



Subject:	Dealing with Banned Breeds under the Dangerous Dogs (NI) Order 1991 as amended
Date:	10 January 2017
Reporting Officer:	Nigel Grimshaw, Director City & Neighbourhood Services Department
Contact Officer:	Sam Skimin, Head of Cleansing Services Vivienne Donnelly, Enforcement Manager

Is this report restricted?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Is the decision eligible for Call-in?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

1.0	Purpose of Report or Summary of main Issues
1.1	<p>The purpose of this report is to further update the Committee on the Motion that was brought to Council on 1st September 2016 with regard to dangerous breeds of dogs and to provide an interim report on the work that is being undertaken to review how the Council handles any future cases involving dangerous breeds. The Motion called for a review of breed specific legislation to avoid the removal from their owners of prohibited dogs that have not posed a danger to the public, as follows:</p> <p><i>“This Council calls upon the Minister for Agriculture, Environment and Rural Affairs to conduct an urgent review of Breed Specific Legislation. Recent tragic events in England demonstrate the need for effective controls in respect of dangerous dogs. However, the removal from their owners of dogs that have not posed a danger to the public should be avoided. The Council supports and encourages responsible dog ownership and those who exercise appropriate care and control of their dogs.”</i></p>
1.2	<p>The Council wrote to the Minister for Agriculture, Environment and Rural Affairs, Minister McIlveen MLA, about the Motion on 5th October.</p>

2.0	Recommendations
2.1	<p>The Committee is asked to;</p> <ul style="list-style-type: none"> • Note the contents of the report. • Agree to receive a presentation on the key issues from Mr Peter Tallack at the start of February's Committee meeting.
3.0	Key Issues
3.1	<p>A reply from the Minister's office has been received. The Minister has stated in her response as follows;</p> <p><i>"The Department understands that the Council is currently reviewing its handling of a high profile case involving the seizure, assessment and return of a pit bull. We would be interested in learning of the findings of that review, and will then consider whether the existing legislative provisions could be reviewed to allow the impact of seizure on dogs and their owners, to be more effectively managed, while ensuring appropriate protection for the public."</i></p>
3.2	<p>An internal officer group has been reviewing the legal policy and processes involved in dealing with cases of suspected banned breeds. Members of the group sought and have received a report from an expert on identifying and dealing with banned breeds of dogs, Mr. Peter Tallack, regarding the risks to public safety and the welfare considerations about the Council seizing dogs, suspected to be a banned breed type, under the Dangerous Dogs (Northern Ireland) Order 1991. Mr Tallack has extensive experience in investigating serious dog attacks. This report provides further background and information and best practice in advance of seeking the opinion of Legal Counsel in relation to the potential liability to the Council in allowing a dog from a banned breed to remain at home with its owner, pending legal proceedings for exemption.</p>
3.3	<p>Members are reminded that there is now a legal process which will allow the dog to be placed on the Council's exemption register subject to adherence with control conditions. In addition to the above Officers are also considering issues around visitation by an owner, should a dog have to be seized. We are also looking at dog and environmental assessment processes and risk assessments, as part of the overall decision making process.</p>
3.4	<p>Following receipt of all of the information, a full report will be presented to Committee</p>

	<p>detailing the findings of the review taking account of both the opinions of the Council Officers, an expert in the field and also legal opinion.</p>
3.5	<p>Prior to the presentation of the full report to Committee, the author of the expert's report, Mr. Peter Tallack, is available to give the Committee a presentation on the factors to consider when handling dangerous dogs and how the Council can manage these cases, taking into account the public safety risks and the welfare needs of the dog and its owner. This would provide Members with some background information into the practicalities and risks involved in dealing with banned breeds.</p> <p><u>Financial & Resource Implications</u></p>
3.6	<p>There will be a cost of approximately £150 involved in bringing Mr. Tallack to Belfast to give his presentation to Committee. This can be met from within existing revenue estimates.</p> <p><u>Equality or Good Relations Implications</u></p>
3.7	<p>There are no relevant equality considerations associated with the review.</p>
4.0	Appendices – Documents Attached
	<p>Appendix 1 – Letter from Minister Michelle McIlveen MLA regarding the Council's Motion on Banned Breeds of Dog</p>