1) BVA is the national representative body for the veterinary profession in the United Kingdom and has over 17,000 members. Our primary aim is to represent, support and champion the interests of the veterinary profession in this country, and we therefore take a keen interest in all issues affecting the profession, including animal health and welfare, public health, regulatory issues and employment matters.

2) BVA's Scottish Branch brings together representatives of the BVA's territorial and specialist divisions, government, academic institutions and research organisations in Scotland. The Branch advises BVA on the consensus view of Scottish members on Scottish and United Kingdom issues and has just over 2000 members.

3) The British Small Animal Veterinary Association (BSAVA) exists to promote excellence in small animal practice through education and science and is the largest specialist division of BVA representing nearly 10,000 members. It has 1,123 Scottish members.

4) We welcome the opportunity to respond to this call for evidence on the effectiveness of the Control of Dogs (Scotland) Act 2010. We recognise the complexity surrounding the issue of dog control and are fully supportive of the Scottish Government's aims to promote responsible dog ownership and protect the public and other animals from dog attacks.

5) We strongly support a ‘deed not breed’ approach to irresponsible dog ownership and support the Act’s current provision for local authorities to impose measures on an owner, or person in charge of a dog, who fails to keep their dog under control through Dog Control Notices. However, we are concerned that due to a lack of resources this provision has not yet been effectively enforced and so we have yet to see the Act achieve its intended impact on promoting responsible dog ownership, reducing dog attacks and increasing public safety.

6) Fundamentally, we believe the Scottish Government should take a more holistic approach to minimising irresponsible dog ownership and dog attacks through:

   • Adequately resourcing local authorities through ring-fenced funding so that they can take consistent measures to address dog control and tackle irresponsible ownership before it becomes a problem (e.g. through Dog Control Notices, listing signs of aggression and acceptable behaviour contracts);
   • Improved awareness of the Control of Dogs (Scotland) Act to reinforce that all owners have a legal responsibility to ensure that their dog, regardless of breed or breed-type, does not become dangerously out of control.
• Promoting education of responsible dog ownership and how to achieve safe interactions between owners, family members, the public and animals such as livestock, assistance dogs and ‘protected animals’ under the Animal Welfare Acts.
• Informing responsible ownership and dog bite prevention programmes with evidence generated from further investigation into dog bite incidence. This could be achieved through:
  o Commissioning a comprehensive review of existing research and reports relating to dog bite injuries to ensure any proposed measures are evidence-based and suitably targeted to deliver effective societal and economic outcomes in the interest of public health and animal welfare.
  o Establishing a system to support reporting of dog bites to a centralised dog bite database.
  o Encouraging further research into all risk factors for aggression in dogs;
  o Establishing the Scottish dog control database to improve the enforcement, and monitor the effectiveness, of current legislation.

7) 1. The effectiveness of the Act in reducing the number of out of control dogs/dog attacks in Scotland

In principle, the issuing of Dog Control Notices as set out in the Control of Dogs (Scotland) Act 2010 has the following potential advantages:

• Orders can be served immediately, avoiding the costs associated with prosecution, and the welfare consequences to dogs of kennelling post seizure.
• Orders can be specific to the circumstances of individual cases, with flexibility in the type of measures suggested and potentially the timescale over which measures should be applied.

However, to be effective, the following areas must also be considered:

• Multiple factors influence the behaviour of individual dogs, some or all of which may not be apparent to an enforcing officer serving an order.
• Such a system will only be effective if the local authorities have the resources to successfully implement a system of Dog Control Notices and enforcing officers have sufficient training to understand the principles of dog behaviour, such that appropriate cases are identified, and appropriate elements of control orders applied.
• There would also need to be resources in place to support owners e.g. through appropriately trained and experienced dog trainers.

In terms of assessing the effectiveness of current legislation, we understand that figures from a Clyde News investigation showed that the number of people receiving treatment for dog bites in Scotland has risen from 1,939 in 2015 to 2,027 in 2016.¹

¹ Clyde News, 2017 Lead the way campaign. Available at: https://planetradio.co.uk/clyde/local/news/lead-way-can-support-campaign-protect-children-scotland-dog-attacks/
Further, we note that the number of Dog Control Notices that were issued under Control of Dogs (Scotland) Act 2010 in the 2015-2016 period totalled 290, only accounting for a small proportion of the incidents recorded for people receiving treatment for dog bites in Scotland as set out above.\(^2\)

In addition, we understand that Glasgow City Council has only issued 6 Dog Control Notices between 2011-2016, despite being the most populated local authority area in Scotland.\(^3\)

These figures indicate that the Control of Dogs (Scotland) Act is not being effectively or consistently enforced and is at present unable to achieve its intended impact on dog control and irresponsible ownership.

