

Please note this transcript has not yet been reviewed for factual accuracy. It is currently undergoing a verification process, during which Ministers and relevant departments are invited to check and confirm the accuracy of the information presented. A final, fact-checked version will be published once this process is complete. In the meantime, readers should treat this transcript as a draft and be aware that factual accuracy corrections may follow.

States of Jersey
States Assembly



États de Jersey
Assemblée des États

Environment, Housing and Infrastructure Scrutiny Panel

Draft Dogs Law (Jersey) Amendment Regulations 202-

Witness: Comité des Connétables

Thursday, 20th November 2025

Panel:

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity (Chair)

Deputy T.A. Coles of St. Helier South (Vice-Chair)

Connétable D. Johnson of St. Mary

Witnesses:

Connétable M.K. Jackson of St. Brelade, Chair, Comité des Connétables

Ms. S. de Gruchy, Secretary, Comité des Connétables

Ms. S. Parkin, Parish Secretary, Comité des Connétables

Ms. S. Ramos, Chief States Veterinary Officer

Ms. A. Ingram, Animal Health Officer, Environment Department

[10:30]

Deputy H.L. Jeune of St. John, St. Lawrence and Trinity (Chair):

Welcome to this public hearing of the Environment, Housing and Infrastructure Scrutiny Panel. Today is 20th November and this is a hearing with the Comité des Connétables regarding the amendments to the Dog Law and this is our second public hearing that we are having with the

Comité. I would like to draw everyone's attention to the following; this hearing will be filmed and streamed live and the recording and transcript will be published afterwards on the States Assembly website. Please ensure that all electronic devices, including mobile phones, could be switched to silence. We will begin with introductions. My name is Deputy Hilary Jeune and I am the Chair of the Environment, Housing and Infrastructure Scrutiny Panel.

Deputy T.A. Coles of St. Helier South (Vice-Chair):

Deputy Thomas Coles, Vice-Chair.

Connétable D. Johnson of St. Mary:

Constable David Johnson, panel member.

Chair, Comité des Connétables:

Constable Mike Jackson, Assistant Minister for the Environment and Chair of the Comité des Connétables.

Secretary, Comité des Connétables:

Sue de Gruchy, Secretary to the Comité des Connétables.

Parish Secretary, Comité des Connétables:

Sarah Parkin, Parish Secretary to the Comité des Connétables.

Chief States Veterinary Officer:

Susana Ramos, Chief Vet.

Animal Health Officer, Environment Department:

Amanda Ingram, Animal Health Officer with the Environment Department.

Deputy H.L. Jeune:

Thank you. Of course we are having this hearing today because the principles have been passed of the amendments to the Dog Law. The panel felt that we needed to call it in to go on some specific areas that we would like to discuss that we raised during the States hearing. First of all, I would like to ask that the panel understands that from the last public hearing the amendments being brought forward to the Dogs Law 1961 was based upon changes brought to the U.K. (United Kingdom) equivalent legislation. What analysis did the Comité undertake on the effectiveness and outcomes of the U.K. Dangerous Dogs Act of the U.K.?

Chair, Comité des Connétables:

I think we have gone back and it is well documented that there have been significant injuries as a result of the situation in the U.K. up to a certain time. We have taken that on board. We have looked at France and I think a reasonable analysis would tell anyone that Jersey needs to do something to align itself with the 2 jurisdictions closest to our geographical position.

Deputy H.L. Jeune:

Was your analysis that the U.K. Dangerous Dogs Act that was introduced has reduced the amounts of incidences? Has that analysis been done to know that the law was done in a way that ...

Chair, Comité des Connétables:

I think it fair to say that it has. But let me ask the States Vet to comment on it.

Chief States Veterinary Officer:

It is really difficult to assess. There has been serious incidents after the law has been implemented in the U.K. but they are mainly at people's homes; that is where it becomes very difficult to legislate, which probably you cannot say that it has reduced immensely the number of incidents in the U.K. You can certainly say that the more recent incidents are within people's homes and there is less evidence of incidents outside in public areas, which is what we are trying to achieve here.

Deputy H.L. Jeune:

Was that before the Act was brought in in the U.K.? There was incidences in the public and so that has reduced that.

Chief States Veterinary Officer:

There has been incidents outside in public before the law and at least the ones that are being publicised lately in the U.K. are within people's own homes, which is, yes, as I said, I think very difficult to regulate.

Deputy H.L. Jeune:

Was there any Jersey-specific evidence that the Comité relied upon in developing these specific amendments or is it really taken from the Dangerous Dogs Act? Was there anything Jersey-specific?

Chair, Comité des Connétables:

I think it is fair to say it is taken from the U.K. experiences and other jurisdictions as well.

Deputy H.L. Jeune:

We were just talking about the fact that there is lots of incidences more in people's homes and this is something the J.S.P.C.A. (Jersey Society for the Prevention of Cruelty to Animals) raised in a letter to us as well concerning this. Is there anything further in other jurisdictions or in Jersey was considered about that situation about protecting, especially children, in the home?

Chief States Veterinary Officer:

We did discuss that through developed law and there was suggestions of extending muzzling, extending other of the controls but we thought that that would be a bit unfair in terms of animal welfare potentially. When do you stop? In people's homes it is very difficult to regulate and almost impossible to enforce. But there are provisions here regarding the 18 year-olds and nothing like the law that animals being at home in a secure environment that they are trying to address some of the concerns. But I think there is a limit to what you can regulate within individual households I am afraid.

Deputy H.L. Jeune:

Do you think that these amendments then are proportionate to the scale of the risk in Jersey, so the ones that are put in?

Chief States Veterinary Officer:

We think it is and we think it is the most pragmatic way to do it in a way that is relatively quick to do. Hopefully, we will achieve a degree of risk mitigation, yes.

Deputy H.L. Jeune:

Connétable, does the Comité feel the same that this is proportionate?

Chair, Comité des Connétables:

I think absolutely. The reality is that the numbers predicted are small. But the measures that are being proposed to regulate the imported dogs and this is what we are talking about. We are not talking about dangerous dogs out of control here and that needs to be really fully understood. It is about the regulation at entry into the Island. If this is proposed the reality is that in, I am saying, 10, 12 years we will not have a problem in the Island. But at the moment there is a risk and from my point of view I am not prepared to countenance the existing risk with these dogs. In fact my focus is on children. Yes, dog welfare is important and I am fully empathetic to that but children's welfare is the priority.

