



VETERINARY IRELAND

POLICY DOCUMENT
ON THE
CONTROL OF DOGS
2016

RATIFIED BY
VETERINARY IRELAND NATIONAL COUNCIL
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Summary

Veterinary Ireland welcomes the commencement of the Dog Breeding Establishments Act, 2010 by the Minister for the Environment, Heritage and Local Government and the Microchipping of Dogs Regulations, 2015 by the Minister for Agriculture, Food and the Marine, both of which Veterinary Ireland has been calling for since 2007.

Veterinary Ireland now calls on the Minister for Housing, Planning, Community and Local Government to review the Control of Dogs Act, 1986-1992. This legislation is thirty years old and is in need of updating to reflect current scientific opinion and more recently enacted legislation. Veterinary Ireland also requests that adequate funding is provided to local authorities to implement all dog control legislation.

Veterinary Ireland also calls on the Minister for Housing, Planning, Community and Local Government to encourage and develop initiatives on dog bite prevention, as part of this legislative review.

Introduction

The dog has evolved to become an integral part of the lives of many people in modern society. In addition to the traditional roles in farming, hunting, guarding people and property, and guiding the blind, dogs are now used in search and rescue operations, drug detection, and in the therapy of people suffering from autism and other illnesses. Increasingly today, dogs are chosen by people as companions and are regarded by many as part of their family unit. The position of the dog in society is such that there is now a public concern and expectation that government agencies will act to ensure that both dog welfare and public safety is monitored and maintained.

Dogs can present a danger to their owners, the public and to livestock. This danger may be manifested through inappropriate or inadequate management and control of dogs by their owners, or through the spread of diseases from dogs to people, to other dogs or other animals. These zoonotic diseases include but are not limited to Rabies, Leptospirosis, Toxocariasis (Roundworms) and Ringworm. Dogs may also carry *Neospora caninum*, a pathogen found in dog faeces responsible for abortion in cattle.

Responsible dog owners must ensure that their dog(s) are adequately managed and controlled to ensure that they do not present a danger to members of their family, the public, motorists, livestock and other animals.

Dog owners must also ensure that they collect and remove their dogs' faeces where they defecate in parks, on school grounds, agricultural land, beaches and in urban areas. In addition, responsible dog owners should ensure that their dog(s) are treated as recommended by their veterinary practitioner to minimise the risk of spread of disease from their dog(s) to members of their family, the public, other dogs or other animals.

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Veterinary Ireland has worked closely with the government in advising and assisting on the significant legislative advances which have occurred in relation to dog welfare and control in recent years. Veterinary Ireland specifically advocated for the:

- Updating of legislation on the welfare of non-food producing animals.
- Introduction of legislation to enforce the recommendations of the Working Group on Dog Breeding Establishments.
- The setting of a realistic index-linked fee for a dog licence and the on-the-spot penalty notice for offences under the Control of Dogs Act, 1986-1992.
- Facilities to allow dog owners to purchase a dog licence for the life of the dog.
- Facilities to allow dog owners to purchase a dog licence online.
- The introduction of compulsory microchipping for dogs.

Veterinary Ireland commends the government for the introduction of:

- The Animal Health and Welfare Act, 2013 – this Act updates and modernises welfare legislation relating to dogs going back as far as the Protection of Animals Act 1911.
- The Microchipping of Dogs Regulations, 2015 – these Regulations provide for the compulsory microchip identification and registration of all dogs from the 31st March 2016.
- The Dog Breeding Establishments Act, 2010 – this Act provides for the registration of establishments keeping more than 5 bitches, over 6 months of age and capable of breeding, and for controls on dog welfare and identification at these establishments. It also provides for a dog licence fee index-linked to inflation and for dog owners to purchase a dog licence for the life of the dog.
- The Welfare of Greyhounds Act, 2011 – this Act provides for the welfare of greyhounds and the regulation and registration of greyhound breeding establishments.
- The Control of Dogs (Amendment) Regulations, 2013 – increases the fee for an on-the-spot penalty notice for offences under the Control of Dogs Act, 1986-1992.
- Veterinary Ireland also commends the many local authorities who have developed facilities in recent years to allow dog owners to purchase their dog licences online.

Dog Control Legislation & Restricted Breeds

The current dog control legislation, The Control of Dogs Act was enacted in 1986. The Control of Dogs Regulations, 1998 specify restrictions that are placed on a list of named breeds. They consist of 11 different specific breeds, namely the German Shepherd (Alsatian), Rottweiler, Staffordshire Bull Terrier, American Pit Bull Terrier, English Bull Terrier, Bull Mastiff, Doberman Pinscher, Japanese Akita, Japanese Tosa, Rhodesian Ridgeback and to every dog of the type commonly known as a Ban Dog (or Bandog). These restrictions also apply to every other strain or cross of every breed or type of dog specified above. These breeds are restricted in that they must be muzzled and kept on a strong leash no more than 2 metres in length by a person who is more than 16 years of age and strong enough to control the dog, when in a public place.

