Kennel Club response to Defra ‘Consultation on package of measures to promote more responsible dog ownership and reduce dog attacks’

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The Kennel Club is the UK’s largest organisation dedicated to the health and welfare of dogs. It has the broadest remit to protect and promote the general wellbeing of dogs. At its heart are programmes and investments in education and health initiatives to help dog owners across the UK to keep healthy, happy dogs living long lives with responsible owners.

Included with this response document are the following documents constructed and agreed by the Microchipping Alliance for your consideration:

- Annex 1: Code of Practice for Databases
- Annex 2: Code of Practice for Microchip Distributors and Manufacturers
- Annex 3: Code of Practice for Incorrect Ownership Data
- Annex 4: Code of Practice for Data Collection
- Annex 5: Code of Practice for Local Authorities’ and Charities - New Stray / Handover
- Annex 6: Code of Practice for Transfer of Ownership

Q1. Which of the following options do you prefer and why:
   a. Microchip all puppies only; or
   b. Microchip all dogs on change of owner only; or
   c. Microchip dogs on change of owner and then after a period of time (suggest length of time) for all dogs to be microchipped; or
   d. Microchip all dogs within a year of legislation coming into effect; or
   e. No change to the current situation whereby owners can choose whether or not to microchip their puppies and older dogs.
The Kennel Club feels that it is important to stress that compulsory identification via microchipping is a separate issue from ‘dangerous dogs’ and ‘dog control’ discussions; the only exceptions being in reference to conditions within Contingent Destruction Orders as part of the Index of Exempted Dogs and as a condition of industry recommended dog control notices or current Animal Welfare Act (AWA) improvement notices only.

The Kennel Club supports the principle of compulsory microchipping as one of the simplest ways of permanently identifying animals. Microchipping provides a means of identifying and returning stray dogs to their owners. Many rescue centres microchip as standard practice when an animal comes into their care if they are not already microchipped. Microchipped dogs can be returned to owners faster thus saving local authority and rescue centre kennelling costs.

The Kennel Club supports Option D, the compulsory microchipping of all dogs within 12 months of the legislation being enacted as the best option out of the 5 proposed as it has both the highest welfare and economic benefits combined.

With regards to Option A, Defra’s preferred choice, which would require the microchipping of all puppies after a certain date, whilst it could be argued that this option would ensure that all puppies being born would be microchipped and eventually achieve the outcome of compulsory identification of all dogs, this option alone would not be immediately effective in securing both the welfare and economic benefits associated with microchipping all dogs without efforts to ensure existing adult dogs are also included. Legislation centred around Option D could easily include measures to avoid the possible welfare implications of microchipping older dogs who may find the microchipping process distressing.

The Kennel Club’s concern with regards to Option B, which would require microchipping at the change of ownership, is that dogs that are kept in the ownership of the breeder (for example working dogs) would not need to be microchipped as they have not changed ownership. Problems could arise when an un-chipped animal strays, gets lost or is involved in a dog bite incident. The ability to identify their owners to reunite them with their dog and possibly hold them responsible for an incident would be a longer and more complicated process. Additionally, there is a higher chance of finding legal loopholes which would allow owners to legally avoid microchipping their dog than in Option D.

Based on a cost impact analysis undertaken by the Microchipping Alliance, the Kennel Club considers Option D to be by far the most beneficial in terms of costs savings. The cost analysis looked at implementation costs, enforcement costs, cost savings and the total estimated cost. The calculated annual cost savings relating solely to dog welfare would amount to £20.8-£23.2million in the first year of introducing Option D in legislation. Option D would also allow all dog owners sufficient time to get their dogs microchipped which would ensure that should any dog get lost or stray, the
chances of their reunification with the owner are higher and kennelling time lower.

If the government decided to pursue Option E, it has been calculated that there would be no cost savings to be gained, whilst also going against the strong public support which indicates that 83% are strongly in favour of compulsory microchipping (Microchipping Alliance Briefing, 2011).

For these reasons, the Kennel Club considers Option D to be the best ‘catch all’ option and the most efficient as the approach that has the highest welfare benefits as well as lowest costs to both national and local government.

