

# ***Dangerous Dogs Update*** March 2014



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# **‘BITE-BACK’ CAMPAIGN TO AMEND UK DANGEROUS DOGS LEGISLATION - UPDATE REPORT:**

## **Background, Campaign Objectives and Progress**

The CWU ‘Bite-Back’ Campaign continues. The Communication Workers Union (CWU) represents the largest number of dog attack victims in the UK and as such is the Number 1 stakeholder from a victim’s perspective.

The CWU 'Bite-Back' Campaign was launched in 2007/8 after 6,500 Postal Workers were attacked that year and 2 nearly killed. The 'Bite-Back' Campaign is the central reason why strengthened Dangerous Dogs Legislation and Dog Control measures are being introduced across the UK. Our central objective has been to ensure that there are laws in place that enable the Police, local authorities and the courts to respond when owners have failed to prevent their dogs becoming dangerously out of control and attacking CWU members whilst carrying out their jobs.

CWU has led the way with the ‘Bite-Back’ campaign, supported by all the Animal Welfare charities (Dogs Trust, RSPCA, PDSA, Blue Cross, Battersea Dogs & Cats Home, Guide Dogs For The Blind, Cats Protection etc), Police, Dog Wardens, Vets, Nurses, Trade Unions and Employers amongst others for the much needed strengthening and toughening up of the UK's Dog Control Laws, Penalties and Enforcement.

Thousands of CWU members are bitten or attacked by dogs every year, some leading to a permanent disabling injury, both physical and psychological. However, at the launch of our campaign - in 75% of cases, it was impossible to bring the owners to justice as the 1991 Dangerous Dogs Act does not apply on private property. That means that postal delivery workers, telecom engineers and other workers were not protected by the current law and in England and Wales are still not protected. Therefore the CWU 'Bite-back' campaign called for the protection of Postal and Telecom workers and other workers from attacks on private property - extending the law to apply everywhere.

The CWU 'Bite-back' campaign also called for changes to the law, so that the behaviour of dogs, rather than the breed, is punished. It is the 'deed, not the breed'. The campaign has called for Police and dog wardens to have new preventative powers through the issue of new Dog Control Notices (DCNs) which could be served on owners of menacing dogs that pose a risk or threat before an attack takes place.

In short, the CWU 'Bite-back' campaign called for extended, tougher dog control laws, tougher sentences for offending owners, better law enforcement and new preventative measures built into the law.

## **The ‘Bite-Back’ campaign objectives**

include:-

- Getting the law extended to apply everywhere including private land
- The introduction of preventative measures and owner control through 'Dog Control Notices'
- Compulsory microchipping
- Tougher sentences and dog ownership bans for offenders
- Appropriate victim compensation - compulsory third party liability insurance
- Raise public awareness
- Encourage responsible dog ownership, improved training and socialisation.
- Extended Police powers of seizure
- Better dangerous dogs law enforcement with greater consistency
- Adequately resourced Dog Warden services.

## **Scotland and Northern Ireland**

The ‘Bite-Back’ campaign has been a great success since its launch with new legislation passed in the Scottish Parliament and the Northern Ireland Assembly, with The Control of Dogs (Scotland) Act 2010, and The Dogs (Amendment) Act (Northern Ireland) 2011.

## **New Dangerous Dogs Law for England and Wales - Bill Progressing**

The campaign and pressure has continued relentlessly on the Westminster Parliament and the Welsh Assembly, which involved meetings and representations made to Ministers, MPs, Lords and Civil Servants and maintaining a

high profile in Parliament with the support of MPs from all sides via Question Time, Early Day Motions, Ten Minute Rule Bills, Private Members Bills and Adjournment Debates of which we managed to generate many.

The UK Government finally began to act, making a number of announcements regarding proposals to strengthen and extend the Dog Control Laws in England and Wales plus new Police powers, tougher court penalties for irresponsible dog owners committing offences and the introduction of compulsory microchipping.

In April 2012 a Defra public consultation on revising the Dangerous Dogs Act received a record 27,000 responses with the overwhelming majority supporting the 'Bite-Back' Campaign objectives and on 6 February 2013 the Defra Minister announced that the Police were to be given new powers to tackle dangerous dogs and keep the public safe. The laws on dog attacks would be extended to cover private property, closing a loophole which has meant that dog owners whose animals have attacked people on private property were immune from prosecution thereby affording Postal Workers the protection their Union had campaigned for. Additionally, Guide Dogs would get legal protection from attacks by other dogs for the first time and the Government would also bring in compulsory microchipping for all dogs from 6 April 2016. In April 2013 there was a further consultation and on 9 May 2013 the Government (Defra) announced the publication of the Dangerous Dogs (Amendment) Bill, which subsequently became section 7 of the Anti-Social Behaviour, Crime and Policing Bill. The bill is now at an advanced stage, progressing through the Houses of Parliament and we hope to see the new Law will soon receive Royal Assent and be introduced within the next few months, in 2014.

### **New Tougher Sentences**

The Union's campaign has made significant progress with the UK Government agreeing to put new Legislation before Parliament and the most recent achievement has been that we have also succeeded in achieving agreement from the Government to increase sentences for Dangerous Dogs Offences. The proposals have now been put before Parliament and are in line with the CWU's views and submissions to the Defra Parliamentary Select Committee, Ministers and responses to consultations. The Current penalties stand at two years' imprisonment and/or an unlimited fine for aggravated offences but the changes being introduced will see the penalties increased to the following:

- 14 years' imprisonment if a person dies as a result of a dog attack,
- 5 years' imprisonment if a person is injured by a dog attack, and
- 3 years' imprisonment if an assistance dog either dies or is injured by a dog attack

This is another significant achievement for our campaign and the amendment to the law will increase the maximum sentences for aggravated offences under section 3 of the Dangerous Dogs Act 1991.