Deputy H.L. Jeune:

Is there currently any XL Bully type dogs in Jersey that display behaviour that could be considered risk to the public?

Chief States Veterinary Officer:

There are certainly XL Bully type dogs in Jersey. I do not know necessarily, whereas that we have been involved, no. I have not seen one XL Bully in Jersey that came to us but the police may have a different view and they have different data. I think there were some incidents involving XL Bully type dogs but they probably were not measured at the time. They would conform exactly but visually, yes, I think there were incidents. But they may not have been exactly measured to standard.

Deputy H.L. Jeune:

In response to our letter you confirmed that: "A non-breed-specific model that was focused on owner responsibility, mandatory training and behaviour-based controls could address root causes of dangerous dog incidences, would require more time, resources and regulatory change." Given this, why did the Comité decide not to pursue a phased or resource transition towards the more effective root-cause model?

Chief States Veterinary Officer:

I did not mean to say that it would be definitely more effective. It is really difficult and internationally there are countries that adopt a B.S.L. (Breed-Specific Legislation), there are countries that do not. In both types of countries you have increases on incidents with certain types of dogs. There is not the right model but what we were trying to do here, it was something that would be pragmatic and quick to implement. I think the danger is if we look at things that are really complex to achieve, complex to inform, complex to assess, then you are going to delay the process and you may have the equivalent conclusions or achieve less of a risk mitigation. I think that is the danger. Behaviour is complex, it is multifactorial. A dog may behave lovely and fantastically all the time but there is that trigger and if that dog is able to then cause a massive damage or a massive injury to a person, that is when it is too difficult to calm. We think that this is the most pragmatic way to do it at the moment.

Deputy H.L. Jeune:

Is there other jurisdictions that do a hybrid approach where it is ...

Chief States Veterinary Officer:

There are some jurisdictions do a hybrid approach. There are some jurisdictions that do totally one way or totally the other. But, as I said before, there is not the perfect answer for this issue I do not think.

Deputy H.L. Jeune:

The J.S.P.C.A. raised concerns about restrictions on dogs and the impact on exercise, limits on socialisation which could increase stress and on needs and reactivity of dogs. How have any indirect consequences on these dogs and their behaviour factored into the proposed changes, specifically looking at their restrictions?

Chief States Veterinary Officer:

There is no restrictions walking. They have to be under control, they have to be muzzled but they have no restrictions on how far, how long they can walk. There is no restrictions on socialisation, as long as the same measures are done. There is no restrictions on training. We on purpose did not consider the dogs to be banned. There is trying to take that negative stigma and allowing for training and insurances and that type of things continue to be taken in place for these types of dogs. I do not think there is a massive impact if people comply with what is required in terms of training is still possible, socialisation is still possible, walking is still possible.

Deputy H.L. Jeune:

Just tidying up this area of trying to work out which approach, you chose this approach, what I am hearing is that you are saying that this approach chosen is because it is quicker, it could be just as if the other approach, the wide approach could still have the same effect, it could still be the same amount. It is a case of needing to be faster, rather than it being ...

Chief States Veterinary Officer:

It is a risk assessment, is it not? You do it quickly or not, the impact may be quite similar if you go one way or the other; that is the evidence. But, yes, and it is a less complex way to look at it at the moment that we are trying to ...

Chair, Comité des Connétables:

I think it is worth emphasising the points in training and, yes, we can insist dogs go through training processes. Some dogs will tick the box, others will not and a lot of it of course is about owner training rather than dog training. This is something that is really difficult to deal with.

Deputy H.L. Jeune:

Finally, Connétable, I think it was something that I wanted to just pick up again because you had said what is important is about children's welfare and the right to the child and being ensuring that. This is about protecting children but of course we have heard from the States Vet that a lot of the attacks, potentially, that we have seen in the U.K. are now based in home and I was wondering what considerations there is on that? What could be the next steps involved in that? Because of course there is this situation where we can see that it will not protect ...

Chair, Comité des Connétables:

No, I think it is a risk at the moment and one can mitigate that risk in the longer term by implementing these amendments. That risk will be much diminished if the dogs are not in the Island. At the moment for the next 10 years I think there will be risk.

Chief States Veterinary Officer:

But I also think that it is people's choices, is it not? You choose to have a dog of a certain type. Your neighbour's child does not choose to interact or not with that dog. I think there is a degree of personal choice in here. I agree and we have to admit that personal choice is very difficult to regulate. I think you would probably agree.

Deputy H.L. Jeune:

Thank you. I move to Deputy Coles.

Deputy T.A. Coles:

Thank you. Moving on to process of the consultation and legislative gaps, the panel has received confirmation from both the J.S.P.C.A. and the States of Jersey Police that no consultation was conducted with either body on the proposed amendments, despite holding statutory responsibilities directly affected by them. Can the Comité explain why the amendments were developed without engagement from the Island's principal animal welfare body or the police?

Chair, Comité des Connétables:

If I can address the police issue first and I would just add in at this point we met both parties on Tuesday and had a very good round table meeting. With regard to the police, the difficulty there is that they do not have a dog unit anymore. Rightly or wrongly one could argue the point that it was a regrettable decision, in that if you look at Article 10 of the existing law or 11 I think it is, they have an obligation to deal with dangerous dogs out of control. I think I made that point quite strongly because that is the point. They did have an incident a few weeks ago whereby they took in a dog for, I suppose, reasons which they felt were necessary and they brought in a dog unit, as described as from the U.K. to deal with it because they felt there was a risk. In discussion on Tuesday it is felt that should these situations arise, which it is anticipated or be relatively few, that would be the most cost-effective way of dealing with it and they would deal with that within their own resources.

[10:45]

Going back to the J.S.P.C.A., they are a welfare organisation and there is no question about that. Their views were explained around the table. Once again, it was a question of, can they accommodate dangerous dogs out of control? They probably have not got the facility for doing that.