The Kennel Club believes it is imperative that the animal welfare sector and both local and national government continue to collaborate on highlighting the importance of microchipping, its functions and benefits, as well as the importance of database registration and keeping owner details up to date.

Q2. What sort of financial impact (negative or positive) if any, will requiring all dogs to be microchipped have on:
   a. Individual owners
   b. Enforcement agencies
   c. Animal welfare / re-homing centres
   d. Dog breeders
   e. Pet shops
   f. Microchip database companies

The Kennel Club believes that any individuals who have received formal training should be allowed to implant microchips. Due to stray dogs coming into rescue centres and local authority kennels, it would be impractical to restrict implanting to veterinary surgeons. Such a restriction would also disrupt positive initiatives of providing free microchipping services to the public and result in a significant negative financial impact for all specified in options a) to e). The Kennel Club does however recognise the need for inspections and appropriate standards for training received in order to ensure that a high quality standard is being adhered to across the board.

Specifically looking at options a) to e) the Kennel Club foresees the financial impact of compulsory microchipping to be:

a) Individual owners

The average cost to microchip a dog is a one off payment of £20-£30. A microchipped dog registered to a database means an owner stands a much greater chance of being reunited with their pet should they ever become separated. To date Petlog, the Kennel Club’s pet re-unification database, has recorded data in respect of more than 6.2million pets, including 4million dogs which have been microchipped voluntarily, indicating that many people believe a small initial cost is worth the added peace of mind that this brings.
Figures from Petlog estimate that almost 60% of dog owners have microchipped their pets. In addition a recent Dogs Trust survey demonstrated that 83% of the public were supportive of compulsory microchipping. Furthermore, compulsory microchipping is not considered to impact on lower income households as a range of current schemes offer either free or significantly reduced cost microchipping. To guarantee further safeguards for the vulnerable in society, any new legislation could allow cost exemptions or reductions for those who fulfil a certain set of criteria (financial, medical, etc). The Kennel Club also believes that compulsory microchipping should be introduced in a phased approach supported by a public education campaign to enable the public time to understand the legislation and allow sufficient time to get their pet microchipped.

Ultimately, by ensuring that the implantation of microchips is not restricted to any one organisation, it will remain easy for dog owners to get their pets microchipped which will inevitably have a positive impact on public compliance.

Advances in technology will also benefit owners in helping to reunify pets. Already in operation, Petlog’s ‘My Dog UK’ smartphone application is supported by welfare organisations including the Blue Cross and Dogs Trust. The free App allows owners of lost pets to input microchip details to immediately notify the database. Owners of the Petlog Premium service are also able to alert authorised users including veterinary surgeries, local authorities and dog warden services within a 30 mile radius. Services such as this will make it even easier for pet owners to comply with the legislation and utilise its benefits for reunification.

The Kennel Club would stress that costs relating to compulsory microchipping should be kept to a minimum and this should not be used as an opportunity to reintroduce an annual registration fee. This would be seen as a retrograde step penalising the responsible dog owner and encouraging others to seek to avoid the key act of identifying their dog.

b) Enforcement agencies

Based on a cost impact analysis undertaken by the Microchipping Alliance, the compulsory microchipping of all dogs was considered to be by far the most beneficial in terms of costs savings. The cost analysis looked at implementation costs, enforcement costs, cost savings and the total estimated cost. The calculated annual cost savings relating solely to dog welfare amounted to between £20.8-£23.2million in the first year of introducing such legislation. These savings could enable local authorities to offer further assistance in other canine related matters as well as potentially providing extra income.

Microchip scanners are relatively inexpensive costing from £60. As microchipping is already common practice and has many benefits to local authorities in terms of identifying dogs and owners and reunifying them more
quickly, many local authorities already own and utilise the equipment needed meaning there would be no additional cost to enforcement agencies.

c) Animal welfare / re-homing centres

The implementation of compulsory microchipping would not significantly alter any measures that are currently in place for animal welfare organisations or rescue centres. Most rescue centres already microchip animals in their care before rehoming them to new owners. In order to help with the implementation of microchipping, dog charities and animal welfare organisations have been offering free and reduced cost microchipping services and work with Petlog to ensure that the owner’s details are registered on the database.