The National Officer continues to be involved in direct talks with the Government, Defra and Home Office ministers and Civil Servants plus the opposition front bench in both the House of Commons and House of Lords and with MPs and Lords. Detailed evidence and submissions have been made to Defra, The Home Office and a Defra Select Committee and many special meetings have been addressed in both the House of Commons and House of Lords.

### **England (UK) Government**

CWU are involved in discussions regarding other dog control related subjects such as the development of legal guidance for Police and local authority enforcers to support the new law when introduced, compulsory microchipping enforcement, dog owner identification, Dog Control Notices/Community Protection Notices, "One Bite Free Rule" (also known as the "One Bite Rule" or "First Bite Rule"), Court Remedial Orders, dog training and socialisation, Dog Warden Service Resources, appointment of more trained Police - Dog Legislation Officers (DLOs), Dog Behaviour Contracts, community engagement initiatives, Public Spaces Protection Orders and a National Dog Awareness Week.

### **Scotland**

CWU along with a number of other organisations is pressing the Scottish Government to consider the introduction of compulsory microchipping in line with the rest of the UK. We are also pressing for an early review of Scotland's implementation of Dog Control Notices, calling for better resourcing and enforcement using Dog Control Notices, a

more consistent approach and extending Dog Control Notices to the Police as well as the local authorities. The Scottish Government is also organising a Dangerous Dogs Summit in 2014 which the CWU will participate in.

### **Wales**

CWU continue to be in dialogue with the Welsh Government and Welsh Local Authorities regarding the Control of Dogs (Wales) Bill which was put on hold pending the UK bill and in particular discussions have continued with the Minister and Government committees on Regulations and Secondary Legislation on Dog Control Notices and Enforcement resources to ensure that strengthened legislation and enforcement is in place in Wales.

### **Northern Ireland**

CWU continues to monitor the situation in Northern Ireland which is the only part of the UK which retained the Dog Licence and through the revenue generated by the £12.50 Licences, funds the Local Authority Dog Warden Services. This is a unique approach.

A number of detailed 'Special Briefing' documents have been produced and circulated to MPs and Lords at the various key stages of the Dangerous Dogs clauses being debated in the Commons and Lords. A copy of the most recent CWU Dangerous Dogs Briefing on the Anti-Social Behaviour, Crime and Policing Bill, Section 7 is attached along with the Sentencing Consultation response.

### **Joint Royal Mail/CWU internal Dog Safety Campaigns**

Joint Royal Mail/CWU internal Dog Safety Campaigns, including the Dog Action & Awareness Week and a more robust approach to delivery suspensions and zero tolerance approach have successfully driven the number of attacks down but the numbers remain unacceptably high. 5,000 dog attacks recorded since 2011 and 23,000 members attacked by dogs in the last six years and many severely injured, disabled and scarred for life both mentally and physically. New Laws across the nation are clearly needed. We continue to discuss with the Royal Mail Central Safety Team and Royal Mail Security, the deployment of the Royal Mail sponsored 'Langley Inquiry' recommendations around private prosecutions of irresponsible dog owners following dogs injuries to Royal Mail delivery staff.

### **Dog Attack Deaths Continue to Rise - 2 More young Children die - 3 deaths so far in 2014**

In relation to Dog Attack deaths in the UK, sadly two more children were killed in a fortnight last month when an 11 month-old baby girl died after being attacked by a dog in Blackburn, Lancashire and a 6 days old baby girl was killed in Pontyberem, Wales. Three deaths so far in 2014 with only 2 months passed making a total of 25 dog attack deaths in the UK, 22 since 2005 - see statistics below. This clearly indicates the growing, out of control problem of irresponsible dog owners with aggressive, powerful dogs. That's why Westminster needs to get the new law right and not fall short.

The concern will now focus on Police Forces and local councils and the provision of adequate enforcement resources which is vital to ensure the full benefit is realised and consistency is achieved across the UK. It's imperative that the new Laws are robustly enforced and the courts take a tough line on irresponsible, reckless and negligent dog owners. Most of the nation's 9 million dogs don't pose a problem but a growing, significant number of rogue dog owners, with nasty, unsociable, powerful, aggressive dogs, give all good dog owners a bad name and the time has come to clamp down on these people or the maulings, maimings and deaths will continue. With the welcomed continued growth in packets and parcels as the e-retail and internet buying market continues to grow along with the popularity of signed for guaranteed express deliveries their comes the downside growing risk of more dog attacks as careless owners open the door before securing their dogs. The CWU and Royal Mail has jointly conducted a nationwide awareness raising campaigns amongst customers with a dog awareness week in July, supported by animal welfare charities, local authorities and police forces. Three quarters of a million postcards went out to dog owners urging them to be more responsible and secure their dogs when their Postman or Woman calls but until the whole culture of dog ownership changes the risk remains! We hope the new Laws and enforcement will bring home to people that responsibility goes hand in hand with dog ownership.

Yours Sincerely

**Dave Joyce**

**National Health, Safety & Environment Officer**