I think someone needs to and it is for us to investigate with other kennels around the Island whether there is capacity to do that. We feel that there is. If the J.S.P.C.A. do not want to do it, we already have a contract with them to seize dogs who are lost or missing, well missing, they will not be missing because they might have found them. But those that are found will be taken in by the J.S.P.C.A. under our contract. That is something we are about to renew and discuss with them, so we hope to understand what their limitations are so that there is provision for taking dogs which may be deemed dangerous into kennelling while their owners are located.

Deputy T.A. Coles:

But should this not all have occurred before Tuesday and in the sense that this is at least a 6-week lodging period and they should have been consulted and engaged with and all this known before we got to this stage of lodging amendments?

Chair, Comité des Connétables:

There was engagement, the States Vet will give the dates.

Chief States Veterinary Officer:

Can I just add something else?

Chair, Comité des Connétables:

Yes.

Chief States Veterinary Officer:

J.S.P.C.A. have no enforcement powers or responsibilities and they are not mentioned in the law by name. I think that is important to address. While there may not have been formal consultation, we were certainly open with J.S.P.C.A. in several discussions we had ahead of the lodging of the legislation.

Deputy H.L. Jeune:

When the legislation was lodged, where was the idea of this kennel capacity coming from to be able to house if it was not the J.S.P.C.A.?

Chief States Veterinary Officer:

The kennel capacity discussion happened when we engaged with the States of Jersey Police as well in a 3-way discussion. That is when it came across that the gap was probably bigger than we initially anticipated. We do have an excellent relationship with J.S.P.C.A. but I think it was not always clear to us as well that they would not accept certain types of dogs. I think that evolved through discussion, not necessarily from the starting point, if I can be fair.

Chair, Comité des Connétables:

I think it is worth noting that in the Dogs Law 11(7): “A dog seized under paragraph (2) or (4) shall be transferred to and detained at an establishment suitable for the reception of dangerous dogs, including any premises in the ownership or control of the States of Jersey Police Force, and dealt with thereafter in accordance with the law.” I think it is fair to say that that is the presumption, that the police have capacity to do that. Clearly they do not and I think they are looking to how they can put something more formally in place to be prepared for this situation should it arise.

The Connétable of St. Mary:

Yes, sorry for coming in, where are we in that? They are looking to do it, are we in timetables?

Chair, Comité des Connétables:

At this moment in time and as a result of an experience a few weeks ago, they would utilise the unit. I think the last one they used was from Hampshire. But they have arrangements with, whether it is Hampshire, down in Cornwall or other jurisdictions in the U.K. and at the moment the suggestion was on Tuesday that they would look to be doing that.

Deputy H.L. Jeune:

Just to understand, that means that until they get here, what happens to the dog? I suppose that is my first question. What happens and what will happen in the future until somebody that is trained and is able to take care of the dog gets here from the U.K.? Then, secondly, do they then take the dog out of Jersey, so this will be where the facilities will be? But I am just wondering until they are able to get here, what happens? What is the intermediary? Then of course, yes, they then get ...

Chair, Comité des Connétables:

I think every place would have to be judged on its merits and gravity. Initially, the ideal solution is the dog goes back to its owner. The judgment call would have to be made, in my view, by the police as to whether that owner is fit and proper to take the dog back into their charge and that is the optimum solution. It might mean that the owner will need some education in how best to deal with this particular animal. In a worst case scenario a judgment would have to be probably based by ... I suspect the States Vet would have input and what the ultimate situation with the dog would be if it had to go to destruction. But that is the last thing anybody would want. In terms of welfare, we would have to consider how that dog would be housed. There are other establishments on the Island.

Deputy H.L. Jeune:

You have talked to those other establishments.

Chair, Comité des Connétables:

We have indeed.

Deputy T.A. Coles:

Article 11B allows for: "A person to make representations to the Magistrate's Court." Did the Comité talk with the Magistrate's Court in relation to this proposed change?

Secretary, Comité des Connétables:

That is no different to the existing provision in terms of making a representation to the Magistrate's Court if a dog is believed to be dangerously out of control. The dangerously out of control definition is already in the law as well and so that is exactly the same provision as we have at present.

Deputy T.A. Coles:

Do you believe that is commonly known and wide enough accepted by the public if they are making complaints about dogs or their owners?

Chair, Comité des Connétables:

The process would be that a complaint would come to a Duty Centenier; that is usually the first step on the ladder. The Duty Centenier will make a decision as to whether it can be dealt with at Parish Hall level or whether it needs to be escalated further to the States of Jersey Police and, subsequently, if there is a case to answer to the Magistrate's Court. There is a process for dealing with it.

Deputy T.A. Coles:

Okay. What changes will the Comité make to its process for the future legislation with public safety implications to ensure cross-agency engagement?

Chair, Comité des Connétables:

I think that is important. We, in turn, have been in discussion with the Customs Department, given that they will probably be the first agency which may be involved should someone try to import an animal which does not always within the list that is being proposed. Subsequently, it may run to the police. I am not sure at what point the J.S.P.C.A. would become involved but initially it would be customs and police I would have thought and J.S.P.C.A. further down the line and then of course any other kennels should they be involved.

Deputy T.A. Coles:

Sorry, I am just tracking through the question but you answered quite a few of our questions previously. One of the big ones is about, what contingencies exist in key enforcement infrastructure if they are not in place by January?

Chair, Comité des Connétables:

I think there are provisions in place in terms of general kennelling of dogs which may be seized. It is not to say that seized dogs will be dangerous, so that the J.S.P.C.A. do under our contract provide that. Their contract is fairly broad. What does it say, Sue, in terms of ...

Secretary, Comité des Connétables:

Yes. The contract is for the collection and housing of stray dogs and they have confirmed that that would include a dog of a type that is then known as dangerous, provided it is not out of control. They have recently, only recently raised concerns about dogs that are deemed dangerously out of control at the point at which they are called to collect. We are working that through with them in terms of what that means and what other provisions need to be put in place, which have already been covered.

