



Northern Ireland
Assembly

**COMMITTEE FOR
AGRICULTURE AND
RURAL DEVELOPMENT**

OFFICIAL REPORT
(Hansard)

**Dogs (Amendment) Bill:
Countryside Alliance Ireland**

28 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 Simpson Gibson

Mr William Irwin

Mr Kieran McCarthy

Mr Francie Molloy

Mr George Savage

Witnesses:

Ms Ashley Graham) Countryside Alliance Ireland

Mr Lyall Plant)

The Chairperson (Mr Moutray):

We now move to an oral evidence session with Countryside Alliance Ireland on the Dogs (Amendment) Bill. We have with us Lyall Plant, chief executive; and Ashley Graham, general manager. Good morning, and welcome to the Committee. I invite you to make your presentation and then leave yourselves open for members' questions.

Mr Lyall Plant (Countryside Alliance Ireland):

Thank you very much, Chairman. I thank the Committee for inviting Countryside Alliance Ireland to make a presentation to you on the Dogs (Amendment) Bill. Countryside Alliance Ireland promotes responsible dog ownership and welcomes many aspects of the Dogs (Amendment) Bill.

We agree with the proposed dog licence fee increase and hope that the increase in revenue will be ring-fenced by local councils to properly fund the dog warden service and to help them in promoting responsible dog ownership and combat the problem of stray dogs in Northern Ireland. Our main concerns about the Bill are compulsory microchipping, and attacks by a dog on a person or another dog.

Countryside Alliance Ireland wholeheartedly opposes compulsory microchipping. Northern Ireland is the only region in the UK that still has dog licensing, yet it has the highest incidence of stray dogs. We believe that the introduction of compulsory microchipping will do nothing to solve the problem of feckless and irresponsible dog owners. Indeed, we believe that the problem of stray and abandoned dogs will increase and the number of licences applied for will reduce. Therefore, we believe that compulsory microchipping will not alleviate the problem of stray dogs.

The Department's analysis of the consultation outcome states:

“the aim of compulsory microchipping is to improve the likelihood of the owner of a stray dog being identified.”

That incorrectly assumes that the owners of all stray dogs wish to be identified and reunited with them. Quite clearly, with the high number of stray dogs in Northern Ireland, that is not the case and, therefore, compulsory microchipping will be pointless.

Dog licensing, which records an animal's and owner's details, is in place, and we do not believe that it should be necessary to duplicate the recording of animal owner details through compulsory microchipping. The number of stray dogs in Northern Ireland is slowly reducing over the years, and the number of licences applied for has increased. With better education and guidance, we believe that that positive trend will continue, at no greater financial burden to dog

owners.

The consultation analysis clearly showed that 60% of councils, which would be enforcers of the legislation, are against compulsory microchipping. There is no central register for all microchipping providers. That is one of the reasons that the Department for Environment, Food and Rural Affairs (DEFRA) will not introduce compulsory microchipping in GB. If compulsory microchipping were introduced, what systems would councils need to put in place to ensure that the information provided is accurate? Would an owner need to supply a copy of the microchipping certificate, which would mean an additional cost, or would the council take the word of the owner if they supplied a reference number? The registration system is not infallible.

The cost of microchipping varies depending on the provider, but is usually between £20 and £30. However, there are ongoing costs; for example, it costs approximately £10 each time the register needs to be updated. The upkeep of accurate details and ongoing costs is one of our main concerns in relation to the proposal for compulsory microchipping. There are also issues around data protection and who has access to the registers. That information is not easily obtainable.

We also have some concerns about microchipping for health reasons. Peer-reviewed evidence links microchipping with cancer in some dogs. Also, microchips can move within animals. The age of dogs should also be considered. Is it fair to microchip a 12-year-old dog that has been licensed since birth, penalising the responsible dog owner? The need for microchipping is far outweighed by the stress that it puts on older animals. There should be an exemption for working dogs and the new law should mirror the existing law, whereby a block licence is applicable.

