

## Position Paper on the Control of Dogs.

### Introduction

Increasingly today, dogs are chosen by people as companions. The modern dog is required by people to be a lifelong best friend and protector. Others are used as working dogs, guard dogs, guide dogs etc. Responsible dog owners and/or keepers must ensure that the activities of their dog(s) do not adversely affect other people living in the community. Dogs are also used for illegal activities by irresponsible persons.

The Local Authority is responsible, inter alia, for the implementation of all of the national Control of Dogs legislation on behalf of the DOE in order to ensure that irresponsible dog owners and/or keepers are held legally responsible for their dog(s).

There is public expectation that agencies or institutions involved in the statutory controls relating to responsible dog ownership exercise “due diligence” in relation to the care and welfare of dogs in their charge. This necessitates ongoing veterinary assessments and interventions in relation to the management of the health and behavioural attributes of dogs held under the remit of the control of dog’s legislation.

Local Authorities are strategically positioned to provide expertise and infrastructure to implement the Dog Control Service and to meet statutory and societal demands, with particular reference to the following:

- Dog Welfare
- Dog Management
- Dog Behaviour
- Public Awareness of dog control issues
- Infectious and Zoonotic Disease Control ( e.g. Toxocariasis , Scabies, Rabies, Leptospirosis ,Ringworm, bacterial infections )
- Health and Safety

Additional resources are required for Local Authorities to maintain and extend the existing range of customer services expected by the public.

The single greatest obstacle to the implementation of dog control legislation **and investigation of suspect infectious disease (e.g. Rabies) in dogs** is the inability to definitively link a dog to its owner.

The present annual paper license and the requirement for identification by means of a collar and identification tag do not in practice legally connect a dog with its owner. This fact is reflected in the low number of successful prosecutions by local authorities throughout Ireland for contraventions of the legislation, the low level of re-unification of stray dogs with their owners, the high number of stray dogs and the unacceptably high national dog destruction figures. If we are unable to establish a definitive link between a dog and its owner these data will not alter.

The difficulty in linking dogs legally to their owner has been further highlighted recently by incidents of aggressive attacks on members of the public and by the report of the Dog Breeding Establishment Working Group. It is our contention that if members of the public know that they cannot avoid legal responsibility for their dog, the implementation of the Control of Dogs legislation will be greatly enhanced.

### **Local Authority Veterinary Service Proposals**

In consideration of the over-riding difficulty of definitive dog and owner identification, the following proposals form the basis of the LAVS policy on the control of dogs in Ireland:

- 1. A compulsory micro-chipping identification system for dogs should be introduced without delay.**
- 2. The microchip should be utilised as a dog specific link to each license to ensure definitive linkage with the licensed owner.**
- 3. Critical aspects of any micro-chipping system include the following:**
  - The microchip identification system used should be to Best Available Technology standard (BATNEC).
  - A single National Dog License Database should be introduced from the outset.
  - The microchip type used should be compatible with microchips used by other European countries (ISO Standard)
  - All microchips used in dogs should be readable using one type of scanner.
  - **All microchip insertion and data certification should be carried out in accordance with Section 53 of the Veterinary Practice Act 2005.**
  - There is recent evidence from other EU countries that microchips inserted in dogs can be electronically deleted. Clearly, before embarking on any use of microchip identification, all possibility of tampering with the microchip must be eliminated.
- 4. There are two possible options for micro-chipping systems incorporating licensing to be considered** (details and comments Annexe 1)

**OPTION A.** The present Licence system retained PLUS compulsory micro-chipping:

- For all dogs
- To be phased in over a defined period of time, probably 3-4 years.

**OPTION B.** The present Licence system retained PLUS compulsory micro-chipping:

- Immediately for all 'Restricted' Breeds and every strain and cross thereof.
- Immediately for all breeding establishments.
- Immediately for all re-homed stray dogs.
- All dogs born after a certain date.

**Adopted by Veterinary Ireland National Council, 24<sup>th</sup> May 2007**

- All dogs must be micro-chipped after a defined period of time, probably 3-4 years.

