



Northern Ireland
Assembly

**COMMITTEE FOR
AGRICULTURE AND
RURAL DEVELOPMENT**

OFFICIAL REPORT
(Hansard)

**Dogs (Amendment) Bill:
British Association for Shooting
and Conservation**

21 September 2010

NORTHERN IRELAND ASSEMBLY

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RURAL DEVELOPMENT**

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Members present for all or part of the proceedings:

Mr Stephen Moutray (Chairperson)

Mr P J Bradley

Mr Trevor Clarke

Mr Willie Clarke

Mr Pat Doherty

Mr Simpson Gibson

Mr William Irwin

Mr Francie Molloy

Witnesses:

Mr Tom Blades) British Association for Shooting and Conservation

Mr Tommy Mayne)

The Chairperson (Mr Moutray):

I welcome Tommy Mayne and Tom Blades from the British Association for Shooting and Conservation (BASC). I invite you to make a short presentation, and members will have time for questions after that.

Mr Tommy Mayne (British Association for Shooting and Conservation):

Good morning. I am the country officer for BASC Northern Ireland. With me today is my colleague Tom Blades, who is head of gamekeeping. I thank the Chairman and the Committee

for inviting us to give oral evidence on the Dogs (Amendment) Bill. We are grateful for the opportunity to represent our members' interests.

BASC is a representative body for sporting shooting in the UK and has a membership in excess of 130,000. Our aims are to promote and protect all aspects of sporting shooting and the well-being of the countryside. We actively promote good practice, training, education, scientific research and habitat conservation. Working dogs play a vital part in recreational shooting, given that they are used to find, flush and retrieve shot quarry. The Public and Corporate Economic Consultants (PACEC) study that was carried out in 2006 found that sporting shooting contributes £45 million annually to the Northern Ireland economy and supports the equivalent of 2,100 full-time jobs.

We understand that one of the key objectives of the Dogs (Amendment) Bill is to address the issues of abandoned and stray dogs. The proposed legislation, as presented in the Bill, attempts to tackle those issues. While that is to be commended, we feel that, for a number of reasons, the Bill as it currently stands will simply penalise responsible dog owners, such as our members, and do little to solve the problems, thereby falling short of its original intention. Given that most of our members own one or more working dogs, which are usually well trained and well kept, we are concerned about the increase in the dog licence fee and the proposed introduction of compulsory microchipping.

BASC questions the merits of the dog licensing system in place in the Province, as it does not exist in any other part of the UK, yet the consultation document notes that the number of stray and abandoned dogs is higher in Northern Ireland than anywhere else. We conclude that the existing licensing system has not been able to effectively resolve the issue of abandoned or stray dogs. BASC Northern Ireland is, therefore, opposed to any increase in the dog licensing fee in relation to either the individual or block licence. We believe that the proposed increase in fees would simply place a further financial burden on our members, who are already responsible dog owners.

Although BASC recognises the value of the dog warden service, the community as a whole benefits from that service, not just dog owners. BASC feels that dog owners are simply being taxed for the privilege of owning a dog. We suggest that the Committee should consider scrapping the current licensing system. However, we realise that from the Minister and the

Committee's point of view, scrapping it may not be a realistic option, given that it provides funding for the dog warden service. Therefore, BASC suggests that, in a bid to find a possible compromise, the Committee should reconsider the proposal to increase the dog licence fee and consider the possibility of keeping the fees at their current rate. The Ulster Farmers' Union believes that the licence fee should remain £5.

BASC welcomes the Bill's provisions for tougher penalties for non-compliance and for fixed penalties to be paid to local councils rather than to the courts. We hope that such income would be used solely to part-fund the dog warden service and that any shortfall would continue to be met as part of local government spending. The Ulster Farmers' Union supports our position.