Countryside Alliance Ireland opposes the clause on attacks by a dog on a person or another dog, especially where that relates to trespass and similar circumstances on private property. We realise that that clause was, essentially, included to allow for prosecutions should a child be attacked in their own home; however, much greater clarity is required. In addition, what if a dog were provoked in such a way that the animal is defending itself? Would it automatically be deemed a dangerous dog? It is essential that every case is judged on its own merit. Would a small puppy finding its feet in a new home be included if something happens while it is playing with children from next door? There should be a threshold: a qualifying degree of injury. A

small nip by a pup is a much less serious offence than a severe savaging.

We believe that councils should be able to impose conditions on licences of individual dogs in order to intervene early to control problem behaviour. However, we must not forget that dogs will be dogs, and we have concerns that the enforcers will need to be adequately trained and take all factors into account. For example, could a dog barking in a park be construed as a behavioural problem, based on a subjective decision by an overzealous dog warden?

As we stated at the beginning, we welcome many aspects of the Bill. We hope that we have clearly stated our concerns to the Committee. I thank the Committee for listening to my short presentation.

The Chairperson:

Thank you very much. In your presentation, you state that compulsory microchipping will not address the issue of stray dogs and that education on licensing is what is needed. How do you see that working? Have you had experience of that sort of proposal operating somewhere else?

Mr Plant:

I believe that education and responsible dog and animal ownership are the key to addressing the problem of stray dogs in Northern Ireland. Countryside Alliance Ireland believes that when people apply for a licence, they should be supplied with information on training and looking after their dogs, and which makes them aware of facilities that can address concerns about responsible dog ownership. The Kennel Club in the UK issues guidance to all dog owners, and education leaflets and pamphlets are available to ensure that responsible dog ownership takes place throughout the lifetime of the dog. Therefore, I believe that the council licence fee should be the key means to provide educational material to responsible dog owners in Northern Ireland.

The Chairperson:

You have also called for a clear strategy and business plan to tackle the problem of unlicensed dogs. What would you wish to see in such a plan, and should the Department, rather than wardens, develop it?

Mr Plant:

I believe that wardens should develop the plan. They are the people on the ground, and the plan should be driven from the ground up, and a strategy put in place to confirm all their concerns and address all that they need to do their job.

Mr T Clarke:

I welcome you, Lyall and Ashley. You talked about licensing and responsible dog owners. My view is that there are probably more irresponsible dog owners than responsible ones. Given that licensing will not address the problem of abandoned dogs, would you not agree that dogs should be compulsorily microchipped? Consideration should be given to what should happen to a dog that is not microchipped, but compulsory microchipping would also deal with irresponsible dog owners. If a non-microchipped dog were seized, a decision could be made by the council to do something with that dog at an earlier stage, because, technically, the dog does not have an owner at that stage.

Mr Plant:

Information from GB in 2007 showed that only 8% of microchipped dogs that were recovered were reunited with their owners.

Mr T Clarke:

My point is about dogs that are not microchipped. It is about catching irresponsible dog owners; those are the people who the legislation may, largely, be geared towards. We have to separate the two types of people. There are people who look after their dogs in an exemplary manner, which is fair enough. However, there are people who do not have a dog licence or who will not get their dogs microchipped when it is mandatory to do so. If a stray dog that is not microchipped is seized by the dog warden or the local authority, it could be that, because there is no owner, some action could be taken in relation to that dog as opposed to instances in the past in which dogs have been kept in pounds and have caused all sorts of problems. Surely action could be taken more quickly against people who are not responsible dog owners.

Mr Plant:

Action can be taken more quickly at the moment, because all licensed dogs are supposed to wear

their licence tag.

Mr T Clarke:

Yes, but a licence tag can be changed.

Mr Plant:

My sister-in-law rescued an Irish terrier from a pound in Downpatrick. That dog had a slit down the back of its neck where the microchip had been dug out so that no one could identify it. Yes; responsible dog owners will microchip their dogs with the intent that if a dog is lost or stolen, it can be reunited with its owner. However, it is not the answer to everything.

