

Report: Public space & nuisance dogs

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PUBLIC SPACE & NUISANCE DOGS

1. Background

That this report has been requested by Head of Public Realm following concerns at recent E&CS scrutiny (July 07) that "the Council/ police/SNT/ wardens/Area Housing Offices/ Park managers/ Dog warden were not dealing with the issue of dangerous dogs in public spaces in either a joined up or responsive way. The basis of this report is to clarify the extent of the problem in Southwark and to quantify what resources exist both nationally and locally to tackle this issue. The project will be presented to the Partnership Operations Group to develop an effective response to this problem.

At its meeting of the 11 July the council Environment and community Safety Scrutiny Committee heard evidence from members of the public regarding nuisance from dangerous dogs in parks and other open spaces. The head of public realm advised the committee that the police were the lead enforcement agency with respect to dangerous dogs and that the primary functions of the Council's dog wardens was to deal with stray dogs. The scrutiny Committee heard from a number of law abiding dog owners stated that that the police did not appear to be taking the issue seriously. The executive member for Environment and transport was aware that there was a lot of concern about aggressive dogs. The Head of public realm undertook to raise the issue at the Safer Southwark Partnership Operations Group, and bring a report back to the sub-committee.

Authority responsible

David Johnson, Area Team Manager (ACTION), Area Management & Engagement Unit produced this report.

Des Waters, Head of Public Realm is responsible for authorising the project. He will also act as the Project Executive.

Decision on appointment of Project Manager will be authorised by Head of Community Safety via the Partnership Operations Group.

2. National Background and analysis

There is a growing street culture of owning dangerous dogs and their increasing use as weapons in crime. The RSPCA, the Metropolitan Police Authority, local authority dog wardens and vets all think there is a growing problem with the dogs used as weapons in robbery and linkages to rival youth gangs.

Dogs have become the "weapon of choice". The latest statistics from 2005 show 403 people were found guilty of allowing a dog to be dangerously out of control in a public place and injuring somebody. That's up from 260 in 2000. for a rising numbers of thugs in London, police have been told. The RSPCA special operations unit, is certain that the criminal use of dogs is on the increase due to increased calls from the public. This is linked predominantly young people who walk around in groups, with the dog as a fashion accessory symbol ("bling" dogs).

The Dangerous Dogs Act introduced in 1991 outlawed pit bull terriers as well as other dogs "appearing...to be bred for fighting or to have the characteristics of a type bred for that purpose". The types of animals used vary from Staffordshire Bull Terriers, Pit-bull-types, and American bulldogs to so-called Canary dogs. However It is not just illegal dogs that are becoming popular with young people. Battersea Dogs Home says around 1,500 of the nearly 8,000 dogs they took in during 2005 were either Staffordshire bull terriers or Staffordshire crosses.

In the period 2001 – 2006 inclusive, 69 individuals are recorded on the Crime Reporting and Information System (CRIS) as having been investigated for offences under the Dangerous Dogs Act 1991. However there is no specific 'flag' on CRIS to show a dog as an integral part of non Dangerous Dogs Act offences.

Dog fighting behaviour has, however, been set as a Met Police Safer Neighbourhood Police Team priority on 73 occasions. In 2006 it was set 55 times and so far in 2007 it has been set 18 times (as recorded by July 2007). It should be stressed these are priorities set on low level dog and owner related activity. Very little of this behaviour would even be covered by the Dangerous Dog Act. Some are listed as 'dog fighting'. These do not relate to any organised dog fighting but rather poor control of animals in streets and parks.

Safer Neighbourhood Police Teams 'Dog Fighting' priorities set per Borough (Met Police report to Home Office, July 2007)

Boroughs	Number of 'Dog fighting' priorities. 2006-07
Hammersmith & Fulham	14
Kensington & Chelsea	23
Wandsworth	10
Southwark	9
Lambeth	4
Lewisham	1

3. Legislation - Section 3(1) Dangerous Dogs Act 1991

Applies whether the animal is pure bred dog, cross or a mongrel and regardless of its size. This is a criminal offence which can be brought against the owner of a dog (and if different the person in charge of a dog) if a dog is:

- 'Dangerously out of control' - defined as being 'on any occasion on which there are grounds for reasonable apprehension that it will injure any person'. Generally, if a dog bites someone then it will be presumed to have been dangerously out of control.
- In a 'Public place' - Section 10(2) of the 1991 Act defines a public place as meaning any street, road or other place to which the public have, or are permitted to have access. This is a wide definition of a public place and one which specifically includes the common parts of a building containing two or more dwellings. It is intended to cover, for instance, those parts of a block of flats where, although there may be a secure front entry door so that the interior of the flat is not a place to which the public has unrestricted access, nevertheless the common parts are, in all other respects, public place.