8) **How well do you think Local Authorities are carrying out their duties under the Act?**

As demonstrated above, given the increasing pressure on local authority resources, we are concerned that there is a lack of prioritisation of dog control at a local authority level and a lack of resources available to effectively implement the Control of Dogs (Scotland) Act 2010. In addition, we are concerned that there is not a consistent approach to dog control across local authorities. See below.

9) **What challenges do you think local authorities face in carrying out their duties under the Act?**

There appears to be a lack financial and personnel resource in local authorities as well as a disparity of proportionate resource between local authorities. This is leaving local authorities unable to effectively carry out their duties under the Act and variation of implementation of the Act from local authority to local authority. For example, we understand that the largest local authority in Scotland, Glasgow City Council only has one animal control warden for a population of nearly 600,000 people. Whilst, Renfrewshire Council, has two dog control wardens for a population of 175,000.\(^4\)

In addition, to ensure effective enforcement of the Act, it is crucial that enforcing officers receive enough training to understand the principles of dog behaviour and ensure appropriate elements of existing legislation are applied. In the context of potential Dog Control Notices, sufficient training on the principles of dog behaviour will be crucial to ensure that appropriate cases are identified and appropriate elements of control orders are applied. Given a lack of resources, this crucial foundation for the successful implementation of the act may not be possible to deliver in the context of restricted financial and personnel resource. Existing useful resources to support training and increased understanding of dog behaviour include:

- **London Borough of Sutton LEAD Initiative**

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\(^3\) Ibid.

10) 4. Weaknesses in the Act or any specific changes

Holistic approach to responsible dog ownership and dog bite prevention

To increase the effectiveness of the Control of Dogs (Scotland) Act 2010, we would support a holistic approach to a responsible dog ownership strategy. Any strategy should include adequately resourcing and educating local authorities so that they are able to take measures to address any signs of aggression in dogs and tackling irresponsible ownership before it becomes a problem (e.g. dog control notices, acceptable behaviour contracts). In addition, the Scottish Government should consider:

- Promoting education of responsible dog ownership and how to achieve safe interactions between owners, family members, the public and dogs;
- Informing dog bite prevention and responsible ownership programmes with evidence generated from further investigation into dog bite incidence. This could be achieved through:
  - Commissioning a comprehensive review of existing research and reports relating to dog bite injuries to ensure any proposed measures are evidence-based and suitably targeted to deliver effective societal and economic outcomes in the interest of public health and animal welfare.
  - Establishing a system to support reporting of dog bites to a centralised dog bite database.
  - Encouraging further research into all risk factors for aggression in dogs
  - Establishing the Scottish dog control database so as to successfully enforce and monitor the effectiveness of current legislation.

We set out our thoughts on each of these areas in detail below.

11) Ring-fenced funding for enforcement

We would strongly support the ring-fencing of funds to enable the effective enforcement of the Act. Unless funding for enforcement of the Act is ring-fenced, its effectiveness is questionable as it is unlikely to be enforced or enforced consistently across local authorities.

12) Prioritising areas of most need

Our view that socio-economic factors have a part to play in the incident of dog bites is underpinned by research which indicates that the incident of dog bites in deprived areas is higher than in less deprived areas. It would be worthwhile to analyse the demographics of dog bite injuries and provide local authorities with the most need with

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5 HSCIC, 2014. Dog bites: hospital admissions in most deprived areas three times as high as least deprived. Available at:  
resources and ring-fenced funding to address local issues of dog control. Allocating funding for education in these areas may also be worthwhile, perhaps initially on a pilot basis. In addition, undertaking cost-benefit analyses for these areas may result in savings for local NHS services.

13) One Health collaborative and cross-organisational approach

However, it is also important to avoid the oversimplification of effective interventions across different demographics. Dog bite incidents and aggression in dogs should be recognised as complex public health issues that require a ‘One Health’ collaborative, cross-organisational approach.67 In some cases, aggression in dogs may be indicative of wider issues within a household or their use as status or weapon dogs5 and dogs may need to be removed from a household or its owner in order to safeguard the owner’s health and safety.910, Social services, local authorities and police forces and welfare organisations need to work collaboratively to identify early animal health and welfare risk factors, as well as wider human health and social care issues. Appropriate knowledge exchange and training, as well as clear channels of communication and reporting between social services, local authorities and police forces and welfare organisations would be useful to ensure the early identification of both animal and human health and welfare risk factors.