Mr T Clarke:

I am not suggesting that it is the answer to everything. Regardless of what legislation is brought forward, there are people who will find ways around it. At the moment, there are many unlicensed dogs out there. If they are caught, they are taken to the pound, and people can still claim them and take out a licence. However, if there is no chip in a dog, there is no way of identifying the owner, so effectively that dog has not got an owner, because it is not chipped.

Mr Plant:

Our position is that, for the present population of dogs, microchipping should not be made compulsory, given the number of elderly animals. We have no problem with legislation being brought in for compulsory microchipping from, say, August next year, so that all new puppies licensed from that time should be microchipped.

Mr T Clarke:

It was useful to tease that out, because that position is different from what came across in your presentation. You had said that you were against compulsory microchipping, but you are not actually against it being phased in.

Mr Plant:

We are for the phasing in of compulsory microchipping, but to bring in compulsory microchipping for all animals at this moment or even next year will cause stress and strain on

numerous elderly dogs.

Mr T Clarke:

I am not disputing that, but it is worth putting on record that, rather than being against compulsory microchipping, you support a phased approach.

Mr W Clarke:

Thanks for your presentation, folks. What is the current situation with strays in the South? Have you any information on that?

Mr Plant:

No. I have no information regarding strays in the South. I understand from the Dog Breeding Establishments Bill going through the Dáil that there is a possibility of compulsory microchipping of all dogs, with special agreement with the registered Canine Breeders of Ireland to allow non-microchipped dogs to be exported to the UK at a certain age.

Mr W Clarke:

So you have no idea of the number of strays?

Mr Plant:

No.

Mr W Clarke:

What is public opinion in the South? Are people in favour of microchipping?

Mr Plant:

They are in favour of microchipping, but are seeking an exemption for hunt kennels and hounds, which are identified by tattoos on their ears, with a central database kept by the relevant master associations. If a hound or a beagle got lost during a hunt and was found by somebody, the tattoo number on their ear could identify which kennel they belong to.

Mr W Clarke:

I am in favour of a dog licence or microchip that carries a one-off fee, so as not to put people through additional financial burden. You have said that you are not in favour of compulsory microchipping straight away and would prefer it to be undertaken in a phased manner, which is understandable; I know where you are coming from. Would you be in favour of — call it what you may — licence microchipping involving a one-off payment; either a lifetime licence or microchip, or both?

Mr Plant:

A lifetime licence could be expensive. I was discussing that exact issue this morning. I believe that if a person applies for a licence from their council, they should be given a voucher enabling them to get their dog microchipped. My vision is that the microchip would be implanted by the dog warden, thereby giving the council full responsibility. Therefore, rather than the information being held by different microchip companies, the councils would hold central databases that would be accessible to all councils in Northern Ireland.

Mr W Clarke:

That is a point that I made to the departmental officials who were here last week. I am in favour of something similar: local authorities having direct control of all the issues around dog licensing and microchipping.

I am not saying that a lifetime licence would be desirable for everybody; I am just saying that people should have the option of a special price for taking out a lifetime licence for their dog. I am looking for that option because I think that most people fail to license their dog because they have too many things going on in their lives. They receive a letter from the local authority stating that it is time for them to renew their licences, but they do not have the time for that, so they lapse. Some people decide not to bother renewing their licences and to wait for the next year. The councils have the administrative costs and the employee costs of having to do that every year. I am not sure how many letters regarding dog licences are sent out annually. It might be useful to receive that information from local authorities. I think that the administration and staff costs would add up to a considerable amount of money.

That is the only reason why I am looking for the option of a lifetime licence. Some people might want to avail themselves of it. We have concessionary fees for people on means-tested benefits, and there is an option regarding neutering. I am seeking a similar option.

Mr Plant:

I agree with that option for those who can afford to pay a one-off licence fee, but I would be worried about the funding of dog wardens later down the line. Would the councils use all that money at one time and reduce funding to implement and enforce the legislation?

Mr W Clarke:

The corporate body, the council, would save in administration costs.

Mr Plant:

We have no problem with that.

Mr Molloy:

Thank you very much for your presentation. The Department's line is that microchipping would reduce the number of stray dogs. Do you have evidence that it would or would not?