In view of Irelands growing population, significant dog ownership and dog bite statistics, it is essential that dog control and dog bite prevention is tackled urgently. Our present dog control legislation is 30 years old and is in need of a full review and modernisation. The role of the dog in society has changed significantly over the last 30 years within an increasingly urban population. New legislation is needed to address the requirements of our modern society.

While Breed Specific Legislation (BSL) has been in effect in Ireland since 1998, there has been much debate regarding the justification of its introduction and continued use. The basis for restricting certain breeds in this way is not that these dogs are more likely to attack or injure people or livestock than dogs of other breeds, but that the damage that they inflict if they do attack is likely to be far more serious and, in some cases, fatal. This is not to say that a smaller dog cannot also be the cause of fatalities as has occurred in other countries.

Based on current scientific data, Veterinary Ireland does not believe that breed alone is a sufficient determinant of risk and that any dog is capable of inflicting serious damage or death, given the required circumstances. New legislation is required to clearly define the nature of effectual control as it currently applies to each dog, and the responsibilities of the dog owner to ensure both public safety and animal welfare are maintained. While not prioritizing one over the other, in the interest of public safety, breed specific legislation should not be repealed until an adequate and more effective piece of legislation is enacted in its place.

Future legislation should focus on the role and responsibilities and duty of care of the dog owner and the basic welfare entitlements of the dog, in order to protect the safety of the public, the dog owning population, the agricultural sector and the dog itself.

Veterinary Ireland would like to see an increased emphasis on supporting the farming community with robust legislation and education of dog owners regarding the adverse effects of uncontrolled dogs and fouling on livestock.

This legislation, which would complement and eliminate anomalies arising from the existing Animal Health and Welfare Act 2013, The Microchipping of Dogs Regulations, 2015 and The Dog Breeding Establishments Act, 2010, will empower the local authorities in the area of dog control.

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Veterinary Ireland intend to advocate for the development of a multifaceted approach that will achieve these aims and assist in preventing dog bites in a manner which promotes the education of the public and identifies individual dogs (and their owners) demonstrating aggressive behaviour, regardless of breed. Veterinary Ireland advocates the promotion of education and responsible dog ownership with proportionate redress for those in breach of the legislation.

Recommendations include but are not limited to:

- Education programmes for dog owners, children and the general public
- Training programmes and certification for individual dogs
- Dog Bite Prevention Week
- Socialisation of puppies from an early age in controlled environments such as registered veterinary premises
- Appropriate care and management of older dogs
- Medical & behavioural assessment in cases of aggression
- Effective dog control by the owner
- Rigorous enforcement of the Microchipping of Dogs Regulations

The powers of the local authorities should also be strengthened in terms of disciplinary actions available and should be focused on the deed not the breed.

Such disciplinary actions could include some or all of the following options:

- Dog Control Notices such as those in existence in Scotland and Northern Ireland
- Prevention of aggressive dogs from breeding, regardless of breed (e.g. neutering enforcement)
- Compulsory attendance and certification at a dog training programme for identified aggressive dogs
- Muzzling and on-lead control in public for identified aggressive dogs
- Prevent certain dogs from accessing certain areas, (e.g. popular public places)
- Seizure
- Increased penalties for owners of those dogs seen to be worrying livestock or fouling
- Acceptable behaviour contracts - which support an approach to increase responsible dog ownership and reduce the likelihood of dog attacks.

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Much research has demonstrated the importance of the human animal bond and the positive effects of pets on the mental and physical health of their owners and the public. Dogs are a vital component of our communities. It is essential therefore to ensure that effective preventative strategies are in place to protect communities from dog bites and uncontrolled dogs. Legislation must be such that only irresponsible owners are punished and dogs are evaluated on a case by case basis. Appropriate dog selection for an individual family situation and responsible ownership are key to any prevention program. Awareness and education will ensure vigilance, in terms of canine behaviour, on the part of all dog owners not just those of the restricted breeds.

Veterinary Ireland does not believe that breed is a sufficient determinant of risk of injury and calls on the Minister for Housing, Planning, Community and Local Government to conduct a full review of all dog control legislation in light of current scientific opinion and international best practice. Future legislation should be grounded in scientific opinion and focused on the education of dog owners and the general public while maintaining the welfare of the dog population.

Littering Offences

The littering of dog faeces on footpaths and in parks, on beaches and in school grounds, causes great annoyance to many members of the public and is a potential source of zoonotic disease. However, many dog owners continue to allow their dogs to defecate in public areas without collecting and removing the faeces afterwards. These dog owners are committing an offence under the Litter Pollution Act, 1997. Local authorities can combat this problem by informing dog owners as to the risks and annoyance dog littering causes and supporting community initiatives while prosecuting offending dog owners.

However, most local authorities do not have the resources available to adequately enforce either the Control of Dogs Act or the Litter Pollution Act. The provision of dog pound facilities, the seizure and collection of stray and unwanted dogs, and the detention and disposal of impounded dogs, generally expends all available funding.

Veterinary Ireland calls on the Minister for Housing, Planning, Community and Local Government to ensure that adequate funding is provided to local authorities to implement all dog control and related legislation.



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