Moreover, all major welfare organisations have agreed to work together and help with advertising and publicity promoting microchipping and its benefits as well as education of the public on any new legislation that may be enacted and its implications.

The Kennel Club and Petlog undertake the promotion of microchipping throughout June each year with National Microchipping Month (NMM). NMM is a very strong awareness campaign in support of microchipping and is adopted by all microchip suppliers and other databases. The campaign is formulated around engagement through vets and implanters who host events and encourage their clients to become informed about microchipping and the importance of keeping their details up to date on a database.

In addition, Petlog supports communications activity with educational videos, digital advertising and email campaigns. During NMM 2011, Petlog experienced a significant increase in registration and upgrades to Petlog Premium due to its activity. The main message of the campaign was to emphasise the importance of owners updating their details with Petlog and Petlog offered free updating during the month of June. Petlog contacted 370,000 customers by email with its awareness messages. This resulted in approximately 21,000 owners checking their information online with the Petlog website delivering 189,000 page requests on the ‘check your details’ page.

The campaign was also supported by a video on YouTube and a range of social network activities which reached an audience of over 40,000. Press coverage of NMM resulted in 180 press cuttings reaching a circulation of over 6 million people.

In June 2012, Petlog and the Kennel Club is again running its awareness campaign communicating the benefits of microchipping and importance of keeping details up to date. The campaign continues to grow each year with an educational film being circulated to veterinary surgeons around the country this year to deliver these messages in practices and from their websites.

d) Dog breeders
Many breeders already microchip their puppies before selling them to the new owner with the cost of doing so absorbed in the overall cost of the puppy. Additionally, in order to avoid impacting on small businesses, breeders who wish to save costs may undertake a microchipping training course as a means of implanting chips themselves in order to reduce veterinary costs. Once a training course has been completed breeders would also be able to chip other dogs as a means of gaining extra income.

In September 2011, the Kennel Club and Petlog conducted a survey to find how breeders currently microchip and their views and opinions regarding microchipping. The survey was completed by 1,707 breeders, 45% of whom microchipped their puppies before going to their new homes. Of the 45%, 94% included the cost of microchipping the dog and registering it on a database in the overall cost of the puppy and 70% notify the database of the transfer of ownership to the new owner themselves. The Kennel Club believes that these results indicate that the introduction of compulsory microchipping of dogs and the legal requirement to transfer ownership could be easily accommodated by reputable breeders, as many already comply voluntarily as part of responsible breeding practices.

e) Pet shops

The Kennel Club can foresee potential financial implications for pet shops from a positive and a negative perspective. The introduction of compulsory microchipping could have a positive impact if pet shops were to train staff as implanters and offer microchipping within their stores. This could also increase trade by increasing footfall. A possible negative implication, for them, could be the traceability of puppies through microchipping. Pet shops which sell puppies may have to invest more to source puppies from responsible breeders accepting that such information would now be available to authorised users should there be a problem, which could in turn affect their reputation and trade. The Kennel Club would highlight however that reputable breeders do not generally offer puppies for sale to pet shops and indeed the sale of puppies to pet shops is against the KC Code of Ethics.

f) Microchip database companies

The Kennel Club bases this response on its experiences in managing Petlog, the UK’s largest independent microchip database which works with 11 microchip suppliers. Should the government choose to introduce compulsory microchipping, Petlog would be fully able to continue to provide an effective and user friendly facility to continue interacting with authorised users and maintaining and updating information.

The most pertinent financial impact for microchip database companies in any future legislation with regard to compulsory microchipping would depend on the legislative requirements on owners to keep details on a database up to date. The cost to field these calls, employ staff, provide adequate facilities, process paperwork etc. would incur a cost that is not currently covered in the initial registration fee. Petlog currently offers Petlog Premium as a solution to
this; a one off fee of £10 which allows owners to update and amend their
details at any point during their pet’s life, from amending telephone numbers
to notifying the database of temporary boarding during holidays etc. for no
additional cost.