14) Greater public awareness of the Control of Dogs (Scotland) Act 2010 and Section 3 of the Dangerous Dogs Act

The Scottish Government should consider measures to increase the awareness of the Control of Dogs Act and what this means in practical terms for Local Authorities and dog owners. We would also support increased public awareness of the fact that Section 3 of the Dangerous Dogs Act applies to all dogs that are dangerously out of control through greater public education. Improved awareness of the legislation would reinforce that all owners have a legal responsibility to ensure that their dog, regardless of breed or breed-type, does not become dangerously out of control.

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Veterinary Record 176, 640-641.

7 Westgarth, C. et al., 2018. How many people have been bitten by dogs? A cross-sectional survey of prevalence, incidence and factors associated with dog bites in a UK community. https://jech.bmj.com/content/early/2018/01/08/jech-2017-208330


9 The Links Group. Available at: http://www.thelinksgroup.org.uk/

10 Grant, D., 2011. Political and practical problems with dangerous dogs
Veterinary Record 168, 133-134.
15) **Training**

To support the effective implementation of the Control of Dogs (Scotland) Act 2010, it is crucial that enforcing officers receive enough training to understand the principles of dog behaviour and ensure appropriate elements of existing legislation are applied. In the context of potential Dog Control Notices, sufficient training on the principles of dog behaviour will be crucial to ensure that appropriate cases are identified and appropriate elements of control orders are applied. Standardised resources could be developed to support the training of enforcing officers, this could include standardised guides on (i) what constitutes aggressive behaviour and the signs of such behaviour and (ii) how situations can affect behaviour which can be misinterpreted. Existing useful resources to support training and increased understanding of dog behaviour include:

- [London Borough of Sutton LEAD Initiative](#)
- [Defra’s Dealing with irresponsible dog ownership: Practitioner’s manual](#)
- [Defra’s Guidance on Dog Control and Welfare for Police and Local Authorities - January 2018](#)

16) **Education**

The further development of standardised resources and information campaigns to inform the public about responsible ownership should form part of the Scottish Government’s approach to responsible dog ownership and dog control. There should be wider engagement with the public on this issue, with a nationwide public campaign to raise awareness, to encourage responsible ownership and to promote safe interaction between people and dogs. There are already a number of initiatives which could be used as resources upon which to base any such campaign, including the [Blue Dog Programme](#), [Fediaf (the European Pet Food Manufacturers Association) educational materials](#), [the Kennel Club’s Safe and Sound scheme](#) and the [AWF/RSPCA Puppy Contract and Puppy Information Pack](#)

17) We would also support the introduction of animal welfare into the national curriculum, and, as part of this, materials on responsible ownership and the safe interaction between people and dogs.

18) **Research and recording of bites**

We would support further research into all risk factors for aggression in dogs. In addition, to develop effective dog bite prevention programmes based on a sound understanding of dog bite prevalence amongst the Scotland (and UK’s) dog population, we would encourage the recording of dog bites on a centralised database to investigate the complex factors surrounding dog bites. Such recording could include information such as the severity of the bite, type of dog, circumstances etc. This would support the targeting of effective prevention programmes and provide early data for research.
Careful analysis of research results relating to dog bites is required and should include relevant factors surrounding the incident \(^{11,12,13}\) to ensure they are correctly analysed. Whether dog bites are more prevalent in certain societal groups, e.g. children, or whether this is dependent on reporting norms, should also be considered. We are aware of existing evidence available on prevalence of dog bites in relation to age. \(^{14}\)

Given the range of socio-economic factors and demographics that contribute to the incidents of dog bites, it would be worthwhile to consider if guidance is required on the supervision of dogs when in the company of vulnerable groups such as young children or the elderly.

A comprehensive review of existing research and reports relating to dog bite injuries should be commissioned. Elements of a review should include not just dog bite incidents and surrounding circumstances but also:

- demographics;
- socio-economic factors;
- the impact on public services - whether relating to health or enforcement, including a cost-benefit analysis;
- any effects on animal welfare

Outputs from such a review would ensure any proposed measures are evidence-based and suitably targeted to deliver effective societal and economic outcomes of benefit to both public health and animal welfare. A similar piece of work exploring responsible dog ownership as a whole was submitted the Welsh Government in 2016, the Review of Responsible Dog Ownership in Wales and its Terms of Reference would be a useful starting point for consideration in the scoping of any future review of existing research and reports relating to dog bite injuries.