The Police have the discretionary power to seize a dog (although they may need a warrant). If injury is caused to a person, then there is a presumption in favor of destruction. If the Court can be persuaded not to impose destruction, then the alternative is a Contingent Destruction Order i.e. a requirement that unless the dog is kept under proper control then it shall be destroyed. The Court has the power to impose conditions to such an order.

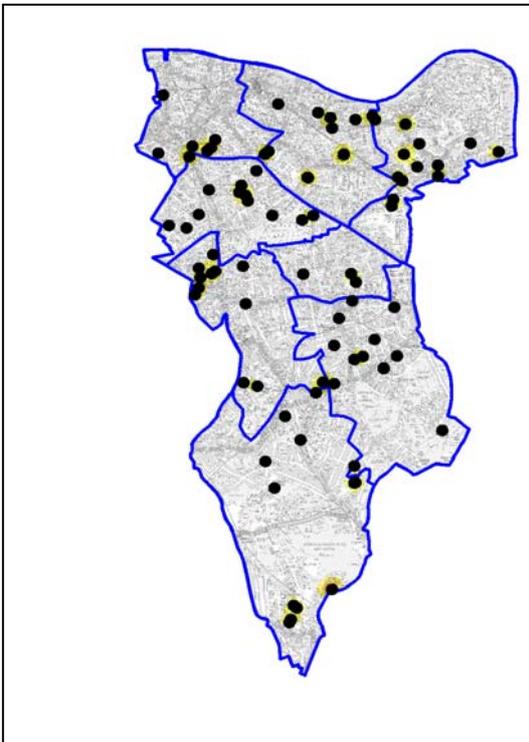
For the owner and/or person in charge of the dog at the time of the incident the Court has the power to impose a prison sentence as well as a ban on keeping dogs. However, this is very rare and the more likely outcome is financial i.e. a fine, compensation and costs.

4. Commissioned Southwark Analysis - Dog Related Offences (01/07/2005 - 30/06/2007)

The following two-year analysis was commissioned by Area Management & Engagement Unit, Public Realm Division. It is a comprehensive report on Dog Related Incidents produced by: Lena Ramanlal, Community Desk on 16.07.07.

(i)Overall summary - Reports relating to dog offences between 1st July 2005 and 30th June 2007 reveal the following:

- In this time period there were 95 offences relating to dogs. The main offence was labelled "dangerous dogs act"
- A dip sample of the crime reports shows that the majority of the offences appear to be victims being bitten/attacked by a dog. A smaller number relate to offences where a dog had attacked another animal
- Time analysis shows that there were two peak times 12:00-12:59 (10) and 16:00-16:59 (11)
- Day analysis shows the peak day to be Saturday (21)
- The majority (34%) of offences took place in streets followed by Parks/Commons/Heaths (26%). This suggests that these types of offences take place when dogs are being walked
- The majority of offenders were White Europeans (53%), followed by Afro-Caribbean (30%)
- There was no particular age group for suspects.
- Majority of suspects were male (55%)
- Victim analysis shows no particular sex or age group targeted however the majority of victims were White Europeans.



Hot spot map of dog related offences between 1st July 2005 and 30th June 2007

There was one significant hotspot at Beltwood House, Sydenham Hill. Further analysis on this address shows that from late 2006 there were many complaints regarding animal related problems at this address. These included:

- Stray animals
- Dog(s) biting members of the public
- Dog(s) terrorising members of the public
- Animals escaping and causing a danger to road users (i.e. vehicles swerving to avoid impact)
- Animals fouling private premises
- Dogs barking continuously

At one point the owner had 14 dogs, 2 horses, 2 goats and a number of peacocks on the property. In June 2007 the owner of this address received an ASBO, which prevents her from having or keeping any animals at the address. There have been no further complaints or intelligence about this address since the ASBO has been put in place.

Intelligence reports for the same time period also reveal reports relating to victims being attacked by dogs. The main types of dogs involved in offences were pit bull terriers and Staffordshire bull terriers, however a small number of reports refer to Rottweilers being involved. The main location for attacks once again appeared to be parks/streets with dogs being let off leads without muzzles.

