The Association of Pet Behaviour Counsellors of which I am a full member was asked by the Scottish Government to deliver a training package to Authorized Officers (AO’s) from Local Authorities (LA’s) on the implementation of the Control of Dogs (Scotland) Act 2010 and the issue of Dog Control Notices (DCN). This training package was delivered collectively on 10th February 2011. To date, four Local Authorities since then have asked me to deliver further training for their staff.

“The key purpose of the Act is to promote more responsible ownership of dogs and ensure that dogs which are out of control are brought and kept under control in Scotland.” (Control of Dogs (Scotland) Act 2010 guidance document). Although this was the Act’s intention, today’s reality is quite different, as the incidents of dog-to-dog aggression and dog-to-human aggression continue to increase. It is my professional opinion that the Act is failing; this opinion is based upon my work as a Clinical Animal Behaviourist and as an Expert Witness in court cases involving Dangerous Dog legislation for both the Prosecution and Defence.

· There appears to be some confusion between Local Authorities and the Police over which parts of dog legislation each is responsible for. Some cases involving dog-to-human aggression and clearly falling under the auspiciousness of the relevant Dangerous Dog legislation are being passed onto LA’s to issue a DCN. It is my professional opinion that LA’s are not adequately trained or knowledgeable in Dangerous Dog Legislation and investigating these cases.

· Many Local Authorities do not have adequate resources or knowledge to investigate, issue a DCN or monitor compliance, with some LA’s not having a single full-time Authorized Officer. Therefore, many reported cases are being ignored with offenders continuing to allow their dogs to be out of control.

· There are huge discrepancies across Scotland as to how many DCN’s have been issued.

· Very few Local Authorities have implemented education packages to promote responsible dog ownership within their communities.

· Authorized Officers have ignored that they can state on the DCN that dog owners seek professional behavioural advice for their dogs-- thus, missing an important opportunity to improve both the dog’s welfare by seeking resolution for the dogs’ behavioural issues and educate the owner.
- Police Officers are failing to seize dogs who have bitten humans to their severe injury while awaiting further investigation and prosecution, and some of these dogs have gone on to bite again.

- Dogs who have been seized are being left for too long in kennels that are not fit for the purpose of long-term kennelling; and, thus, there are welfare concerns for the dog.

- The problem of professional dog walkers having a pack of out of control dogs in local parks has neither been monitored nor adequately addressed. Often these dog walkers may have 6-10 dogs off lead and are ineffective in controlling the dogs’ behaviour towards the public.