



Northern Ireland  
Assembly

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**COMMITTEE FOR  
AGRICULTURE AND  
RURAL DEVELOPMENT**

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**OFFICIAL REPORT**  
(Hansard)

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**Welfare of Animals Bill:  
Canine Breeders Ireland**

12 October 2010

**NORTHERN IRELAND ASSEMBLY**

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RURAL DEVELOPMENT**

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**Welfare of Animals Bill: Canine Breeders Ireland**

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12 October 2010

**Members present for all or part of the proceedings:**

Mr Stephen Moutray (Chairperson)  
Mr Roy Beggs (Deputy Chairperson)  
Mr Trevor Clarke  
Mr Pat Doherty  
Mr Simpson Gibson  
Mr William Irwin  
Mr Francie Molloy  
Mr George Savage

**Witnesses:**

|                      |   |                         |
|----------------------|---|-------------------------|
| Mr David Hamilton    | ) |                         |
| Mr Jonathan Hamilton | ) | Canine Breeders Ireland |
| Mr Michael McKay     | ) |                         |
| Mr Gerry Smyth       | ) |                         |

**The Chairperson (Mr Moutray):**

The next oral evidence session is with the Canine Breeders Ireland on the Welfare of Animals Bill. We have with us David Hamilton, Jonathan Hamilton, Michael McKay and Gerry Smyth. You are very welcome, gentlemen.

**Mr David Hamilton (Canine Breeders Ireland):**

I thank the Committee for inviting the representatives of Canine Breeders Ireland (CBI) to give evidence. We consider that a great privilege, and do not intend to waste it.

As some of you may remember, we were here about this time last year. We felt that we explained a lot of issues that were in the political and public domain, but which had gone largely unchallenged by those involved with the dog breeding industry. Those included the term “puppy farmer”, dog exports to England from around the globe, charities scouring Northern Ireland for dogs to supply the demand for pets, the welfare issues with some of our charities, and the need for grant funding to improve the welfare of dogs in breeding kennels.

Today, we have legislation that we can debate word for word, and we want to spend what time we have discussing the legislation and its possible implications. It is important to welcome the legislation, and what the Minister wants it to mean for animals and their owners. Consultations were wide and detailed, and we commend the Minister for her attitude.

Canine Breeders Ireland recently fought a long campaign against the Republic of Ireland’s Environment Minister, John Gormley, and the new Irish legislation on dogs, which will come into effect in the new year. There is no comparison between the two pieces of legislation, and dog breeders on this side of the border can breathe a sigh of relief at being spared the eccentricities of the Green Party. However, we do have items that merit concern, and we intend to raise them today.

As we testified to the Minister and the Committee, we are an industry in need of regulation and guidance. The misdeeds of a few must be dealt with firmly and stamped out so that the decent majority of animal owners may succeed and progress free from restriction or impediment.

The term “unnecessary suffering” is not new to Canine Breeders Ireland. We obtained a veterinary report that was furnished as evidence and passed to the Director of Public Prosecutions by a well known charity. We cite that ridiculous document as further evidence of the abuse of power that comes from overzealous accusers. Our principle argument is and always has been that the Department of Agriculture and Rural Development (DARD) veterinary surgeons are the only ones to be entrusted with that power.

The report is attached to our written evidence for members’ attention, and I will refer to it, so that members understand what I am talking about. It is a veterinary report on 45 dogs. Attachment 1(a), on line 3, states:

“On a general level, the dogs were in reasonable condition.”

On the next page, attachment 1(b) states:

“These conditions of fleas, otitis externa,”

which is an inflammation of the skin and ear,

“skin infections and false pregnancy could cause unnecessary suffering to the animals involved, and could compromise their welfare”.

That refers to animals that two vets cleared, saying that there was very little wrong with them. We are trying to demonstrate the use of the term “unnecessary suffering”, who would use it and how they might use it.

I refer members to the part of my submission that deals with the five freedoms. Despite the hype by animal rights activists, the CBI regards those freedoms as a basic requirement for any animal, and we would welcome the five freedoms being included in law as a definition of good practice.

It is excellent to see improvement notices enshrined in law. That seems a practical and sensible step, and such a system could provide a solution to many enforcement issues.

The wording of the provisions that deal with animals in distress is vague. We presume that an inspector, as referred to in the Bill, would be a competent person. However, a police constable cannot be presumed to have a basic knowledge of animals or their welfare. Although an animal is not suffering, the Bill would allow an officer to remove it without the presence of a veterinary surgeon. We all understand the need for strong legislative powers and that the Part is entitled “Animals in Distress”, but, foremost in our minds, is the recent abusive and misguided use of such powers. The CBI’s answer is simple: no vet, no powers. Checks and balances must be put in place to provide animals and their owners with basic protection under the law.

Under the power-of-entry provisions, a constable will have the power to force his or her way into premises to rescue an animal that is “likely” to suffer. We hope that the burden of evidence in such cases would be directly linked to the expert input of a vet, who would be regarded as a witness in the matter. A constable who seeks assistance should be required to seek the help of a qualified veterinary surgeon, not others less qualified than he is — we want him to wait for the vet.

It is vitally important that those who commit serious offences against animals can be disqualified and kept away from other roles with animals. That is progress. It is noted that we rely on the judiciary to decide on offences for which that sentence would be imposed. We suggest that such offences must be of a suitably serious nature.

The Bill's requirement for a veterinary surgeon to advise the court on the destruction of animals is the proper form and function for many situations as described throughout the legislation.