(ii) Dog Fighting

A number of reports from 2006 suggest Brimington Park as a location for dog fighting, involving pit bulls and Staffordshire bull terriers. Fights took place in the evening/early hours of the morning. Reports state that there was evidence of damage to trees, where the dogs had jumped up and hung onto the branches with their teeth. There have been no further reports about this location in 2007. Notably reports from 2006 stated that the police and park wardens were tackling the issue using a problem solving approach.

Reports from Oct 2006 and June 2007 suggest that dog fighting is regularly being set up in both Kennington Park and Kennington Open Spaces from 18:00 onwards. However, park wardens have visited the site and not found any evidence of any dog fighting.

A report from June 2007 suggests that the communal gardens within Granville Square are being used for dog fighting. Apparently newly planted shrubs and plants within the grounds have been damaged by this activity. A further report from June 2007 details that Crawford Estate's Tenants and Residents Association have seen a Chinese female with two Staffordshire bull terriers who meets up with black youths with dogs and they all allow them to fight.

Information received from the Southwark Wardens supports the intelligence reports with parks and estates the main locations for groups of youths (IC1 and IC3) to meet up and allow their dogs to fight. Both the intelligence and Warden reports state that offenders strengthen their dogs by swinging them around with rope by their jaws or making them hang from branches. Overall, offenders appear to be Afro-Caribbean males in their late teens and early 20s.

(iii) Dog Fouling

Southwark Council employees were responsible for reporting the majority of dog waste during the period September to June 2007. As can be seen below, this was the case in most Community Councils with the exceptions of Walworth and Borough & Bankside, where the reports were evenly split between council staff and members of the public, and Rotherhithe where the public reported more dog waste than the council.

Community Council (Sep-June 2007)	Anonymous	Council (Wardens, Councillors, etc)	Public	Total
DULWICH	15	250	104	369
NUNHEAD & PECKHAM RYE	31	218	68	317
CAMBERWELL	20	119	68	207
BERMONDSEY	15	121	50	186
WALWORTH	8	88	81	177
PECKHAM	5	125	28	158
BOROUGH & BANKSIDE	23	53	53	129
ROTHERHITHE	1	11	33	45
TOTAL	118	985	485	1588

The following table displays the eight main repeat dog waste clearance sites, three of which were in Dulwich, as recorded on Southwark Council's Confirm database.

Site Name (Community Council)	Dog Waste Clearance (Sep-June 2007)
CRYSTAL PALACE ROAD (DULWICH)	34
HOLLYDALE ROAD (NUNHEAD & PECKHAM RYE)	31
GROVE LANE (CAMBERWELL)	25
LANT STREET (BOROUGH & BANKSIDE)	22
LORDSHIP LANE (DULWICH)	21
EAST DULWICH GROVE (DULWICH)	20
PECKHAM HIGH STREET (PECKHAM)	20
QUEENS ROAD (NUNHEAD & PECKHAM RYE)	20

5. Southwark resources and response

There currently is not an existing protocol that directs a partnership response across the key agencies (inclusive of Housing) in Southwark.

- **Police.** In common with most of the law that protects individuals from physical attack and injury, the legislation that controls dangerous dogs is a police enforcement function. Southwark's primary role is one of supporting the police to carry out their duties. There are a number of areas in which Southwark can, and does, offer effective partnership support
- **The Noise and Air Quality Team** have responsibility for dealing with any animal kept in such a place or manner as to be prejudicial to health or a nuisance. The team is currently working in partnership with the police and other agencies on a case involving dogs that are causing a noise nuisance and where dogs have escaped and bitten residents. The Noise Service has served notices on the owner requiring the erection of dog-proof fencing and the police have obtained Court orders requiring the dogs in question to be kept in control at all times.
- **The Council's Dog Warden Service** collects stray dogs and provides a reactive service in assistance of the police when needed. They work closely with Battersea Dogs' Home on animal welfare issues.
- **Southwark's Licensing Service** has responsibility for licensing pet shops in the Borough, of which there are currently four. It is an offence to breed, sell, exchange or advertise for sale any of the four types of dogs controlled by the Dangerous Dogs Act 1991 (DDA).
- **Community Wardens** provide a highly visible patrolling presence in Southwark's estates and parks, providing intelligence to the police and other agencies on situations that they observe; also to act as professional witnesses. If Wardens are suspicious of a particular dog or witness

any dogs behaving aggressively, they will gain as much detail as possible, speak to those persons with the animal and refer to relevant agencies such as the police, RSPCA and Dog Wardens Service. Wardens do issue fixed penalty notices for dog fouling and keep a close eye on dogs and their behaviour across estates and parks.

