which would inevitably lead to a lack of informed consultation responses and an undemocratic method of consulting amongst the public and stakeholders. These differences combined will be far less effective in tackling dog related antisocial behaviour than the current measures in place.

6. Furthermore, the implementation of PSPOs would only apply to local authorities and unlike Dog Control Orders, parish councils would no longer have the power to implement the new proposed measures. The Kennel Club believes that this will also weaken the effectiveness of these new measures on tackling antisocial behaviour. In addition, PSPOs only remain active for three years compared to Dog Control Orders which currently have no time limit. The replacement of Dog Control Orders with Public Spaces Protection Orders also raises questions regarding whether the already introduced DCOs would still remain in force.

7. Regarding the Community Protection Notices (CPNs) in the Anti-Social Behaviour Bill, local councils and police will be able to issue these Notices if they believe there is conduct which is continuous in nature and has a detrimental effect on the quality of life. In the Home Office’s ‘Putting Victims First’ White Paper which was published in May 2012, it was suggested that a Community Protection Order could also be placed on an individual who repeatedly allows their dog to foul or requiring an owner to repair their fencing if their dog frequently escapes.

8. The Kennel Club does not condone irresponsible owners who allow their dog to be a nuisance to other animals and people, and therefore believes that a provision creating a Dog Control Notice (as has been enacted in Scotland and Northern Ireland and currently being proposed in Wales) to require leashing, muzzling or attending training would be ideal.
9. The Kennel Club believes that Dog Control Notices are an effective pre-emptive tool would allow authorities to take action against irresponsible dog owners at the first signs of their dogs causing nuisance to the detriment of quality of life.

10. There is no evidence to suggest that Community Protection Notices would promote responsible dog ownership as effectively as the already implemented Dog Control Orders and Dog Control Notices utilised in the devolved administrations. This raises questions whether CPNs in this instance are the best means of addressing issues of dog nuisance and whether there is a legitimate and justified need to replace the current measures which serve to both help tackle dog related antisocial behaviour as well as promote responsible dog ownership.

11. Lastly, the Anti-Social Behaviour Bill would replace Anti Social Behaviour Orders (ASBOs) with Injunctions which would have the power to ban individuals from doing certain activities or place a requirement on them to do specific things. In the Home Office White Paper, it was suggested that in dog related incidents Injunctions could be used in ‘the most serious cases’ which could (1) require owners to muzzle their dogs in public, (2) prevent owners from taking their dogs to certain locations at certain times and (3) require owners to take their dog to training.

12. In any case where a dog has injured or made an individual fear injury, the Dogs Act 1871 or the Dangerous Dogs Act could be used instead of the Draft Bill’s proposed Injunctions. Furthermore, the Kennel Club believes that any annoyance related issues would be more appropriately covered by Dog Control Notices as is currently the case in Scotland and Northern Ireland, and is under consideration in Wales. The similarities between existing Dog Control Notices in the devolved administrations and the proposed Community Protection Notices and Injunctions only serve to confuse the public as to why they are defined differently. The Kennel Club strongly recommends definitional continuity in this case, especially in relation to promoting responsible dog ownership and would stress its view that a clear and united message will achieve the most effective results in gaining public understanding and compliance.

Q2. How the proposals will benefit victims of antisocial behaviour?

13. On the contrary, the Kennel Club believes that the Draft Bill’s proposals which relate to dog related antisocial behaviour may even lower the current standard of benefits and protection offered to victims. As discussed in greater detail in the Kennel Club’s answer to Q1, the Kennel Club feels there are already measures in the Clean Neighbourhoods and Environment Act, Dogs Act 1871, Dangerous Dogs Act and in other UK legislation which offer the same level of
protection and benefits to victims and in certain cases, better protection and benefits.

Q3. If the Bill provides individuals, communities and businesses affected by antisocial behaviour with a more effective long-term solution?

14. Similar to our answer to Q2, the Kennel Club believes that there are a number of measures currently in place in the UK (including Dog Control Notices currently enforced in Scotland and Northern Ireland) which offer better solutions to antisocial behaviour for individuals, communities and business both in the short and long term than that which is being proposed in the Draft Anti-Social Behaviour Bill. These measures are discussed in greater detail in the Kennel Club’s answer to Q1.

Q4. Whether the Community Remedy is a proportionate response to antisocial behaviour?

15. The aim of a Community Remedy is to help the Police and Crime Commissioners (PCC) or the relevant policing body in London to make community justice more accountable and responsive to victims and the public by introducing meaningful and proportionate punishments. Although this is not the Kennel Club’s area of expertise, we would recommend that any such Community Remedies should be kept consistent for similar types of low level crimes, treated individually in order to appropriately decide which measures are adopted and should always be proportionate to the different types of antisocial behaviour in question.

Q5. How the new measures would affect young people in particular?

16. Not applicable.

Additional comments

17. The Kennel Club is involved in promoting responsible dog ownership at all levels and launched an initiative last year to work more closely with local authorities and help them hold ‘Responsible Dog Ownership’ (RDO) days. The Kennel Club has worked with numerous councils in London and the South East offering them help to organise RDO days by providing related literature, free merchandise and advice on all aspects of responsible dog ownership, including
the importance of permanent identification via microchipping, dog training and
dog walking related access issues such as dog control orders and how to walk
your dog responsibly. The Kennel Club will continue this initiative in 2013.

18. The Kennel Club also runs the Good Citizen Dog Training Scheme – the
UK’s largest dog training scheme and the Safe and Sound Scheme - the Kennel
Club’s education initiative to teach children how to be safe and interact around
dogs. It also provides extensive information guides covering everything from
travelling with your pet to dog law, up to date access information for dog walkers
and responsible dog ownership messages from a trusted source. The Kennel
Club is committed to continuing this work now and in the future for the benefit of
dogs and their owners alike.

19. Lastly, the Kennel Club views its management of and link to Petlog, the UK’s
largest pet reunification database, as a significant strength and of great benefit to
the aims and objectives of both the government in terms of promoting
responsible dog ownership and the wider public. Petlog is the only database
which can also communicate the level of information and expertise associated
with the Kennel Club to those whose data it manages.