Mr Plant:

Microchipping, as conducted today, is carried out by responsible dog owners who look after their animals and who are worried that their animals will get lost or stolen. The microchipping of their animal gives them a comfort zone, and they feel that it will give them another avenue to go down if their animals get lost. Most of the dogs that are abandoned in Northern Ireland are unwanted. They are given as pets, or they are from litters that have been bred in estates throughout Northern Ireland by accident. The animals are given to friends and family members, and they let them out when they decide that they do not want them. I believe that education is the key for responsible dog ownership.

Mr Molloy:

Does Countryside Alliance Ireland have a view on keeping dogs penned? We are talking about stray dogs and about how dogs are kept, but is it fair to keep a dog in a pen or on a lead all day?

Mr Plant:

Most owners of gun dogs keep them in outside pens. They have excellent conditions. They are fed and watered, and their owners ensure that they get their activity time, which maintains their health and welfare. This morning, my dog is sitting in the front room, locked in a kennel, which is four brick walls. He is completely happy. He has all his food, and he has all the love, care and attention that he needs. It is up to the owner to be responsible and to ensure that the welfare of the dogs is taken into consideration.

You also have to look at farm dogs. Most collies, etc, are kept on farms and on leads. However, most of the time, a lot of them are off the leads and out with the farmer. The pens act as a holding area for the dogs when they are not working. Those dogs are cared for and loved. Despite the fact that they are on a chain on a farm, they are well looked after and they are desperately needed, because they are man's best friend.

Mr Molloy:

What consultation has Countryside Alliance had with the Department on this Bill and the one that we are discussing later today? What contact have you had with the Department in designing the legislation?

Mr Plant:

We had no contact with the Department on compulsory microchipping other than our response to the consultation. However, we have had discussions with the Department about the Welfare of Animals Bill at the early stages of its development. We are meeting the Department on 6 October to discuss our concerns about that Bill, and we will hopefully have an open and frank discussion to try to find a proper way forward that will benefit everybody in Northern Ireland.

Mr Molloy:

You spoke about microchipping being phased in, rather than having to microchip older dogs at present. Do you see a need for both microchipping and licensing?

Mr Plant:

No; I believe there should be a single licence, as Willie said. If someone applies for a dog

licence, they should get a voucher to have the dog microchipped. Microchipping at different stages would put people off getting their dogs microchipped or licensed, but if it is done from the breeding stage, and it is phased in from when the pups are 10 or 11 weeks old, the microchip would already be in place. That would mean that, when someone purchases a puppy, it is already microchipped and that task has been done for them.

Mr Molloy:

You mentioned purchasing puppies. There seems to be a thin line between a dog breeder and a puppy farm, and people's definition of those two things. I see dog breeders as being the same as cattle breeders or sheep breeders. They are rearing animals and selling them off as a commercial venture. What is your thinking about the difference?

Mr Plant:

Yes. We have been involved with dog-breeding establishments in the Republic where we have tried to identify and highlight illegal puppy farming, and responsible dog-breeding establishments belonging to the Canine Breeders of Ireland. I believe that the Committee has visited some of its establishments, which are of the highest of standards. The highest quality of welfare and accommodation should be required for legitimate breeders to carry out their activities. It needs to be regulated, and back-door puppy farms should be done away with and made illegal.

Mr Savage:

I am sorry that I missed the start of your presentation. Do young dogs that are being exported have to be chipped or licensed before they leave the country?

Mr Plant:

No; not at the moment. However, during consultation on the Dog Breeding Establishment Bill in the South, it was highlighted that the Republic had a very bad reputation on puppy farming. An exemption was being sought down South from microchipping dogs before they were exported to the UK because of the name that the Republic has for illegal puppy farming. There is not a requirement at the moment but, under Kennel Club regulations, I believe that all puppies belonging to a classified breed should be microchipped.

Mr Savage:

Do you think that one of the main weaknesses here in Northern Ireland is that we cannot keep control of the situation?