Chair, Comité des Connétables:

It is worth mentioning at this point - and this came out of the discussions the other day - in terms of a kennel for a dangerous dog would probably involve a 2-door kennel. As you can imagine, one door and the dog could be gone. That is something that we would to be content that is in place and we will work with either J.S.P.C.A., who, bearing in mind, are an organisation funded by contributions. I think we would always be supportive of what goes on in that and the public support for them. But it may be they may wish to upgrade their kennels to that extent. Also, they may wish to have trained staff to be able to deal with dogs who are more dangerous than others.

Deputy T.A. Coles:

Okay, thank you.

Deputy H.L. Jeune:

We are talking about things that, potentially, need more resources and especially even with the police they have no dog unit potentially. I do not know what the decision was, maybe that was related to resources as well. What resources are you envisaging to support these organisations, et cetera to be able to implement this enforcement?

Chair, Comité des Connétables:

Bearing in mind the numbers involved will not be great and that experience has dictated, we have not seen any, apart from one a few weeks ago, which had an allied issue which has now been

resolved. That particular dog was not taken in but it was returned to the owner after discussions. I think it would be wise within the Island to have kennels available to us as the Comité or whether they be with the J.S.P.C.A. or others, it does not really matter. But I think it is wise that there is something in the Island and it is something I think the police would need to have access to as well so that they can comply with the laws as in statute at the moment.

Deputy H.L. Jeune:

The police in their letter to us questioned about the definition of a police officer within the law. Could you just confirm what that means? Are we talking about Honorary Police as well or ...

Chair, Comité des Connétables:

It means both and I think they were, shall we say, misinformed in the comment that I saw? A police officer includes States of Jersey Police and Honorary Police.

Deputy H.L. Jeune:

The Honoraries will be in a position to also be able to seize a dog if ...

Chair, Comité des Connétables:

They are, in effect, usually the ones that do truthfully. Once again, that goes back to our contract with the J.S.P.C.A.. They will, effectively, give the J.S.P.C.A. a call if they find a dog roaming. The J.S.P.C.A. will come and pick it up and take it into their kennels. If they cannot find the owner in short time ...

Deputy H.L. Jeune:

I understand this but we are now talking about dangerous dogs and at the moment we have got letters from both stakeholders that you have mentioned to say they are not trained or have the facilities to be able to take a dangerous dog in and then do that. What we are just trying to work out I think is ...

Chief States Veterinary Officer:

I think we are mixing concepts again. I think the dog is out of control, that there has always been a provision for that in the legislation and that has not changed. Whatever the gaps we have now we had 2 or 3 years ago. Probably there is a gap but this has not been increased by these proposed changes on the other side. Any dog can be dangerously out of control, from a Chihuahua to a Pitbull, yes. Then you have the addition of the dangerous dogs, as defined by the legislation, which is the only addition in terms of enforcement to this legislation, that in place. I have a simple way to think about things, yes. Yes, but what we expect, so the proposals for conditions are supposed to be pragmatic and acceptable. We assume, rightly or wrongly because the majority of the people

will comply with the law; that is a logical assumption. There may be a couple that will not. It is not going to be a massive amount and they would be treated as they would, potentially, any dangerous dog out of control that would be. It is a small change I think, addition to the current enforcement of the legislation because it is really small. I think what you are trying to say is, yes, there is a small issue there, kind of increase on the enforcement requirements but the rest has not changed.

Deputy H.L. Jeune:

Yes, I think where we were interpreting those letters was they were saying maybe that the step over to the dangerous dogs and the fact that they are, as you have talked about, why you are putting restrictions in because they are dangerous ...

Chief States Veterinary Officer:

Yes, dangerous, yes, and bigger.

Deputy H.L. Jeune:

... and bigger and could cause more harm, that are they willing to take that extra step in that category that is now going to be defined as dangerous dogs if they are not complying with the restrictions that you are saying?

Chief States Veterinary Officer:

The restrictions, yes.

Deputy H.L. Jeune:

I think that is where we are trying to get to the hub of understanding in the questions related to the fact that we are bringing over a dog unit from the U.K., what happens before the U.K. unit gets here?

Chief States Veterinary Officer:

There is also a difference in ...

Deputy H.L. Jeune:

How do you kennel, et cetera? It is about the dangerous dogs, I understand.

Chief States Veterinary Officer:

Yes, there is a difference when you are holding a dog for 24, 48 hours, while a unit comes from the U.K. The welfare and the requirements you need. You can hold them in a slightly harsher way if it is a very small amount of time waiting for a unit. That is different from holding a dog, dangerous or any dog, while the court takes a decision; it could be one week or 3 months, we do not know. I think it is important to do that difference. While some may not be willing to take a dog for a longer time, I

think you are much more likely to have other organisations, potentially, to take a dog for a very small amount of time. For example, waiting for a unit, it is a different perspective as well in terms of the duration of the kennelling in this case.

Deputy T.A. Coles:

I think that is the point, obviously you said that these gaps existed in the previous legislation as well. But obviously that legislation came in the 1990s and obviously we have seen a decline of the other banned breeds on that letter.

[11:00]

We have basically had about 30 years of a point where we have had police and the J.S.P.C.A. on that decline of needing to manage a dangerous dog. Because, like you have said, we have got them now and maybe in 10 years' time we will not have the XL Bully type dog. We have got like that complacency time, than when if you then come to introduce this new banned breed on to the legislation, that was the point you should have been feeding in to close that gap to make it more functional in that point before introducing because you have had that time.

Chair, Comité des Connétables:

I think they mentioned a case a couple of weeks ago which could have gone in a different direction, that is the truth of it. It was a police matter which they dealt with and the dog was repatriated with its owners, which is an ideal situation. It is like all these risk mitigation moves and I suppose it is a question of how much provisions you put in place. I do not think it would be a bad idea to have a kennel in place which the police could use should the need arise. That kennel could be used for other things at other times. I do not think it could be 100 per cent dedicated, you might just have to think the costings through. But some kennels will be able to provide that should they so wish. There will be a cost.

Deputy H.L. Jeune:

Is the Comité the one who will be leading to find those facilities or once this law is done is that implementation passed over to the police and the resourcing needs to come from ...

Chair, Comité des Connétables:

I think, as Tom mentioned, it is across departmental working is necessary. If it is going to save the police money by them not having to bring over a unit from the U.K., that must be attractive and maybe their budget could contribute to that. I think that is an area for further discussion.