The Bill's proposed compulsory microchipping does not exist in any other part of the UK, and, as far as we are aware, there are no plans to introduce such a system. BASC believes that microchipping can be a valuable way of reuniting a lost or stolen dog with its owner but does not believe that it should be a compulsory condition for obtaining a dog licence, given that the average cost of a vet microchipping a dog is around £20. The Ulster Farmers' Union supports that position. BASC believes that it would be unfair to place such a financial burden on our members, who are already responsible dog owners, given that it is highly unlikely that irresponsible dog owners would comply with compulsory microchipping. The decision as to whether a dog should be microchipped should be made by its owner, because the owner will know whether that dog is going to be in his or her long-term possession.

BASC understands that there is a need for microchips to be updated when a dog's ownership changes. From the analysis of the consultation, we also understand that some local councils have recommended that it be made a legal requirement for the owners of microchipped dogs to inform microchip database management companies of the change. BASC is concerned that, if it were implemented, such a system would place yet a further financial burden on its members as the owners of microchipped dogs, because there would, no doubt, be a fee for updating records held by database management companies.

Some of our members are heavily involved in the competitive aspect of owning working dogs, otherwise known as field trials. Such people could own anything from 15 to 20 working dogs. Obviously, there would be a significant financial implication for the owners of so many dogs, particularly if compulsory microchipping was coupled with any increase in the licence fee.

In summary, BASC believes that the dog warden service benefits everyone, not just dog owners, by providing safer streets and contributing to the welfare of dogs in the Province. However, BASC is opposed to any increase in the existing licence fee. We feel that it is totally inappropriate and unfair to levy an increased dog tax on law-abiding dog owners such as our members. BASC feels that moneys raised through the increase in fixed penalties, which would be paid to local councils rather than to the courts, should be reinvested in the dog warden service. The Province's irresponsible dog owners who have failed to comply with the current licensing system are even less likely to do so if the fee is increased, and it is highly unlikely that they would also comply with compulsory microchipping.

We have been in discussion with the Department in relation to setting up a meeting to try to make further progress, and I believe that a date has already been pencilled in.

The Chairperson:

You have stated that the proposed legislation will place a burden on responsible dog owners, but is that not the case currently? What solutions does your organisation propose for reducing the number of strays in Northern Ireland?

Mr Tom Blades (British Association for Shooting and Conservation):

Our argument is that it is a further financial burden on those who already comply. One needs to look at the direction in which the problem is being tackled. The problem is those who do not comply and will continue to not comply, so the issue is one of enforcement. Rather than taking what could be seen as an easy route, namely increasing the burdens on those who already comply, a refocus perhaps needs to be placed on how we get to those who do not comply through education and robust enforcement. That is perhaps a better direction for the focus of our attentions than what could be seen as the quick and easy fix of placing a further burden on those whom we already know will comply. That latter approach will not, in any way, shape or form, tackle those who do not comply already and will not comply in the future.

The Chairperson:

Is it not the case that enforcement is down to the local councils and that, if they do not have the financial resources to tackle the issue of strays through fees, the fees will have to be increased?

Mr Blades:

Correct me if I am wrong, but I think that the fine for an unlicensed dog is something like £50, which, given that the licence fee is £5, seems like a pitiful penalty for non-compliance. That is one area in which we see potential to make headway. What the fine should be is obviously up for debate. I reiterate that efforts should be concentrated on the enforcement mechanisms — working with the dog wardens who are already tasked with enforcement to look at any ideas that they have and refocusing the direction taken in tackling the problem.

The Chairperson:

What is your membership in Northern Ireland? How many of those members have microchipped their dogs voluntarily?

Mr Mayne:

Our membership in Northern Ireland is just under 3,000. A 2006 survey of 3,000 members showed that 47% owned at least one working dog, but the average was 2.2 dogs.

Mr Blades:

I am unsure about microchipping figures for Northern Ireland specifically.

Mr Mayne:

I believe that the figure for voluntary microchipping was somewhere in the region of 43%.

The Chairperson:

So, 43% of BASC members in Northern Ireland have microchipped their dogs voluntarily.

Mr Mayne:

I am not saying that that is the figure for Northern Ireland. Of a study of 3,000 members, 43% had microchipped their dogs voluntarily. However, you have to remember that we are dealing with dogs that are well trained and, therefore, quite valuable.