19) Scottish Dog Control Database

We note that the Control of Dogs (Scotland) Act 2010 sets out that Scottish ministers can, after consultation with local authorities in Scotland, establish a national database of Dog Control Notices. We would support the establishment of such a database to successfully enforce and monitor the effectiveness of current legislation, as well as acting

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\(^{11}\) Oxley, J. et al, 2010. Contexts and consequences of dog bite incidences. *Journal of Veterinary Behavior*


\(^{13}\) HSCIC, 2012. HES on dog bites and strikes. Available at: [https://files.digital.nhs.uk/publicationimport/pub06xxx/pub06338/hes-on-dog-bite.pdf](https://files.digital.nhs.uk/publicationimport/pub06xxx/pub06338/hes-on-dog-bite.pdf)

as a resource to better understand the prevalence of irresponsible ownership and aggressive behaviour of dogs in Scotland.

20) **Learning lessons from the approaches of other countries**

Other countries have taken a holistic approach to the promotion of responsible dog ownership and dog bite prevention programmes, which may provide a model for the Scottish Government as it looks to support the effective implementation of the Control of Dogs (Scotland) Act 2010.

The Australian Veterinary Association (AVA) have developed a **policy and model legislative framework**, recognising that breed-specific legislation is not an effective solution to combatting dog bites. Their approach supports a ‘deed not breed’ approach, advocating the identification of potentially dangerous animals and early intervention to prevent them from inflicting harm. Their model includes:

- Identification and registration of all dogs
- A national reporting system for dog bites with mandatory reporting of all dog bites into a centralised database
- Temperament testing to understand the welfare needs and potential risks in individual animals
- Education programmes for children, parents, pet owners and breeders
- Proper (or satisfactory) enforcement of all dog control regulation

21) Similarly, the Animal and Bylaw Service of Calgary, Canada, do not support breed-specific legislation and instead advocate responsible pet ownership, focussing on five principles. The [Responsible pet ownership bylaw](http://www.calgary.ca/CSPS/ABS/Pages/Animal-Services/Responsible-pet-ownership-bylaw.aspx) encourages pet owners to adhere to the following principles:

- licensing and providing permanent identification for pets
- spaying or neutering pets
- providing training, physical care, socialisation and medical attention for companion pets
- not allowing pets to become a threat or nuisance in the community
- procuring their pet ethically and from a credible source

To be compliant with this bylaw, cat and dog owners must be licences when by the time their animals reach 3 months of age and costs are recovered to deliver education programmes, volunteer animal socialisation programmes increase public awareness of dog safety. It is reported that dog bites in Calgary have decreased across the 1985-2008 period, despite an increase in the human population.

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In June 2001, the American Veterinary Medical Association also published proposed alternatives to breed-specific legislation in their report entitled, *A Model Community Approach to Dog Bite Prevention*. This report was developed by a task force comprising representatives from various veterinary bodies, as well as the American Medical Association, the American Academy of Paediatrics and the American College of Emergency Physicians.

We are also aware that Fediaf educational materials are used in other countries as an educational tool.

Concluding remarks

We are fully supportive of the Scottish Government’s deed not breed approach to responsible dog ownership and recognise the complexities of successfully enforcing evidence-based dog control and bite prevention programmes.

To ensure that the Control of Dogs (Scotland) Act 2010 is more effective in its aims, we believe the Scottish Government should take a more holistic approach to promoting responsible ownership and dog bite prevention. This can be achieved through:

- Adequately resourcing local authorities through ring-fenced funding so that they can take consistent measures to address dog control and tackle irresponsible ownership before it becomes a problem (eg. through Dog Control Notices, listing signs of aggression and acceptable behaviour contracts);
- Improved awareness of the Control of Dogs (Scotland) Act 2010 to reinforce that all owners have a legal responsibility to ensure that their dog, regardless of breed or breed-type, does not become dangerously out of control.
- Promoting education on responsible dog ownership and how to achieve safe interactions between owners, family members, the public and animals such as livestock, assistance dogs and ‘protected animals’ under the Animal Welfare Acts.
- Informing responsible ownership and dog bite prevention programmes with evidence generated from further investigation into dog bite incidence. This could be achieved through:
  - Commissioning a comprehensive review of existing research and reports relating to dog bite injuries to ensure any proposed measures are evidence-based and suitably targeted to deliver effective societal and economic outcomes in the interest of public health and animal welfare.
  - Establishing a system to support reporting of dog bites to a centralised dog bite database.
  - Encouraging further research into all risk factors for aggression in dogs;
  - Establishing the Scottish dog control database so as to successfully enforce and monitor the effectiveness of current legislation.