**5. Aspects of Dog Control Legislation which LAVS members believe require consideration:**

- The findings of the Working Group on Breeding Establishments should be incorporated into legislation with immediate effect.
- A more realistic index-linked figure should be set for both the licence fee and the fixed fine, both of which have not been changed since 1998.
- The fines for offences under the ‘Restricted’ Breeds Regulations should be higher in order to reflect the gravity of offences involving these breeds.
- Consideration should be given to allowing dog owners and/or keepers to purchase licenses on-line.
- Consideration should be given to a reduction in licence fee for neutered dogs.
- All sections of the legislation that stipulate persons of “16 years of age or over” (e.g. the issuing of licenses) should be altered to stipulate persons of “18 years of age or over”.
- The issue of powers of entry should be reviewed in terms of exceptional circumstances prevailing.
- The term ‘restricted’ breed is not included in the current legislation because the Restriction of certain dogs regulations were revoked by the Control of Dogs Regulations, 1998. Does this issue need to be addressed?
- **Owners / Persons in charge of a ‘restricted’ breed of dog should be a suitable person and should be required to demonstrate competency in the management and restraint of the animal.**
- Consideration should be given to the option of a “dog licence for life” .. This license we suggest should cost 4-5 (possibly 7-8) times the annual license fee and should be valid for the lifespan of the dog from the date of purchase. **Any resultant shortfall in income from annual licence fees should be supplemented from central funding.**
- **The issuance of licence renewals should be from the date of expiry of the previous licence. The date of issue should be recorded on the licence also.**

## **6. Re-assessment of Funding and Resources**

A re-assessment of Funding and Resources for dog control services is required.

Additional resources are required by Local Authorities to deal with the increasing number of service requests from the public in relation to the following:

- Stray dogs.
- Missing/lost dogs.
- Livestock Worry.
- Ineffectual control of dogs in public places, e.g. urban areas, public greens, amenity areas, etc.
- Public Nuisance in relation to barking.
- Public nuisance in relation to dog fouling.
- Public nuisance and danger in relation to aggressive dogs
- Restricted breeds being used for anti-social behaviour, e.g. against the Garda, Local Communities, etc.
- Large numbers of dogs held in private dwellings.

**Adequate funding must also be provided for Local Authorities for the implementation of the Dog Control Service with regard to:**

- Enhanced Dog Pound Facilities.
- Dog Warden Personnel wages and expenses.
- Administrative costs.
- Veterinary Assessments / Interventions (neutering).
- Training / Health and Safety.
- Public Awareness Programmes.
- Costs of micro-chipping.
- Re-homing programmes.
- Assessment of dog premises and facilities.

**The Local Authority Veterinary Service also wish to highlight the requirement for existing legislation to be updated with regard to the welfare of non food producing animals. The 1911 Protection of Animals Act as amended in 1965 does not serve to prevent acts of cruelty to non-food producing animals. This issue is also currently being addressed in the UK through the implementation of a new Animal Welfare Act.**

## Annexe 1

**OPTION A.** The present Licence system retained PLUS compulsory micro-chipping:

- For all dogs
- To be phased in over a defined period of time, probably 3-4 years.

### **Benefits / Challenges**

- **Overcomes any problem with breed / crossbreed identification.**
- **Overcomes ID of dogs in relation to implementation of dog control legislation and investigation of suspect infectious disease such as Rabies in dogs.**
- **There will be cost implications for dog owners which may result in adverse public response.**

**OPTION B.** The present Licence system retained PLUS compulsory micro-chipping:

- Immediately for all 'Restricted' Breeds and every strain and cross thereof.
- Immediately for all breeding establishments.
- Immediately for all re-homed stray dogs.
- All dogs born after a certain date.
- All dogs must be micro-chipped after a defined period of time, probably 3-4 years.

### **Benefits/Challenges**

- **A person wishing to acquire a dog after the compulsory micro-chipping date will be immediately aware of the cost implications and the responsibilities of dog ownership.**
- **Definitive ID of all dogs after a period of 3-4 years.**
- **Definitive identification of 'Restricted' breeds and crossbreeds could prove difficult.**