The Chairperson:

So, that figure does not relate solely to Northern Ireland. Is it a UK-wide figure?

Mr Blades:

Yes; it was a UK-wide survey.

Mr Mayne:

It was a survey of 3,000 people UK-wide.

Mr Doherty:

Thank you for your presentation. We heard during the previous presentation that the number of abandoned and stray dogs here is higher than elsewhere in the UK. Do you contend that that is the case because there is a system in place here and no similar system exists in Britain? Would you put forward another reason for that?

Mr Mayne:

We are unsure why we have so many more abandoned and stray dogs than any other place in the UK. We do not know the reason for that. It may have to do with puppy farms, but we are unsure.

Mr Blades:

There is a problem. There is a mechanism in place, but it is not working. We are unconvinced that the proposed mechanisms will help to solve that problem.

Mr Doherty:

How do the authorities in England, Scotland and Wales keep records of stray dogs?

Mr Blades:

As was mentioned in the previous evidence session, the police are often the first to deal with stray dogs. There is a procedure whereby the police or the local dog wardens will hold a dog and give the owner limited time to contact them.

Mr Mayne:

A number of charities in the UK, such as Blue Cross, also play a role.

Mr Molloy:

Thank you for your presentation. I have a question about control. Are you saying that the general population needs to be protected from stray dogs and that the public should pay for dog

warden services, rather than adding to the cost of the dog licence that is paid by dog owners?

Mr Mayne:

That is what we are saying in principle. The general population benefits from the dog warden service. Everybody benefits.

Mr Molloy:

Are you saying that the general population benefits from having that service in the same way that it pays for and benefits from having a police service?

Mr Mayne:

That is correct.

Mr Blades:

As citizens, we are all potentially at risk from stray dogs. Therefore, we potentially benefit from and should contribute to any system that can control or reduce the numbers of stray dogs.

Mr Molloy:

Should councils be responsible for the management of such a service, or should the police, as they do in England, have responsibility for the collection of stray dogs?

Mr Mayne:

I do not think that the police would have the time to do that. Perhaps that responsibility should be left with local councils.

Mr Molloy:

The biggest problem that dog wardens here have is about getting access to collect stray dogs. Most stray dogs are located in areas where it is difficult to deal with the problem. Is there any other solution to the problem of controlling stray dogs?

Mr Blades:

Without sitting down to tackle that particular problem, I would want to ensure that enforcement is robust with those dog owners who do not comply and do not register their dog. That needs to be backed up with proper penalties, which can help by being reinvested into the system.

Mr Mayne:

Enforcement must be consistent across the Province.

Mr Molloy:

Would microchipping alone be an effective way of identifying whether a dog is a stray?

Mr Mayne:

No, I do not think so, because microchips can become out of date fairly quickly. Puppies change hands frequently in the gun dog community in Northern Ireland. In fact, adult dogs change hands regularly as well.

Mr T Clarke:

I want to follow up on the point about microchips going out of date. If there was a microchip system in which microchipping was mandatory, would it not be the responsibility of the owners to update the information when the dog is passed on? If that does not happen, should the responsibility not fall on the owner who was originally registered on the microchip?

Mr Mayne:

Yes, but irrespective of where the responsibility falls — on the person selling the dog or the person taking the dog — there will undoubtedly be a fee for updating the records that are held by the management companies.

Mr T Clarke:

When a person sells a car without notifying the DVANI, and the car is subsequently used on the road without road tax, the owner who was originally registered is prosecuted for that offence. In the same way, it would be the responsibility of the dog owner to pass information on to ensure that the dog is accurately registered.

Tom said that people who benefit from the dog warden service should pay for it. Let us look at an analogy: if there were no dogs in the system at all, people who do not want to keep dogs would not have to pay for the privilege of other people having dogs. Is that not right?

Mr Blades:

Yes, in principle.