Parish Secretary, Comité des Connétables:

Could I just add to that? We have had discussions with local service providers that currently would be prepared to take on a dangerous dog, whether or not it was out of control and the same for any dog that would be dangerously out of control. There is that, the gap in the puzzle is being put together is there, that whether it be short term or, potentially, longer term before that unit from the U.K., if it was needed, if that helps to bridge that puzzle. The owner that we have spoken to that has these kennels would be prepared to do that willingly and it has the equipment that she needs to do to get this.

Deputy H.L. Jeune:

Would you be signing then an M.o.U. (Memorandum of Understanding)? Would this become more official?

Parish Secretary, Comité des Connétables:

That is what we are looking at putting something formal in place, yes.

Chair, Comité des Connétables:

Yes. It is fair to say you start to think through what might the risks be? One is that the police might be called to an incident where the dog's owner could find themselves, shall we say, being incarcerated for whatever reason? They are left with a dog to deal with. I think that is probably the area they were looking at. It is a question of interdepartmental talking and understanding what is needed and we are quite happy to work with them.

Deputy T.A. Coles:

That leads on to one of the questions that was raised in the debate in the Assembly about rehoming dangerous dogs. If you find yourself in a situation because the legislation says that you cannot rehome a dangerous dog. But if in the event, like you said, somebody becomes incarcerated, nothing to do with the dog but completely something subjective, is it not, that dog has not caused any issue, what happens to that dog?

Chair, Comité des Connétables:

I think the first attempt is probably to try the nearest family. I do not know what it ...

Chief States Veterinary Officer:

I think that application is legislated on the proposal, as I understand it, that the court can decide otherwise if there is family member or if there is someone close or someone suitable to rehome that dog. While rehoming in the general concept is forbidden, it is allowed in the new proposal in certain circumstances and it will be decided by court, which we think is probably the fairest way to do it.

Deputy T.A. Coles:

Even if it is somebody who is fit and healthy but suddenly has a stroke and they are no longer able to, it would still have to be the court that would decide that that dog could be rehomed.

Chief States Veterinary Officer:

Yes, yes, yes, it will be, yes.

Secretary, Comité des Connétables:

Yes, and that is specifically in Article 11B as amended. The Magistrate's Court, representation can be made to the Magistrate's Court. This is in relation to a dog that is dangerously out of control. But it also extends to the registered owner of the dangerous dog, has died or otherwise cannot look after that dangerous dog. The representations are made from all parties to the Magistrate's Court, who then determines the appropriate options.

Deputy T.A. Coles:

In the instance that if it was a personal representation to the Magistrate's Court, obviously it is a small fee but it is still a few. But if somebody is unable to afford to keep the dog anymore, obviously that becomes a barrier to be able to doing that out of that Magistrate's process.

Chair, Comité des Connétables:

I do not know what the Magistrate's view would be on that. The cost of a dog is not insignificant and a lot of these dogs will cost £2,000 or £3,000.

Deputy T.A. Coles:

But that is what I am saying, if somebody can no longer and has lost their job or whatever, it happens they can no longer afford to look after that dog.

Chair, Comité des Connétables:

It is possible, it is possible, yes.

Deputy T.A. Coles:

They have realised it is in the best interest of the dog to pass it on to somebody who can afford to do it. Obviously because neglect is when we start seeing more and more problems with all animals. To overcome that the responsible dog owner, they have realised: "I cannot afford to keep this dog anymore but I do not have the £50, £60 to pay the Magistrate to make that decision."

Chief States Veterinary Officer:

Surely the person that wants to take the dog could do the representation. I do not know, I am just thinking around a practical point of ...

Deputy T.A. Coles:

Yes, yes.

Chief States Veterinary Officer:

It is very difficult with animals and you cannot place it like for any eventuality. The reason for that law was there is to not condemn necessarily the dogs to death, which was what we were trying to avoid. Each case is a case and if the person does not have money but is still able to physically keep the dog, maybe they could keep the dog until someone else can afford to take it on. Each case is a case, it may be that those dogs not necessarily have to go anywhere. They may be kept in the house under the supervision of the wife instead of the husband. Each case is a case, is it not? But this bit on the legislation would be to allow ... we will try to go a bit further and not trying to condemn the dog to death immediately. Through no fault of their own if the owner is no longer able to keep it, so that is too much pain.

Deputy T.A. Coles:

It could have been a practical alternative to make an application to the Parish Hall say to transfer ownership of the dog.

Chair, Comité des Connétables:

You can under 11B, which is now 11B(4), if an owner dies, for instance, you can change ownership; that can be transferred to someone else, so that is covered off. I think everyone will always try and help. Euthanasia is always a very last resort and no one would want to condone that but that is the backstop at the end of the day.

Deputy H.L. Jeune:

Thank you. Connétable, questions over to you.

The Connétable of St. Mary:

Okay. Yes, a few more general points, leading on what has been said before, Article 5E as to the breeding of dangerous dogs, permits breeding and: "Requires dangerous dogs to be neutered when it is safe to do so." Do you expect that to cause problems where owners again plead financial hardship, they cannot do so? Are the provisions maybe to force them to do so?

Chief States Veterinary Officer:

I think we have been quite open and transparent with the owners of XL Bully type dogs that this was going to be proposed. We have been talking about this for almost 2 years. I think if you choose to have a dog, then you should be able to afford whatever is required to those dogs. If you have a dog you pay, I do not know, £2,000, £3,000, you are expected then to be able to afford to provide for that dog. I think the answer is, yes, we did talk about it, we did talk about it. I think that is one of the reasons we try to be transparent about it. That is what we are proposing and should have given time to people to realise that this was going to happen and accept that and prepared for that eventuality.

The Connétable of St. Mary:

Okay. Moving on to requirement that the dog must be muzzled, the J.S.P.C.A. highlighted there has been no uptake on the offering of muzzle-training for owners.

Chief States Veterinary Officer:

That is people's decisions, the offer is there if people do not want to do it. I cannot force them to train the dog to be muzzled. We are saying and we have been quite transparent and open about it. To be honest, any responsible dog owner should muzzle-train their dog; that is point one. If people do not choose to do it, it is their personal choice. For these types of dogs we have been transparent to say that one of the proposals was to have the dog muzzled when in public. The offer for training is there. If people choose not to do it, it is ...

