

Lesley Griffiths AC/AM
Gweinidog yr Amgylchedd, Ynni a Materion Gwledig
Minister for Environment, Energy and Rural Affairs



Llywodraeth Cymru
Welsh Government

Ein cyf/Our ref : IM/LG/05480/19

Rt Hon Michael Gove MP
Secretary of State
Department for Environment, Food & Rural Affairs
Nobel House
17 Smith Square
London
SW1P 3JR

6 March 2019

Dear Michael,

I have met with Cllr Dilwar Ali, Julie Morgan AM and David Joyce, Communications Workers Union, on a number of occasions over the last two years to discuss dangerous dog legislation issues, which are largely non devolved.

At our last meeting in November, two issues were specifically brought to my attention:

- a) The EFRA enquiry and Defra's response
- b) The non-prosecution of attacks on communication workers and the fact that some cases have then been successfully taken forward by the Communications Workers Union.

I agreed to Raise the matter with UK Ministers at both Defra and the Home Office due to the, largely, non devolved nature of the two pieces of legislation involved via the Dangerous Dogs Act 1991 and the Anti-social behaviour, Crime and Policing Act 2014.

In relation to the EFRA findings, I note the UK Government's response to the recommendations in the report is to refer to the current research being taken by Middlesex University on the issue of dangerous dogs and enforcement. I am pleased the research is being funded from the jointly held research funding monies for England, Scotland and Wales and am encouraged by the fact the research has been commissioned to improve the evidence base available.

However, it would be helpful to have some indication of how Defra and the Home Office plan to take forward the findings of both EFRA and the research when received. I am aware my officials work closely with Defra officials in particular but a sense of timescale on future changes would be appreciated as the group raised the following issues:

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

- Dog Control Notices
- Fixed Penalty Notices
- Dog Tag Law and enforcement
- Dog Warden and Police DLO resources
- Community Resolution and Police Caution misuse in aggravated dangerous dog attacks
- Amendments to the DDA Section 10 and the need to simplify the law to remove current confusion in the Courts due to “misinterpretation” citing Pierre-Robinson judgement.

In relation to enforcement and prosecutions, the group were particularly concerned with the perceived inconsistencies between prosecutions and queried whether anything could be done to address this. We have been provided with the details of eight cases in Wales in particular which were not pursued by the police but were pursued via the Communication Workers Union successfully. This is quite disconcerting and I would like some assurances regarding how future dog attacks prosecutions could be made more transparent and consistent.

I committed to relay your comments on the concerns raised at my next meeting with the group at the end of April and would welcome a response as soon as possible. I am aware my officials regularly liaise on all animal welfare issues which require cross-border engagement, and fully support that level of interaction, however this is over and above official level discussions.

Regards
Lesley

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Cc The Rt Hon. Nicholas Hurd MP, Minister for Policing and Fire Services, Home Office.