If Defra is minded to introduce a requirement to introduce a backtrack facility,
requiring every change of hands of the microchip and subsequent puppy to be
recorded on a database, the Kennel Club would stress that it must be
accepted that this would also have cost implications and a process for this
would have to be agreed. Such a requirement, for example, could involve a
requirement to notify the database of every change of ownership from
microchip supplier – to vet – to breeder – to pet shop – to puppy buyer. The
Kennel Club recognises the obvious benefits in being able to track the
sourcing of the puppy and microchip for issues such as puppy farming and
encouraging the responsible buying of pets.

As the Kennel Club and Petlog’s primary concern and area of expertise is
reunification, Petlog does not market initial registration data as part of its
Code of Practice and contracts with microchip suppliers and partners
(including the welfare sector). Petlog also defers income in order to produce a
robust business model that will ensure that the database remains fully
operational in the future and for the lifetime of the pet. The Kennel Club would
strongly recommend mandatory standards to ensure that this ethical stance is
taken forward by any database handling large volumes of sensitive data.

The Kennel Club and Petlog have a very strong annual awareness campaign
in place through National Microchipping Month in June which grows in reach
every year. The Kennel Club and Petlog are committed to continue
undertaking the financial responsibility for promotion of positive messaging in
regards to microchipping for this campaign in addition to contacting Petlog
customers via email in order to support on-going communication to owners
regarding their potential new responsibilities under the law.

Q3. Do you think that any regulation introduced on microchipping
should set minimum standards for commercial databases, e.g. they
should be ISO compliant? Why?

The Kennel Club firmly believes that standards for microchipping database
providers are essential to create uniformity, ensure robustness and give a
clear and concise message to the public regarding what they can expect from
a database as part of their own legal obligations as dog owners.

The Kennel Club and Petlog adhere to ISO 9000 to ensure delivery of a
quality service, with all processes mapped and checked by an independent
body.

The Kennel Club, as part of the Microchip Alliance, has helped to produce a
draft Standard Operating Procedure document for databases, distributors and
manufacturers, and recommended standard practice documents for transfer
of ownership, data collection and dealing with incorrect ownership data. The Kennel Club believes that these standards would form a robust and workable standard for all involved parties to adhere to and therefore strongly recommends that they be considered by Defra.

The Kennel Club also feels that there are lessons to be learnt in respect of how the compulsory microchipping of dogs has been implemented in Northern Ireland and would highlight the following points:

- The introduction of compulsory microchipping as a condition of the dog licence is largely ineffective as the Northern Irish Government accepts that less than 50% of dog owners in the country comply with the requirement for a dog licence.
- Information submitted to the database providers by owners was insufficient with many failing to provide important contact details such as telephone numbers and email addresses. It is essential for such information to be included so that for example enforcers can make contact with owners should a dog come to their attention.

Recommended best practice in respect of ensuring a smooth transition to the compulsory microchipping of dogs for the rest of the UK is detailed fully in the attached Microchip Alliance draft regulations and annexes.

Q4. For what reasons do you think that the offence, under the Dangerous Dogs Act 1991, of allowing a dog to be dangerously out of control, should:

   a. Be extended to include all places, including where the dog has a right to be (inside and outside the home); or

   b. Be extended to include places where the dog has a right to be but not inside the dog owner’s home; or

   c. Remain as now (only applies to public places and places where the dog has no right to be).

The Kennel Club believes that it is not acceptable for an owner to allow their dog to behave aggressively either in the home or out in a public place and therefore cautiously supports option a) to make it an offence to allow a dog to be dangerously out of control in all places. Greater responsibility would therefore be placed on owners to ensure that their dogs are not dangerously out of control in any place.