The Connétable of St. Mary:

The point I am making is, is the offer of training available?

Chief States Veterinary Officer:

Yes, yes.

The Connétable of St. Mary:

It is.

Chair, Comité des Connétables:

J.S.P.C.A., yes.

Chief States Veterinary Officer:

J.S.P.C.A. is offering muzzle-training and I think others do as well.

The Connétable of St. Mary:

According to my notes there has been no uptake on the ...

Chair, Comité des Connétables:

Yes, that might arise of course if the legislation is approved; we shall have to see.

The Connétable of St. Mary:

Okay.

Chief States Veterinary Officer:

Or it may be that some of these owners have been responsible and already muzzle-trained their dogs, one of the 2 things may have happened. I hope, I am optimistic. You have to hope that people are responsible I think.

The Connétable of St. Mary:

Moving on, this one had been touched on as well, what options will exist for owners who are no longer able to keep a dangerous dog under the new scheme? Is it contemplated that there is a statutory homing exercise or mechanism available?

Chair, Comité des Connétables:

It goes back to our point regarding kennelling earlier on. Obviously the preferred route is that it remains with the owner or those closely associated with the owner. As regards the route thereafter, I do not think there is anything in legislation one can put down, apart from make provisions we have discussed earlier on in terms of kennelling with other agencies.

The Connétable of St. Mary:

It goes back to the other agencies. Earlier on reference was made there has not been a change in certain laws, looking into this legislation it has highlighted the fact as to police training, et cetera was still available and they are not and that is the gap we are trying to plug.

Chair, Comité des Connétables:

I think that is correct and it has highlighted that. I think from the police point of view they have also understood that they have to think about a provision, hence the importing of a dog unit from the U.K. should the need arise.

The Connétable of St. Mary:

Okay, thank you.

Chair, Comité des Connétables:

Just that if I can just sharpen up on that and I think it is the discussion we had on Tuesday was that they would try and formalise their arrangements with a provider in the U.K. to have it on tap.

The Connétable of St. Mary:

We will pick up the question of formalisation later presumably as to ...

Parish Secretary, Comité des Connétables:

Sorry, could I just add to what Constable Mike Jackson was saying? With these requirements that would come in place it would be responsible rehoming or what would happen to that dog? We would be involved with that. It would not be the owner of, for instance, an XL Bully giving it to someone random who may not know how to look after it. These terms would almost protect that dog more than if these were not in place with the insurance, with the lead work, the lead-wearing, with being monitored under the remit of the S.V.O. (States Veterinary Officer), which other dogs do not have that protection for their welfare purposes.

Deputy H.L. Jeune:

When you say we, is that the Comité or is that the S.V.O.?

Parish Secretary, Comité des Connétables:

I say that as in Jersey's authority unit, would that be S.O.J.P. (States of Jersey Police) or the S.V.O.?

Chair, Comité des Connétables:

I think it is fair to say that the procedures that apply to or will apply should the legislation be approved, would apply also to a transferee, if that is a word that could be used and they would have to comply. Once again, the States Vet would have the animal on her list and would ensure compliance. I think I am right in saying, Susana.

Chief States Veterinary Officer:

We would clarify conditions but an enforcement sits with ...

Chair, Comité des Connétables:

That would be directed to the Centenier. We saw a dog which had an order on it for muzzling fairly recently that was spotted out and about without said muzzle and the owner was taken back to the Magistrate's Court and a fine imposed, if I think I am right in saying. These things do get picked up and I think in terms of enforcement it will be down to the Honorary Police/States of Jersey Police to enforce that.

Deputy H.L. Jeune:

Do the Honorary Police know where the XL Bullies are? Because of it being about measurements per se, obviously there is, potentially, to not know the dog they see in front of them, whether needs to be requirements or not. I am wondering if there is that collaboration that will happen to ensure that there is.

[11:15]

Chair, Comité des Connétables:

They will to a degree in that they have access to the poodle system, as we call it, which is the new dog registration system which was implemented a couple of years ago. All information that we have is on that and they have access to it, as do all Parish Halls. There is never 100 per cent certainty that people have accurately filled it out. If there is any doubt there would be a call to the States Vet's team to verify that that dog is compliant, if you like. If it is a bit borderline I think that is when you would take ...

Chief States Veterinary Officer:

I think Sue and I discussed this to a great extent.

Secretary, Comité des Connétables:

Sorry, I just wanted to pick up on one of the other questions in terms of rehoming, just to emphasise that it is the Magistrate's Court that would, ultimately, make that decision based on representation for rehoming of a dog that is deemed to be of a dangerous dog type or breed. Coming on to identification of them. Clearly, they are not identified anywhere at the moment because the legislation is not here. We are aware that there are some XL Bully type breeds on Island, but none have been measured because we do not have the legislation. As soon as the legislation is agreed, then there is a 30-day window for these dogs to be registered with the States Veterinary Officer. We have already drafted a data sharing agreement to make sure that parishes and the States Veterinary Officer can share data, and clearly the amendments to the Dogs Law include that when purchasing your dog license you have to declare if it is a type that is a dangerous dog, we will need to be marking that in our system, so to speak, and then, yes, the information will be clearly available to those who have access, including Parish Honorary Police for policing purposes.

Chief States Veterinary Officer:

The idea is to have a cross-check so that the ones we have registered as dangerous dogs will cross-check as appearing as dangerous type on the licensing system, and the communication should ensure that that is consistent.

Deputy T.A. Coles:

Because it is a type dog and it is about measurements and things like that, if somebody gets a puppy, they do not quite know if that dog is going to grow into that size. So one of the challenges that all agents are going to face within this, and potentially an owner who has wilfully bought a puppy thinking it is a particular other type of breed - and not everybody is sensible when they do their research about buying a dog, puppy farms exist in the U.K. and people buy them from very strange places - somebody might register a puppy thinking that it was a Staffordshire terrier, but it all of a sudden grows to a size that it meets that minimum criteria, what flexibility is there within this legislation that that person was negligent in the sense that they did not do the research properly of what you should look for when you buy a puppy, and then they have ended up with this dog, which then meets the criteria of the XL Bully?

