

PE1396/J

PE 1396

Response from the petitioners to input from Scottish government, local authorities and voluntary animal welfare organisations to the issues regarding the ill-treatment, abandonment and over-breeding of Staffordshire bull terriers in Scotland.

Main Petitioner: Ian Robb of Help for Abandoned Animals.

Co-petitioners: Dr Alison Kennedy of Perthshire Abandoned Dogs Society and Lisa Hird of Staffordshire Rescue Scotland.

The first part of this document will present our own responses to the ideas and comments of the various bodies who have come forward with their contributions to this petition. The second section will outline our suggestions as to how this serious animal welfare problem may be tackled.

We are pleased the Scottish SPCA recognises that the current over-breeding of Staffordshire Bull Terriers (SBTs) out-strips similar problems in the past with breeds, such as German Shepherds, Rottweilers and Dobermans. The organisation also points out that the SBT has in recent years gained an undeserved reputation as a dangerous breed when it is in fact a loyal family pet. The Society also notes that any breed of dog can present a danger if it is badly reared, poorly socialised, neglected or cruelly treated – which is very often the case with the SBT. The Society recognises also that the Control of Dogs Order recently introduced in Scotland does not specifically deal with the breeding of dogs. Indiscriminate breeders are selling directly to the public and are not covered by the legislation relating to dealers. We suggest that this constitutes a gap in the legislation which could be closed. In addition, the SSPCA makes a sound point that micro-chipping of ALL dogs should not be a choice but a necessity. This would assist greatly the work of animal rescue charities and also improve dog welfare in general in calling to account those who neglect or abandon animals. There would be no expensive requirement for the government to set up such a database as these are already in existence via the companies who supply the microchips. Thus a national Scottish microchip database could be constructed with relative ease and minimal cost.

Glasgow City Council is sympathetic but says no changes can be made unless more resources are supplied and Dogs Trust, surprisingly, offers no original ideas to alleviate the plight of the Staffordshire Bull Terrier.

Thankfully, this lack of vision does not apply to the National Dog Warden Association (Scotland). In agreement with the fact that SBTs are being overbred in large numbers by certain sections of society only interested in the money they can make from puppy sales, the NDWA is nevertheless concerned about new legislation and licencing due to lack of resources for the enforcement of such solutions. However, the NDWA does come up with a commendable suggestion that the Scottish Government provides funding for local authorities to work with local vets to offer reduced cost or free neutering of all dogs, hence tackling the problem of overbreeding as a whole. This would lessen the chance that the overbreeding of

staffies would transfer to another breed in future. This solution worked well in Clackmannanshire, where council, dog owner and vet split the cost of neutering and the scheme changed the attitudes of many of the county's dog owners towards neutering and make some headway towards reducing the problem of unwanted dogs. It was estimated that if the system were rolled out all over the country there would be long term savings to the public purse and a huge improvement in the welfare of Scotland's dogs. This is an intelligent suggestion which could over time ease the situation regarding the ever increasing numbers not only of SBTs but also of unwanted dogs in general.

Dr Beverley Williams, Animal Welfare Team Leader of the Rural and Environmental Directorate's Animal Health and Welfare Division talks about current legislation. We believe this legislation is in itself either inadequate or routinely ignored both by those who are breaking it and those to try to enforce it.

Dr Williams reminds us that dog fighting is illegal. We are well aware of this, but also of the fact that it is happening somewhere near you, as is the breeding of dogs to supply it! Yes, dog fighting is illegal but that fact does not stop it.

Dr Williams notes that the Breeding of Dogs Act 1973 (as amended by the Breeding and Sale of Dogs (Welfare) Act 1999) regulates the commercial breeding of dogs in Scotland. It has no effect whatsoever on the back street breeder who recently boasted that his dog had sired 98 pups. People such as these are neither aware of the legislation not affected by either it or any other forms of animal welfare law. We would beg to disagree with Dr Williams on the question of cost for a national micro chip database. As already argued above, there would be virtually no cost involved in setting up a national Scottish database as such a database already exists!