The Kennel Club would stress however that the application of law to include private property must include exemptions to cover circumstances such as a bite as a result of provocation by another animal, on a person whilst that person is committing an offence or as a result of provocation. It will be imperative to ensure that the only owners and dogs to be penalised are those acting irresponsibly and not just as a result of other people’s irresponsibility. Questions must be raised, as to whether an owner would be culpable if a child trespasses in a well fenced and signed garden and whether a dog should be expected to reasonably distinguish between an unlawful intruder and a child retrieving a ball for example.
Postal workers, health care assistants, social workers, utility inspectors etc. regularly visit private properties without necessarily being known to the dog or landowner, and should be able to do so safely. The Communication Workers Union state that 6,000 postal workers are bitten every year by dogs. 70% of these bites occur on private property. Nevertheless, we do not wish to extend such protection to anyone involved in criminal activity. It is important that the emphasis is on the owners’ responsibility to avoid injury to anybody carrying out their lawful activities.

Currently the Dangerous Dogs Act is very specific that if a person is injured (or fears they would be injured) then an offence has occurred. Similar protection regarding defences on private property should be available to dog owners where a bite incident takes place in a public place (for example during a mugging) and should be seen as a valid defence to be considered when presented before the Court.

Q5. Do you think that there would be a financial impact upon the police / court service / Crown Prosecution Service in the short or longer term? Why? How much?

A common concern in respect of the extension of the law to cover all places is that there could be a dramatic increase in owners being criminalised under the Dangerous Dogs Act 1991 for low level incidents on private land, as opposed to being prosecuted using the Dogs Act 1871. This is because unlike the Dangerous Dogs Act 1991, the Dog Act 1871 Act does not allow for victims to receive compensation.

The consultation document estimates an increase of 400 cases which could have otherwise been resolved using the Dogs Act 1871. To avoid this and encourage enforcers to utilise the Dogs Act where appropriate, the Kennel Club would strongly recommend amending the legislation to allow compensation to be awarded to victims under the Act.

The Kennel Club recently corresponded with the Scottish Government Cabinet Secretary for Justice, Kenny MacAskill MSP in February 2012 regarding the success of the Control of Dogs (Scotland) Act 2010, which extended the law to cover any place. He outlined that: ‘in 2010-11, the number of convictions under sections 3 and 4 of the Dangerous Dogs Act 1991 was 83. As a result of the 2010 Act coming into force, The Crown Office and Procurator Fiscal Service (COPFS) introduced a new charge code that records incidents that occur in any place (the charge code data does not separate out incidents that occur on private property and public places). Latest figures from COPFS advise that court action was instructed in respect of 237 separate charges with 61 charges resulting in a conviction. 138 cases are still subject to court proceedings and have not yet had a verdict.’

Due to the short time in which the Control of Dogs (Scotland) Act 2010 has been in place it is difficult to get a full picture of the success of the legislation as well as the cost implications for the police, court service and Crown
Prosecution Service. However, as the Act has introduced preventative measures in the form of Dog Control Notices the expectation is that incidents involving irresponsible dog ownership will decrease as owners are encouraged to keep their dogs under control, therefore having a positive financial impact with fewer cases involving police, court service or Crown Prosecution Service. The Kennel Club would expect to see similar results if preventative measures were introduced in England and the rest of the UK.

Q6. Do you consider that any special provisions should apply if a dog attacks an intruder?

Yes. Please see the Kennel Club's response to Q4.

Q7. Is it acceptable to exempt the owner of a dog from prosecution even if it appears that the dog was dangerously out of control when it attacked the intruder? Or should it be left to prosecutors to use their discretion in individual cases to decide whether to bring charges against the owner of a dog who has attacked an intruder?

The Kennel Club recognises the difficulty in defining ‘dangerously out of control’ without the necessary background to explain the circumstances in which the incident took place. This is highlighted in its response to Q4.

Animal behaviourists would argue that it is impossible to expect a dog to understand the difference between an intruder with lawful or unlawful intent. The Kennel Club therefore feels that action on a case by case basis is essential and that it must be left to prosecutors to use their discretion in individual cases to decide whether to bring charges against an owner of a dog which has attacked an intruder, with weight being given to the rights of the homeowner to protect his property.

Q8. Do you agree that there should be no need to seize suspected prohibited dogs considered by the police to be no threat to public safety between when the case goes to Court and the owner is issued with a Certificate of Exemption? Why?