Chief States Veterinary Officer:

The dog is a recognised breed. The standard does not apply, the standard for dogs that are not of a breed but of a type. Then, yes, if the dog grows up to the standard requirement and then is assessed and has a considerable number of characteristics, then I am afraid there is no flexibility. The flexibility is on assessing that dog on a number. The assessment defines a number of characteristics that are common to the standard. So, if the dog does have that, then it would be treated as a dangerous type of dog. I don't know; I think that was your question.

Deputy T.A. Coles:

What I am asking about is around the consequence for the owner, because this dog takes 2 years to get to the size where it now meets the criteria of an XL Bully, but they in all ... I do not want to say: "Good faith", because you should do better research when you look for the dog in the first place.

Chief States Veterinary Officer:

Yes. That would be my answer to you. They should have done better, I am afraid. They are therefore not a responsible owner.

Deputy T.A. Coles:

Is there a consequence for them for that 2 years where they misregistered that puppy?

Chief States Veterinary Officer:

No. I do not think so. I do not think we would work retrospectively. It can only work after you identify the dog as having the size. I do not think there will be a retrospective effect. It makes no sense. If you measure a dog that looks like an XL Bully, but it is too small because only 12 months, we would remeasure it at 18 months, and we can do that adjustment. But I do not think there will be retroactive effects. I do not think that can be done.

Deputy H.L. Jeune:

Does that mean that in fact you could register a dangerous dog, attach it to a dog license at any point? It does not have to necessarily be when you buy the dog.

Chair, Comité des Connétables:

There is a declaration on the license, which if you gave false information you would be perjuring yourself.

Chief States Veterinary Officer:

I think your question is different. I think you are asking, so the dog licence is every year, so if he may not be XL Bully on year one, and he may be an XL Bully on year 2 that would be on a ...

Deputy H.L. Jeune:

Six months in because you are saying 18 months, and it is not in the year, if it is in between can there be a registration during the year?

Chief States Veterinary Officer:

What we would do in that case is communicate. Even if it is not in the system as being an XL Bully type, we would communicate with the parishes to that effect, just to confirm that dog was now a dog of that type.

Chair, Comité des Connétables:

I think, likewise, if an owner came in to register a dog in the January, and if they were concerned or questioning, we would we would talk to the States Vet to get that verified.

Deputy H.L. Jeune:

I think what I am trying to get at is, is the database able to be adjusted during the year, so that any changes to questions could be ...

Secretary, Comité des Connétables:

Yes. I am sure we can. But if I could draw your attention to Article 5(b), which is the prohibition on owning an unregistered dog, which provides that you must register it within 30 days starting on the day the person acquires the dog, or if they have owned it from birth, the day of its birth, or in the case of a type of dog that becomes a dangerous dog after the person acquired it, the day on which the type becomes a dangerous dog. So, the provision has been put in there to hopefully pick all those up. If we backstep to the Customs and Import and Export Licence Order, these are dogs for which a person needs an import license to bring in. So, unless it is bred on the Island, they should have had the import license when bringing it in. Back to your question about have they done

appropriate research to identify whether it is a type that would fall within this legislation, clearly, they ought to be doing that at the point at which they go off-Island to acquire a dog and to obtain their import license under that order, or in fact just to fill in their documentation for Customs because they are importing a dog to the Island, and Customs do follow up on those.

The Connétable of St. Mary:

Before I move on to control dog framework for the future, one small question on the information displayed on dog tags, which was informed by data protection concerns, and who do we receive the advice from on that?

Chair, Comité des Connétables:

There were 2 elements, really. One is in conversation with the Office of the Information Commissioner, and the conversation was that it would be a good idea if we could alter the legislation to take the addresses out. My point was slightly focused more on the physical side of it, because as we know, addresses can be quite long and convoluted. If you take a small dog, and I have got experience of this, the tag is the size of a penny. You just cannot get it all on, which tends to mean that most people do not comply. So, rather than perpetuate that situation, it seems sensible to use the new system, which we have got the Google system I referred to, and just put the number on. So, it is name of dog, telephone number, and registration number. All the necessary information is linked to that registration number to which the parish halls and police have access.

Deputy H.L. Jeune:

And I have heard that there are now, with technology, you are able to put a QR code, for example, and then you are able to scan the QR code, and then you were able to get all the information. A form with lots of information about the dog with a QR code. Has there been any discussions about that, where it is, beyond that? So, you can have this QR code, and then you have access to lots of information, and it can be the size of a penny.

Chair, Comité des Connétables:

I have had it. In fact, it came out of a police meeting from one of my honorary police the other day, and I do not think we are there yet, but I do not see any reason why we should not be in time. I do not know how long it would take us to get to that point, but this seemed one step forward, if you like, and how easily that could be added, I do not know. Sue, can we explore some of that?

Secretary, Comité des Connétables:

I think we would have to explore that a little further. I think my concern would be if it is a QR code reader that anybody has, that you have got more information being available to everybody, whereas the dog licence number is clearly something that is accessible to the parish and police.

Deputy H.L. Jeune:

But you have chosen what you put on the information. It is your choice, which, of course, data protection it is all about you.

Secretary, Comité des Connétables:

Yes. A person could choose to do that, yes, and if a person chooses to make that information available then that is entirely up to them. We have not looked at QR codes yet.

Chair, Comité des Connétables:

It is fair to say that if people want to keep their address on their existing tags, that is fine. There is no change until after January next year when the new registrations take place. There is no need for existing dog owners to change their tags whatsoever.

Secretary, Comité des Connétables:

In fact, you will not need to change your tag unless your address or phone number changes. In which case the information on the collar will be out of date, so do put the new information on.

The Connétable of St. Mary:

I am conscious of the time, and 2 general questions I wanted to make. The joint last public hearing, as I recall, the Comité agreed to conduct a review of the general control of the dogs, which I think we have agreed is scatter gunned all over the place. Can you detail what you intend to cover in that review and when you might wish to do so?