We are well aware, as Dr Williams points out, that the plight of the Staffie has connections with Scotland's spiralling drug problem, but the way to solve it does not lie in the long term reduction in the number of addicts. It lies in the robust enforcement of animal welfare legislation to target these people and make all sections of society equal before our laws. This requires will on the part of those who enforce legislation and some joined up thinking and cooperation between police, social workers, the fiscal service, council housing departments and the animal welfare organisations who are experiencing the problems at first hand. The lack of will is highlighted by Mr Ian Robb, who cites a very recent example, and will give names and details if necessary. A council department in Eastern Scotland has been alerted on several occasions to a case of two adult dogs and ten puppies being held in squalor in a council property. At the time of writing nothing had been done by the council to alleviate this serious animal welfare situation. The pups were, of course, for sale. They were seen by a member of the public who was so disgusted by the conditions in which they had been bred that she reported the 'breeders' to the as yet unresponsive council. Mr Robb followed up her report with several calls to the council, but to no avail. We would suggest that those responsible for animal welfare matters in Scotland's councils, MSPs and members of the Rural and Environmental Directorate, spend some days with animal rescue volunteers to see for themselves the misery caused by the overbreeding of dogs.

The response to the petition by Kay Hamilton of the Scottish Staffordshire Bull Terrier Rescue charity brings sharply to light the desperation of animal welfare volunteers in the face of the current difficulties. We cite here in brief a few incidents typical of those faced daily by charity workers: Kay writes '*we are swamped with dogs but have managed to re-home about 400...we have just picked up a staffie who had been tied to a fence without enough leash to lie down ...we have bought four pups aged only four weeks from an internet site and they are now fostered out...we have a dog who has fought and is terrified of other dogs ...phone call from a man due to go to prison asking if we can take five staffie pups from him...all our foster homes bar one are full up ... and so it goes on.*'

We were encouraged to read in a letter from Richard Lochhead, Cabinet Secretary for Rural Affairs and the Environment that , 'The Scottish Government agrees with the petitioner that enforcement of existing legislation and policies by local authorities is a key tool in alleviating the current problem with SBTs...(and we must) ... investigate the potential for improved enforcement mechanisms'. Taking this point one step further, we agree wholeheartedly with South Lanarkshire Council, which has suggested that a **review** of existing legislation, in light of the Animal Health and Welfare Act 2006 and the Control of Dogs (Scotland) Act 2010, may be required.

Below we highlight some possible solutions which have emerged from this interaction of opinion, and this will form the second part of our response.

It would appear that the current legislation on animal welfare is not functioning properly in the case of the SBT and breed specific legislation does not seem to be favoured as an option to combat the problems with the over breeding and abandonment of this breed. Consequently, we would appeal for:

1. A review of current legislation to clarify to the bodies involved the details and aims of the regulations. There appear to be many areas of misunderstanding of legislative procedures, particularly in the area of abandonment and in the case of breeding of dogs in council property.
2. Aggressive and wholehearted enforcement of the current legislation in those sections of society who have little or no regard for animal welfare legislation. Laws are made for all of us to follow.
3. Councils may wish to consider new tenancy agreements which prohibit the indiscriminate and irresponsible breeding of dogs in their properties. Indeed as early as next year Angus Council will consider this very issue with a view to raising the bar on the criteria required for pet ownership in local authority properties. This could pave a new way forward for other councils also.
4. A greater degree of liaison and cooperation between police, councils, council housing departments, the fiscal service, social workers, dog wardens and animal rescue charities.
5. The setting up of a working party 1. at government level to facilitate (4) and 2. the establishment of working parties at local and council levels to help fulfil the same objectives. Each level of working party would seek the advice of animal rescue charities and have a permanent representation from these in all discussions.

6. An on-going training programme for social workers, which could be provided by animal rescue centres, to give guidance on how to persuade clients to access micro-chipping and/or neutering of their animals. The ideal, of course, would be to legislate in favour of micro chipping of all Scotland's dogs.
7. Funding for local authorities to work with local vets to offer reduced cost or free neutering for all dogs regardless of breed. This, as argued above, is a proven strategy which worked successfully in Clackmannanshire and could be made to work Scotland-wide. A suggestion has been made that the funding for such a scheme could come from a doubling of the penalty fine for dog fouling from £50 to £100. The extra £50 could be placed in a national fund to finance a neutering and spaying programme which, as proved by previous schemes of this nature, could be a very effective way in reducing all stray dog numbers.