From a welfare perspective, it is concerning that dogs that have not shown any signs of aggression end up being destroyed or remanded in police appointed kennels. We therefore greatly support the proposal to seize only dogs that are deemed to present a high risk of biting again, with other dogs being allowed to stay at home until the Court process takes place. This will save money and address criticism and concerns regarding lengthy court cases. The Kennel Club would support proposed requirements for dogs that stay at home to be that the dog is microchipped, kept on a lead and muzzled whilst in public. This would address any public safety concerns as the dog would be muzzled and kept on a lead and the owner would also be traceable
through the implantation of a microchip and registration of the owner’s information.

The police expend significant resources on the enforcement of the Dangerous Dogs Act. Large amounts of money are spent on the seizure and kennelling of dogs simply because of their breed type, many of which are returned to their owners once proved to be of good temperament. The Kennel Club believes that the suggested proposal would improve this situation considerably.

**Q9. Do you agree that unnecessarily kennelling dogs could lead to those dogs becoming maladjusted and developing behavioural problems? Why?**

Yes. The Kennel Club has working relationships with several individuals involved in assessing kennelled dogs. Within this field it is widely accepted that the less time spent in confinement away from its normal social routine, the greater the benefit and less long term effect the experience has on the behaviour of the dog. Whilst there are police kennels with good reputations for working with dogs in their care to improve behaviour, unfortunately due to the massive variation of funding for such measures in police forces throughout the UK, the level of care available varies greatly and cannot be guaranteed at the same standard.

**Q10. Do you think that owners should be able to apply directly to the Courts to have their dogs placed on the Index of Exempted Dogs? Why? How would you ensure there were common standards of assessing banned types of dogs and the danger or otherwise to public safety?**

Whilst there is no political appetite to remove legislation which bans specific breeds of dogs, the Kennel Club sees the only alternative as reopening the Index of Exempted Dogs (IED) to owner led applications. This would allow responsible owners of suspected ‘banned types’ to apply to the courts directly to have their dog placed on the IED, and in turn allow police to use their time more efficiently to deal with irresponsible dog owners rather than wasting vital funding, time and resources in seeking out and seizing the dogs of otherwise law abiding people.

Common standards for assessing banned types of dogs could be ensured by maintaining the same thorough requirements as the current system for owner-led applications whilst taking into account the merit of the owner coming forward themselves. The individual could apply to the Courts themselves but would still be required to meet the same criteria, including an independent assessment of the dog, as if it had been seized by the police and a subsequent application to the Courts had been made by them. The reintroduction of the owner-led application would remove the demonization of otherwise responsible owners who come to own banned type dogs but are in no way using them as a status symbol to intimidate or cause injury.
The Kennel Club does accept the comments made within the consultation document which highlight the need for a common standard for dog assessors but disagrees with the suggestion that a lack of police involvement could result in fewer owners applying to have their dogs placed on the Index. The Kennel Club would like to be clear that it is not proposing to remove police involvement in the application process, but for both options (police seizure applications and voluntary public IED applications) to be introduced and of equal strength and process. The comments regarding an increased cost for the police in having to provide independent assessments of dogs they have not seized to the Court is also not valid as assessments are already currently carried out as part of the police process as the law stands – therefore any additional cost for assessments will be for those dogs which have not previously been seized but whose owners have come forward voluntarily. This arguably is the point of introducing owner led applications and indeed the preferred outcome for all as the police would now have a record of such dogs unlike the present situation where the whereabouts of a large number of banned type dogs is largely unknown.

More generally, an amendment should be created to allow an application to be made to the Courts for the transfer of ownership of a Section 1 dog. The documentary ‘Death Row Dogs’ on BBC1 highlighted a flaw within existing legislation which the police agree leads to many sociable and rehome-able dogs having to be destroyed simply because the owners are not deemed to be suitable and transfer of ownership of a Section 1 dog to a more appropriate owner is prohibited within the current law.

Q11. Do you think that the Courts or Police are better placed to deal with Contingent Destruction Orders? Please explain your reasons including any relevant experience that has influenced your views.