Mr T Clarke:

You said that other people should pay for the benefit of the service that they are getting from dog wardens to protect them from dogs. The flip of that would be that, if people did not have dogs, we would not need dog wardens.

Mr Blades:

We need to accept the principle that we have the right to own a dog —

Mr T Clarke:

No, no. If you want to look at it from one aspect, you have to look at it from another. I am not against dogs. I have kept dogs in the past. I do not have any at the moment, so I do not have to declare an interest. I should declare that I am a member of Antrim Borough Council. It would be unfair to put on record an argument that you believe that people who do not keep dogs should pay for the privilege of being protected from stray dogs by the system if you do not look at the reverse of that.

I will tease that argument out further. If I want to have the privilege of owning a dog — I have had that privilege in the past, and I licensed the dogs that I owned — and to protect myself and others from that dog, I should pay for the enforcement of others who are in the same position. It is the same as BASC. Why do people join BASC?

Mr Mayne:

They join because they support our aims and objectives and because of insurance.

Mr T Clarke:

But you would not say that other people who do not necessarily support your aims should pay for membership to join BASC.

Mr Blades:

Those who abandon dogs or who contribute to the problem of stray dogs will not have a licence. How you get to those people through a system is what is critical here. We know who the legitimate owners are. The current licensing system makes that easy.

Mr T Clarke:

If we did not have the current licensing system, we would not have that record. That is where England has failed, because it does not have the licensing regime that we have here. To compare ourselves with England does not mean that they are doing something right. England has done something with which your membership does not necessarily agree. Does that not suggest that we are doing something right and they are doing something wrong?

Mr Mayne:

I disagree somewhat that England has failed, because, at the end of the day, we have more abandoned and stray dogs, yet we have a licensing system and England does not.

Mr T Clarke:

Yes, but there is no system to monitor the number of dogs in England because there is no registration system, whereas we have a registration system. I made that point to the departmental officials in the previous evidence session. It is because we are unique in that respect that we have a better grasp of the number of dogs in Northern Ireland. In England, anybody can have a dog, it is not registered, and they are going for only the best guess at numbers based on how much they are feeding them, which I was surprised to hear today.

Mr P J Bradley:

The longer the debate goes on, the more I find myself in a see-saw situation. One minute I am in favour, and the next minute against.

I picked up on the comment that microchips go out of date. It surprises me that we cannot come up with a system. I think back to when the Committee discussed TB and brucellosis and the wonderful Animal and Public Health Information System (APHIS) of traceability that we have. A cow's lifetime and a dog's lifetime are roughly similar at 12 or 14 years. We are told that, even at 14 years, a cow can be traced to the herd it was born in. Surely to goodness, in this day and age, we should be able to come up with a system that can trace a dog from the day it is born until it dies. We are told that a microchip goes out of date. I do not know how right that is, but that certainly causes me to have a rethink on where we are, right back to square one.

Mr Mayne:

I will explain the microchip system as we understand it. A microchip is implanted with a bar

code. When a dog warden picks up a dog, he scans it and gets a bar code. He then rings one of the management companies in England. He gives them the bar code and a personal identification number, which authorises the company to release the information on the owner. It is a bar code that goes into the microchip. When I say that a microchip goes out of date, I mean that the dog has possibly changed hands. In the gun dog community in Northern Ireland, in particular, a dog can change hands several times over a short period. So, the bar code and microchip could go out of date fairly rapidly.

Mr P J Bradley:

A cow can change hands regularly, but it is still traceable from day one until the day that it dies. I do not know why we cannot come up with some system for dogs. The matter is more serious than we first thought, and we will have to go back and look at the whole issue. I am fairly reluctant to put my hand up to anything that is there at the moment.

Mr Gibson:

Departmental officials said that the number of stray dogs had reduced substantially over the past 10 years. They mentioned a figure of 30%. Do you accept that?

Mr Mayne:

We picked that up from the consultation document, but we still have the highest number of abandoned and stray dogs compared with the rest of the UK.

The Chairperson:

There are no further questions. Thank you for coming before the Committee to give evidence.