Chair, Comité des Connétables:

Firstly, I might just talk to the issue of dog walkers. I know it is a matter we have mentioned, and Susana has a plan for that. Can you just talk to that?

Chief States Veterinary Officer:

The dog walkers, as we have said before, is something that will be licensed under an order under the new proposed new Animal Welfare Law, and that should come into place if the law is accepted. But that is for professional dog walkers only.

The Connétable of St. Mary:

Sorry, I did not quite understand what is being done about that then?

Chair, Comité des Connétables:

They will be licensed. The dog walkers will be licensed. And within that license, but I do not know what sort of numbers you were thinking of, whether it be 5 ...

Chief States Veterinary Officer:

Again, this is in proposal phase. We were looking at a maximum is 5 dogs, insurance, display their license conditions, dogs kept always under control, conditions on the vehicle. I do not think you want to go to that detail. That is the type of training, capable person, et cetera, that is the type of things ...

The Connétable of St. Mary:

I am pleased to hear that. I am sure, of course, of what the Panel were thinking. But will that be a separate exercise or will you be ...

Chair, Comité des Connétables:

My understanding is once the Animal Welfare Law goes through the States, that will come in soon after.

Chief States Veterinary Officer:

That will come into roughly at the same time, or slightly after.

The Connétable of St. Mary:

So, it would be done within this term and hot on the heels of Animal Welfare Law?

Chief States Veterinary Officer:

It depends how quick the Welfare Law is approved. So, I am afraid that is out of my hands.

The Connétable of St. Mary:

I am sure the Panel will be very competent in bringing that forward if required.

Deputy H.L. Jeune:

You are saying it is in order?

Chief States Veterinary Officer:

It is in order, yes.

The Connétable of St. Mary:

So, there is not going to be an amendment to Animal ... well, from your side?

Chief States Veterinary Officer:

No. So, the proposed new Animal Welfare Law is proposing that the Minister can sign orders for certain parts of it. One of them is on licensing. So, licensing will cover a lot of different activities, so breeders, sanctuaries, boarding kennels, and professional dog walkers.

The Connétable of St. Mary:

If there were a delay, an alternative would be simply to bring an amendment to the policing regulations for parks and beaches in very simple terms.

Chair, Comité des Connétables:

That is possible too. As you know, once every year we have a debate about the policing of beaches and the restrictions placed summer and winter.

The Connétable of St. Mary:

I realise that. I am trying to confine it to this one area of dog walkers.

Chair, Comité des Connétables:

Yes. But I think it is possible. Yes, indeed. As we develop that policy, we will share it with this Panel to see if you have got any input on it. We are all keen to get that moving.

The Connétable of St. Mary:

Beyond domestic alignment, would any practical or enforcement aspects of the registration scheme be compromised if the regulations did not come to force in time for the January 2026 dog licensing cycle?

Chair, Comité des Connétables:

Yes. We would probably miss a year in terms of people having to register dogs and putting the right information down. The chances are we would not have the correct information. Would you agree with that?

Secretary, Comité des Connétables:

Yes. I think the provisions in the law in Article 2, as amended, require an applicant to declare whether a dog is a dangerous dog and provide details when applying for a dog licence. So, if it is not in force for the bulk renewal for the dogs that we do have on Island, then we would be missing that information for that year.

Chief States Veterinary Officer:

Can I also add something? Because not just about registration, but we know we have these dogs, we know they can breed. The longer it takes, the more we will have, and the bigger problem we will have, the more likely dog incidents we will have, and the more enforcement problems, and the more strengthening of the gaps that we already know that we have will happen. So, that is an important consideration in terms of timing.

[11:30]

Deputy H.L. Jeune:

You believe that even though that you have been talking to the owners, that this will happen and therefore the only way to be able to do it is to put legislation in place?

Chief States Veterinary Officer:

Yes.

Deputy H.L. Jeune:

So, they will then comply with that legislation?

Chief States Veterinary Officer:

At least if they do not comply, the enforcement powers will be there to make them comply.

Deputy H.L. Jeune:

I think that is where Scrutiny has been concerned is that it was not clear, both when we see in the report of the legislation when it first came to us, that bit on enforcement was very short and it did not give us that information. Scrutiny has been receiving letters of concern to say that bit is something that we needed information to understand because of exactly that, is that if there is not understanding now of the situation, and there is not the idea of doing those restrictions now voluntarily, it has to be done through legislative means. But if there is not the enforcement there, and it is not seen that there is enforcement and it will be enforced, there could be that carrying on potentially.

Chief States Veterinary Officer:

Yes.

Deputy H.L. Jeune:

That is a real concern. I think that is where the Panel is trying to get to, is to understand that there is the meat behind the ...

Chief States Veterinary Officer:

We have already discussed that, that we proactively try to advise people to do certain things, and they have not. So, that shows that you need a legal framework to guide people in the right direction. Yes. I would not say force, that sounds too mean.

Chair, Comité des Connétables:

Just going back to David's point in the proposed Animal Welfare Law, Part 7 General Provisions, and Article 34 Orders, has the potential to cover it off. So, it will refer to relating to any matter required or permitted by this law to be prescribed or specified by order. So, when we get to the detail of that, that is encompassed by those words.

The Connétable of St. Mary:

Yes. Again, going back to an earlier comment, I am concerned that we arrived at the situation because of the perhaps lack of understanding or clarity as to whether (indistinct 11:32:32) control dogs come within animal welfare, and therefore under environment, or through the committee. That continues to be a grey area, I am afraid.

Chair, Comité des Connétables:

It could be clearer, I think it is fair to say, and I think we probably all agree with that.

Chief States Veterinary Officer:

But I think the mitigation for that is that we continue to discuss and get the 2 things in parallel, and if gaps are identified, then we look to mitigate them in one way or another. Important thing about Animal Welfare Law, yes, it can only do things that are directly animal welfare related. The professional dog walker gets precededented for boarders, for groomers, et cetera. So it is there. We can do that. For the rest of the things then we will have to see where it fits. But I think it has been agreed that it potentially fits with the Dog's legislation. You do not want to go any further.

Deputy H.L. Jeune:

Thank you very much. Thank you, Connétable. Thank you, officers, for coming to this hearing. I declare it closed.

[11:33]