The Kennel Club would support proposals to remove Courts from the process associated with issuing a dog with a Certificate of Exemption. As highlighted in the Defra consultation document, the Kennel Club is unaware of any case in which the Court has disagreed with the recommendation by the Police for a dog to be issued with a Contingent Destruction Order (CDO) and recognises the obvious benefits from a financial and dog welfare perspective in speeding up the process of adding a dog to the Index.

To this end the Kennel Club would support the approval of Index applications, issuing of CDOs and power to extend the 2 month CDO deadline upon valid owner application to be carried out by the Police as opposed to the Courts.

Whilst the consultation outlined a possible risk of individuals evading or not complying with CDO requirements in the mandatory timeframe if the powers were moved solely to the police, the Kennel Club does not believe this is any more likely than under the current process with court involvement.

The Kennel Club would stress that it would not support the removal of involvement by the Courts in cases where an application is being made for the
dog to be destroyed. The Kennel Club feels that in such cases a Court involvement is an essential part of the democratic process.

Q12. (For the Police Only)

Not applicable.

Q13. (For Kennel Operators)

Not applicable.

Q14. Do you agree that in the circumstances described the application fee be increased to £77 plus VAT? Why?

Whilst the Kennel Club understands the motives behind increasing the fee for the Index of Exempted Dogs (IED) to ensure that the Index is not disproportionately funded by the taxpayer, it maintains that breed specific legislation is fatally flawed and unworkable and therefore fundamentally does not agree with the existence of the IED.

The Kennel Club accepts that the current cost does not cover the cost of administrating the IED but believes that the other costs associated with complying with the Contingent Destruction Order, for example neutering, tattooing, insurance etc already place a significant financial expectation on the dog owner.

Q15. Do you think reviewing the fee after 3 years is reasonable?

The Kennel Club agrees that it is reasonable to review costs after a set time period although would stress the need to keep costs as low as possible so as not to deter individuals from being law abiding by putting the cost of an application for exemption too high.

Further comments:

The Kennel Club considers the Dangerous Dogs Act 1991 to be a piece of legislation which was rushed through in haste. The legislation has not reduced the number of pit bull terriers in this country, nor has it reduced the number of dog bite incidents while it has had a hugely negative impact on the welfare of many dogs. The Kennel Club believes it is essential that any new legislation is properly considered and puts greater emphasis on animal welfare whilst better protecting the public.

The Dangerous Dogs Act 1991 has proven that demonising certain breeds makes them more attractive to the wrong kinds of people who do not think
twice about flouting the law, contributing to the problem of creating so called status dogs. Banning breeds has simply pushed the problem underground and moved it elsewhere to other breeds and species. The Kennel Club firmly believes that doing away with breed specific legislation would reduce the attractiveness of these dogs.

The Kennel Club supports the principle of ‘deed not breed’ and that genetics plays only a part in the temperament of an individual dog with breeding, socialisation and environment having a far greater effect. A large proportion of dog bite incidents are a result of the irresponsible actions of owners, who have either not taken the time and trouble to train their dog correctly, or have indeed trained them to behave aggressively. Consequently any legislation based on genetics that ignores the influence of the dog’s keeper on its behaviour is likely to be ineffective.

The Dangerous Dogs Act 1991 has not prevented dog bites / attacks because it assumes that some specified types of dog behave in a certain manner whereas dogs’ behaviour is largely individual and very heavily influenced by the way in which they are reared and trained. The problem of dangerous dogs is social and is not exclusively a ‘dog’ problem. This problem needs to be tackled through the enforcement of effective legislation that seeks to influence irresponsible owners and better educate the public, thereby acting earlier to prevent incidents before they occur. The Kennel Club believes that preventative legislation should be based on deed not breed and centre around the introduction of dog control notices.

In respect of microchipping, the Kennel Club views its management of and link to Petlog 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. Not only can it offer the lifetime management of the dog and owner’s information but also best practice through the Good Citizen Dog Scheme – the UK’s largest dog training scheme, the Safe and Sound Scheme - the Kennel Club’s education initiative to teach children how to be safe and interact around dogs, its 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.