



Northern Ireland  
Assembly

Committee for Agriculture and Rural  
Development

# OFFICIAL REPORT (Hansard)

The Welfare of Animals (Docking of Working  
Dogs' Tails and Miscellaneous Amendments)  
Regulations (Northern Ireland) 2012

26 June 2012



**The Chairperson:** OK. Members, I will give you a few minutes to read through the content of the letter, which is in your tabled papers.

Members will recall that this rule enacts the primary legislation; that is, allowing an exemption for working dogs to have their tails docked. The Minister has a legal obligation to enact this legislation. It is being made using affirmative resolution. It will be subject to a vote in plenary at some stage. The rule, once laid by the Department, cannot be amended. If the Committee does not agree it, I, as Chairperson, or another member of the Committee standing in my place will be required to speak against the motion in plenary. That does not cause me any concern whatsoever; I would be merely representing the view of the Committee. It does not necessarily have to be my view as a North Antrim MLA. That is the background to the procedure.

Do members have any questions for Kate or Andrew?

**Mr McMullan:** What line are we taking now? I am trying to understand this. What line are we taking now on this letter?

**The Chairperson:** Sorry?

**Mr McMullan:** What line are we taking now after what you said there, Chair?

**The Chairperson:** The Committee's concern was that this legislation will not be practical; it will not be able to work in real life. With regard to previous correspondence, some of the concerns that the vets had were on the certification. Kate was able to go through that with us last week and explain the procedure there. The onus is not on the vets but on the dog owners to present their dogs as being working dogs. So the onus, legally, is not on the vets; it is on the owners. That was one of the issues. The letter given to us today by VetNI goes some way to explaining that.

**Mrs Dobson:** The letter from VetNI sums up the concerns that we raised last week. Paragraph 2 states:

*"We understand that DARD plans a public education campaign on the implications and requirements of the new legislation for dog owners".*

It is vital that the public know about it. The last paragraph states:

*"We also wish to state that this legislation should be truly enforceable ... the newly appointed Animal Welfare Officers will be enforcing this legislation as part of their responsibility for the welfare of non-farmed animals; we would welcome written assurances that this is the case and that Councils that make up the 5 regions ... have agreed to this."*

Have they had written assurances that that is the case?

**Ms Davey:** No, they have not had a written assurance at this point, but we can provide that. I gave them that assurance verbally when I met them last Thursday. In the past nine or 10 months, I have been working very closely with the councils, the enforcement officers and the five group councils that will take forward the animal welfare legislation. So, the councils are well aware that it is coming in, and I have kept them up to speed. There is a statutory requirement on councils to enforce the powers in respect of non-farmed animals in the Act. It is not a choice for them; they have to do it. The Department is funding that, and there is a willingness to do that. They know that this will come along, and they are ready for it. We will have discussions with them, needless to say, on the exact dates that the legislation is coming into force. However, we can provide written assurance to VetNI and the associations that the councils are ready for this.

**The Chairperson:** The issue is not necessarily whether the vets agree with tail docking or not.

**Ms Davey:** Exactly.

**The Chairperson:** The issue is whether it is practical and whether there will be sufficient capacity in the veterinary industry to achieve the tail docking of working dogs. It is not even about the principle of the exemption for working dogs, which this secondary legislation relates to. The Committee's concern was about the practicalities of the legislation.

**Ms Davey:** I assure the Chair that, at the meeting I was at last Thursday, I strongly believed that both those issues were dealt with. They were comfortable with the certification process when it was fully explained, and I gave undertakings, as stated in those letters, that the Department will hold a seminar for vets who wish to participate in the exemption scheme so that they are fully au fait with it prior to its introduction.

**Mr Irwin:** The letter reasonably allays my concerns. It has clarified the situation. The vets feel that there needs to be public education on the matter. It is vital that the Department adheres to that because it will make the vets' job easier and it will work more efficiently if dog owners know the exact situation.

**Ms Davey:** I fully accept the member's views. We want to educate not only the public about the fact that the law is changing but the owners of working dogs so that they arrive at the veterinary surgery fully prepared with the proper documentation when they bring a pup.

**Ms Boyle:** This clarifies it a wee bit more; thank you. I want to get this right in my head: if someone is out walking their dog and it has a docked tail, will the newly appointed animal welfare officers have the authority or the power to approach that person and ask for certification? I am probably going off the radar a wee bit, but the public need to know if that is the case.

**Ms Davey:** The animal welfare officer's role will be that of enforcement as opposed to stopping everyone and asking them whether the tail has been docked. They will investigate complaints.

**Ms Boyle:** It could happen, though.

**Ms Davey:** It could. However, let us be realistic. I would mislead you if I said that they would do that. The resources are not there to stop and ask people. Dogs that have been docked for years will still be on the streets for the next 10 to 15 years; therefore, it is not practical. Animal welfare officers will follow up and investigate any complaints that tails have been illegally docked.

**Mr McMullan:** I think that the letter has answered all the questions that we asked the last time. On the basis of the letter, I cannot see that the Committee will not accept the proposal, if we were to vote on it.

**The Chairperson:** Members have no further questions for Kate or Andrew. We have read the letter and, judging from the comments made and the questions that have been asked, I feel that I should put the question.

Do members agree with the following statement?

*That the Committee for Agriculture and Rural Development has considered the Welfare of Animals (Docking of Working Dogs' Tails and Miscellaneous Amendments) Regulations (Northern Ireland) 2012 and recommends that it be affirmed by the Assembly.*

*Members indicated assent.*

**The Chairperson:** Thank you very much, members. Thank you, Kate and Andrew for coming along again to explain and give us further clarification on the issue.