6. Problem solving good practice

(i) Targeting youth gangs - Problem solving award winning focus in Wandsworth

This project dealt with criminal and anti-social behaviour by youths with dangerous dogs. Data from stakeholders and other agencies concerned with youths and animals was used to analyse the problem and formulate responses.

Research & analysis

- No evidence that crime was enabled by the possession of dangerous dogs.
- Evidence that dogs in the possession of youths had attacked police officers, community support officers, housing staff, residents, children and pets.
- Anecdotal evidence of organised dogfights. Evidence that the victims knew the offenders and were too scared of retribution to support prosecutions.
- Many dog-owning residents were inconsiderate towards their neighbours and disregarded byelaws and tenancy agreements pertaining to the owning and exercising of dogs on the estates.
- Anti-social behaviour on the estates was caused by a core group of individuals whether or not they had dogs with them.

Response

- Residents' newsletters. 'Good news' press releases. Public estate & ward meetings.
- Post-incident visit to victims by the partnership offering support and encouraging engagement.
- Identify target offenders, gather intelligence and monitor their activities.
- RSPCA educational visits to offenders.
- Youth engagement by youth workers.
- Anti Social Behaviour Orders, injunctions, seizures and banning orders. Crime investigations and process.
- Promote two of the target offenders to the Prolific and Priority Offenders Scheme.
- Dog Warden & Parks Police Patrols and operations with police.
- CCTV monitoring of hot spots.
- Secure problematical communal areas.
- RSPCA training for Safer Neighbourhood Team and patrol officers.
- Regular partnership meetings.

Assessment April 2004 – September 2004 compared to April 2005 – September 2005

- Telephone calls to police 'Type 48 – Animals'. Reduced from 19 to 14.
- Intelligence reports regarding dogs. Reduced from 22 to 19.
- Intelligence reports regarding target offenders and dogs. Reduced from 18 to 9.
- Crime reports regarding target offenders. Reduced from 17 to 13.
- Crime reports involving dangerous dogs. Reduced from 9 to 2.
- 'Stop and Account' regarding dangerous dogs. Increased from 0 to 8
- Housing department reports a reduction in complaints from residents about dogs.
- Housing department reports a reduction in damage to estate furniture caused by dogs.
- Reduction of fear amongst housing staff.
- Dangerous dogs are no longer on the ward meeting agenda.

- Dangerous dogs not identified as an issue by the 2005 public attitude survey.

(ii) ASBO to improve park safety - Camden

- A Camden resident is the first person to be banned from all council parks in the borough after terrifying park users by failing to control his aggressive dog. After residents complained they were too scared to use the parks and his dog attacked a council dog-handler, Camden Council and Camden Police applied for an anti-social behaviour order (ASBO) against the individual.
- An anti-social behaviour order (ASBO) was granted. Under the terms of his order he is also forbidden from making excessive noise in his home after complaints from Neighbours.
- In addition to the park and noise ban, the individual is also prohibited from taking any animal outside his home unless he exercises proper control and, in the case of a dog, keeps it on a lead. To prevent the problem being displaced to other areas, he is also banned from acting in a way that causes or is likely to causes harassment, alarm and distress anywhere in England and Wales. The ASBO will be in force for two years.

(ii)Amnesty

Liverpool in Feb 2007 A week-long dangerous dogs amnesty has ended with 86 illegal pets being handed over to Merseyside Police. The initiative, which ran until midnight, gave owners of illegal dog breeds the opportunity to hand over their animals without being prosecuted. Owners who chose not to hand their pets over voluntarily by the time the amnesty finished will have their animals seized and could also face a £5,000 fine and six months imprisonment.

7. Recommendations

1. A detailed analysis of dog nuisance across the borough needs to be commissioned by Partnership Operations Group (POG) Chaired by the Head of Community Safety from the Community Desk to provide a clear indication of the scale and hotspot locations in Southwark.
2. POG to lead the development of a protocol and/or co-ordinated approach that directs a partnership response across the key agencies (inclusive of Housing) in Southwark. Good practice by Wandsworth may be considered as model to basis initial approaches.
3. A report detailing the borough's response to nuisance dogs needs to be formulated for the Executive by October 2007.

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Sign-off

Authority Name:	Position:	Signature:
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