



Breed Specific Legislation and other difficult questions – Q&A

Q. What is Breed Specific Legislation (BSL) and what does it do?

A. BSL is part of a law (the Dangerous Dogs Act 1991) that makes the possession of four types of dog illegal in the UK - pit bull terrier, Japanese tosa, dogo Argentino and fila Brasileiro.

The intention behind this law was to protect people - these types of dogs are traditionally bred for dog fighting, are strong and powerful and could, in the wrong hands, hurt people or other dogs. The government at the time did not want them to be in widespread circulation.

Supporters of the law say that BSL has prevented injuries by keeping these types out of the country - however experts in this area accept there are probably more pit bull terriers in the UK now than in the late 1980s. Others say that more breeds or types should be added as there are lots of powerful dogs being kept and used inappropriately.

There is a negative side to the law:

- BSL can lead to confusion over whether or not particular dogs are prohibited. Dogs that are seized can be kept in kennels for long periods of time while legal argument is had over whether they are 'substantially of type', which is required to prove a case.
- Obviously this can impact on the dog's welfare and unfortunately the law does not allow such dogs to be re-homed.
- So where the dog is a nice dog, but happens to be a pit bull terrier, and has an unsuitable owner (e.g. with a long criminal record) the dog has to be euthanased. The courts rarely allow the dog to be 'exempted' to such an owner.
- This system therefore is not a good use of public funds nor is it fair on the dogs or the owners.

BSL also goes against one of the RSPCA's key messages: the focus should be on **the other end of the lead** - i.e. the owner. This means that **any** dog can be dangerous in the wrong hands - e.g. mistreated or badly trained - regardless of its breed or type. For these reasons, **the RSPCA is opposed to BSL and would like to see it abolished.**



Q. You've teamed up with 19 other organisations for a petition to the government – some of these are strange bedfellows – such as Guide Dogs, and the police, who don't seem to care about animal welfare. Why are you working with them?

A. Basically all the people who have signed up to it are affected by irresponsible dog owners in one way or another. For example, seven guide dogs a month are attacked by other dogs - twice as many as last year. Around 6,000 postal workers are injured by dogs every year.

As for the police - they are at the sharp end of irresponsible dog ownership in every way, so it's only natural they want to see more effective laws.

Whilst these organisations might be considering the issue from a different perspective, we were keen to work with them to ensure that the resulting proposals were workable and had the best chance of being accepted as law.

Q. There is currently a dog control Bill going through the Houses of Parliament. Why don't you just focus on that one – which goes further in calling for an end to BSL - rather than starting again?

A. We read that Bill when it was published, but from the beginning we felt it would neither improve the law nor animal welfare. Indeed from a practical perspective we had serious concerns about its enforceability and that it may actually make matters worse in some instances.

The RSPCA did raise this with the supporters of the Bill but felt that such significant changes were needed in order to improve it, it would be easier to continue developing alternative proposals that we believe will address the many concerns more effectively.

Furthermore, the government has made it clear on a number of occasions that it does not support this Bill. It is better to use limited charitable funds on issues and proposals that stand a greater chance of improving dog welfare.

Q. So why will your Bill be better?

A. We've worked hard for two years, with other frontline practitioners (including the police and local authorities), to develop legislative proposals that will address a number of key issues effectively.

As it has been designed by those who work at the sharp end we believe that it stands the best chance of not only improving animal welfare and public safety but also reducing the costs of enforcement. We also believe it has a more realistic chance of becoming law.



The following points are just some of the issues our Bill aims to address:

- Often **advice and guidance** can improve a situation and prevent tragedies from occurring. If for example a dog has been reported for aggression, the Bill allows for local authorities and police to **work with the owner** to avoid further problems (e.g. through training). In our experience this approach can **reduce the number of incidents**, and **avoid prosecutions**.
- It will provide better powers for dealing with the more serious end of the spectrum, for example where dogs are being used ‘as weapons’ or by gangs.
- Provide for prohibited types of dogs, such as pit bull terriers, to be able to be **re-homed** (through the current exemption process) to appropriate people. Thus reducing the numbers of dogs the police, local authorities, re-homing charities and others have to euthanase each year.
- Where control orders are placed on dog owners, allow for those orders to be modified or revoked where the owner can show the circumstances or behaviour of the dog have materially changed.
- Extend the law to cover private property. People like postal workers need to be protected from badly trained dogs; but there must also be allowance for a dog protecting its owner at home.

Q. But in your draft Bill’ it says the government can ‘add or remove breeds from the BSL’. How can you say you’re against BSL if you want to add breeds to it?

A. If you read everything the RSPCA says, you’ll see that we are **absolutely against BSL**. This is expanded upon in great detail in our recent response to DEFRA’s consultation on this issue.

It’s an obvious thing to say, but just because we want something to happen doesn’t mean the government will do it!

For nearly two hundred years the RSPCA has been fighting on behalf of animal welfare and we’ve learned that we need to be pragmatists if we want to secure the **maximum possible improvements**.

Therefore we believe that while it is important to secure an end to BSL, it is unlikely to happen in the short-term.

Let us not forget that dog control legislation does not only affect four types of dogs - it can impact on the welfare of **all** dogs. It is important to secure the widest possible improvements to the welfare of all dogs affected by such legislation.



Our proposed Bill has been worded specifically to maximise the chances of it being accepted as law. Unfortunately, this means that **elements of existing law and wording have to be used** for it to be considered by the key influencers, in this case governments and the police.

However, at all stages of the development of this Bill we and the organisations we have worked with (including the police), have emphasised that we **do NOT see this as an opportunity for more types of dog to be added** to the Dangerous Dogs Act and have strongly advised against this.

Indeed we are not aware that either government in Westminster or Cardiff is considering adding any more types.

We need a longer-term solution - which involves the **range of measures** included in the bill. Early intervention and prevention is key so that people can be educated, informed, and, only as a last resort, prosecuted. We believe all these things need to be in place before the Dangerous Dogs Act can realistically be abolished.

But we're pushing hard for this, and for abolishment of the DDA - so we can truly become a country where we look after our animals correctly, and protect the people coming into contact with them. This Bill is the first step in a long process aimed at putting an end to BSL in England and Wales.

Find our petition here: <http://epetitions.direct.gov.uk/petitions/22631>