Mr Plant:

I believe that we can keep control of the situation. That is where responsible enforcement and legislation is laid down to ensure that puppy farms are closed down, that action is taken against the people who run them, and responsible dog breeders —

Mr Savage:

To follow on from what the previous speaker said: this is a business, it is just the same as dealing in cattle or sheep. There should be a form of identification that can trace that animal back to the farm. If disease breaks out, there is no way of finding where it originated from, which is one of the weaknesses in the system.

Mr Plant:

I agree. The phasing in of microchipping would allow dogs to be traced.

Mr Irwin:

I am sorry that I was not here for all of your presentation. Across the Newry and Armagh constituency, there are a number of hunt clubs, many of which are concerned about having to microchip all their dogs. In the Bill that is going through the Dáil, hunting dogs are exempted.

Mr Plant:

Yes, they are. We were part of the Rural Ireland Says Enough! (RISE!) campaign in the Republic, which fought aspects of the Dog Breeding Establishments Bill, particularly those affecting hunt kennels. We sought exemptions for hunt kennels because, rather than being dog-breeding establishments, they are establishments that carry out a rural activity.

The Minister for the Environment, Heritage and Local Government eventually decided that hunt kennels did not need to have their dogs microchipped and could continue to tattoo them, as long as the parent association maintained the register of tattoos. Therefore, if a hound is found, it

can be reunited with its kennel.

Mr Irwin:

I was reading the part of your presentation about an attack by a dog on a person, and I understand where you are coming from. For instance, if someone breaks into a house at night and is bitten by a family pet, is that dog then classed as a dangerous dog under the Bill's provisions? There needs to be something in the Bill to allow for certain circumstances.

Mr Plant:

You have to allow for certain circumstances, because a dog cannot speak for itself. Years ago, I had my neighbours' children over who were out the back, beating my springer spaniel over the back with a stick. Luckily enough, he was a very good tempered dog and just sat there and took it.

It comes down to responsibility. Should I have been out the back the whole time that the animal was there? It is down to responsible dog ownership, knowing your animal, going to classes and carrying out obedience training to ensure that when your dog is out it will come back to you.

However, a pup has to be a pup; it has to be able to socialise and be allowed a learning curve. It is like children going to school; there is fighting in the playground, which is how they learn and build their social skills.

Mr T Clarke:

I want to go back to what Willie Irwin said; I am glad that he is sitting more than one seat away from me. *[Laughter.]* I cannot understand why Countryside Alliance Ireland and similar organisations represent hunt owners more than anyone else. It seems strange that we are always bidding for hunt owners to be exempt.

You referred to a tattoo in a dog's ear and to your sister's dog having a chip cut from its neck. With the greatest respect, I would have thought that a tattoo would be as easily removed as a chip. All you need to do is remove the tattoo if you do not want a dog's ownership to be traced. If a

microchip is well placed, do you not accept that every dog should have one?

Mr Plant:

Dogs in the future should.

Mr T Clarke:

Do you accept that hunt people who are involved with working dogs should not be exempt and should have microchipping phased in as well?

Mr Plant:

They should have microchipping phased in when the provision comes into effect.

Mr T Clarke:

I thought that you originally suggested that hunting dogs be exempt — end of.

Mr Plant:

No; they are exempt at the moment, as they are in the Republic, because of the tattoos on their ears. If anybody wants to steal a hound that has a tattoo on its ear, he or she would have to cut the ear off.

Mr T Clarke:

Or obliterate the tattoo.

Mr Plant:

Yes.

Mr T Clarke:

You referred to pain and discomfort for a dog. What would be more painful for a dog; the tattoo or the microchip?

Mr Plant:

It would possibly be the same as tail docking in a puppy. If you are saying that it is OK to

microchip a puppy, I would say that the pain would be the same. I am not a veterinary surgeon, so obviously I cannot quantify it.

Mr Molloy:

And you are not a dog, so you do not know.

Mr T Clarke:

And what about the tattoo?

Mr Plant:

The tattoo would be similar to a microchip.

Mr T Clarke:

So you would not be tattooing a dog in later life, you would be doing it as a pup as well?

Mr Plant:

You would be doing it as a pup.

Mr T Clarke:

Fair enough.

The Chairperson:

That concludes the questions. Thank you very much for your attendance.