The effectiveness of the Act in reducing the number of out of control dogs/dog attacks in Scotland;

As a victim of the irresponsible action of a dog owner in a city centre park in June 2017, it is my view that the current Act is not effective in dealing with the increasing problem of dog related assaults in parks. On 20th June 2017, I went out for my usual daily run through a city centre park and along the cycle paths. I entered the park to start my run, whereupon I felt the sharp impact of a ball hitting my face, followed immediately by the force of a retriever dog running at speed to retrieve the ball its owner had kicked for it. The dog rammed my legs, throwing me to the path. I was taken to hospital by ambulance and was found to have suffered significant fractures to my tibia plateau and a dislocation. I was operated on and had a plate and screws inserted in my knee to allow me to walk again. I was wheelchair bound and could not weight bear for three months and endured months of heavy painkillers and sedatives to help me sleep, painful physiotherapy to regain use of my leg and six months off work. I may never regain full use of my left leg, and as a passionate hill walker and runner, this is devastating news. The physical and psychological impact of the incident was significant and I have been left with a fear of large dogs and live with chronic pain in my leg and lower back. Most disturbingly, the surgeon informed me that the force of the impact was akin to that of a serious car accident and that had I been a child or elderly person, the outcome would have been much worse, and possibly fatal. This incident could so easily have been avoided if the owner had been in control of his dog.

Many people I have spoken to agree that there is a growing problem of poorly managed dogs in city parks and that there have been numerous examples of people, and their dogs, being injured as consequence of this. Our community’s enjoyment of invaluable public spaces is increasingly compromised. Numerous cyclists have come off their bikes in the park and on nearby cycle paths as a direct consequence of irresponsible dog owners letting their dogs run into their path.

How well you think local authorities are carrying out their duties under the Act;

Shortly after my injury, I contacted my MP, my constituency MSP and my local Councillors, asking that they review the efficacy of the current Act. I have also been in communication with the Leader of the Council and he promised to review the issue and come back with possible solutions. In fact, a year ago, he promised action to instigate a pilot exercise to trial the introduction of specific delineated areas for the exercise of dogs and to organise better signage to remind dog owners of their responsibility of keeping their dog under control. As far as I am aware, nothing has happened and the number of dog related assaults on innocent park users continues.

What challenges do you feel local authorities face in carrying out their duties under the Act;
There are increasing numbers of large dogs being exercised off lead in city centre parks and cycle paths. I appreciate that there are cost and logistical challenges for local authorities in managing the problem of many people sharing the same resources. While there are some small signs on the cycle paths that advise dog owners to keep their dogs under control, these are insufficient, are poorly positioned and there are no such notices in the park.

There are a number of cost effective and easily organised solutions to this problem. As a first step, local authorities should ensure that there is clear signage reminding everyone of their responsibilities in sharing the amenities in parks and on cycle paths. This should include the introduction of fenced or specific delineated areas for the exercise of dogs off their leads. This will ensure that everyone can safely enjoy the park's amenities.

If there are any weaknesses in the Act or any specific changes you would like to see.

With reference to Scottish Government guidance, I note that "Local authorities can consider bye-law making powers to address a specific problem. I note the Local Authority bye-law no 18 of the Control of Dogs Act 2010. "Local authorities can consider bye-law making powers to address a specific problem. For example, if there is an area where dogs are often a nuisance, the matter can be raised for consideration by the council who have powers to make appropriate bye-laws (i.e. to keep dogs on leads in particular areas or to ban dogs from such places such as children's playgrounds)". This section of the legislation clearly makes it possible for local authorities to amend or impose new bye-laws to require dog owners to keep their pets on leads in parks or cycle paths. This is a pragmatic solution and my Councillor promised to bring it to a meeting of the local council. In addition, I would also like to see the Control of Dogs Act amended to make specific reference to incidents such as my own which would support the many other park and cycle path users who have also been adversely affected by the actions of irresponsible dog owners. I made an official report to the police after the incident but no further action was taken against the owner of the dog as the dog has not bitten me. This does not seem just or fair.

Any other issues relating to the Act you wish to bring to the attention of the Committee.

None.