The role allocated by the Bill to inspectors is, perhaps, the most crucial area and one that will ultimately determine how successful the legislation is. The decision on who to appoint as an inspector is vital. The CBI can think of no more qualified a body than the Department to appoint and oversee inspectors. Specifically, we envisage a DARD veterinary surgeon backing up council dog wardens in their daily duties. It would be appropriate to have more specific requirements in the Bill regarding that.

The Bill's provision that the head of a body corporate shall be responsible for the welfare of animals under the law is excellent and much-needed legislation that eliminates hiding places for those who flout the law and abuse animals.

When it comes to interpretations, it is important that the Committee understands that the word "suffering", which is used frequently in the Bill, means physical or mental suffering. How a police constable might identify mental suffering that was "likely" to happen to an animal is difficult to imagine.

On exempted procedures, it is confusing that, under the Bill, a dog or puppy may not have its tail removed but a pig or a lamb can and that a puppy may have its dew claws removed but not its tail. Although the CBI does not defend tail docking as a cosmetic procedure, it is alarmed that tail docking is being pushed through as a welfare concern when it might be properly legislated for and controlled — as in pigs or lambs — to the benefit of that animal's welfare. Since this process began in 2006, we have said that working dogs should be exempt. That is targeted docking, and it should be targeted at dogs that we know will be at high risk of tail injury in later life.

The veterinary profession is remarkably silent on tail docking. It does not do the animals

justice when a measure, which even top, radical, animal-rights activist, Stephen Philpott, does not oppose, cannot be seconded by those in authority. Breeds such as the Jack Russell were bred to be docked when used for hunting. A Jack Russell's tail is such that it must break, not bend as happens to other breeds. That law exists and seems to operate successfully in England. How are our dogs different? The people of this country are unique in these islands. It is an insult for the Minister to attempt to import Scottish law when the Scottish have a much smaller dog population and are in a different situation.

We have obtained a copy of the form that is used in England for permitted docking, which is included in our brief for the Committee's consideration. I should point out that, in England, docking is a controlled procedure, which is carried out only by veterinary surgeons. That document details the persons who can have their dogs' tails docked. They include members of the armed forces; emergency rescue; the police; the prison service; Her Majesty's Revenue and Customs; those who work in pest control; the holders of firearms; game keepers; and persons with shooting rights.

The document also details the specific types of dogs that can be docked. Those are:

“Hunt point retrieve breeds of any type or combination of types.

Spaniels of any type or combination of types.

Terriers of any types or combination of types.”

We suggest that other dogs should also be included and that that point should be debated.

Paragraph 6 of Schedule 3 to the Bill basically says that an inspector or constable can take anyone they wish onto premises. That seems to be dangerous territory, and we are mindful of past examples in which persons who were supposedly qualified in animal welfare accompanied constables, and which led to severe problems for animal welfare. As a result, police officers were disciplined and animals suffered. We hope that the provision could be changed to encourage the involvement of qualified persons who would add weight to any investigations and provide backup to police officers and inspectors.

To assist the Committee in understanding the dangers of permitting those decisions to be taken by police constables, we have included in our brief an evidence sheet from an ongoing CBI investigation, in which a police constable used his powers to seize animals that were proven by two veterinary surgeons to be in good health. That document is an incident report of a communication between a police officer and his base, in which he states that the animals:

“are all in a very poor condition.”

Those are the same animals that were referred to in the veterinary report that we have used today, and they are the same animals that were found to have absolutely nothing wrong with them. I am trying to make the point, perhaps not as clearly as I would like, that people who are not qualified get it wrong, and that document is clear evidence of that.

Those matters are very serious and they need consideration. I reiterate our support for the legislation and what it hopes to achieve. The legislation will, hopefully, be in place for generations and we must get it right. We are grateful to the Committee for requesting our input, and we relish the opportunity to discuss the issues with individual Committee members or collectively as we did previously. Last year, we extended an invitation to the Committee to visit breeding kennels throughout the Province, and that invitation remains open.

The CBI represents the primary stakeholders who will be affected by the legislation, and our members have always seen those matters in a positive light. We hope to assist the Committee by any means possible.

**The Chairperson:**

Thank you for your presentation and your invitation to visit some of your establishments. The Department has continually stated that it will regulate breeding establishments using subordinate legislation. Do you feel that that is sufficient? What sort of regulation do breeders want to see?

**Mr D Hamilton:**

We want regulation that enforces our position. Currently, we are regulated by local authorities, but when we build new kennels, we want to know that a qualified person in authority will tell us that we are doing it to the correct standard, that we are using the correct procedures and can continue in a businesslike manner. As it is, it is very difficult, and every council area seems to take a different attitude. We are trying to operate businesses, and it is very difficult to do that and invest in the welfare of our animals without guidance. There is no one there to offer that guidance, and that is the primary issue.

**The Chairperson:**

I want to open up the discussion to other members, but there is one other question that I want to

pose. Should the sale of dogs over the internet be prohibited?

**Mr D Hamilton:**

As a means of introducing people, there is nothing more effective than the Internet. I cannot imagine a situation in which you would want to prohibit that. It is a medium of communication, like a telephone or a newspaper, and I cannot imagine any situation where you would want to do that.

**The Chairperson:**

Do you agree that it should be regulated and that it is open to abuse?

**Mr D Hamilton:**

All forms of Internet communication are open to abuse.

**The Chairperson:**

Consequently, I pose the question: do you think that it should be regulated?

**Mr D Hamilton:**

I find it difficult to imagine in what context it should be regulated.

**Mr Jonathan Hamilton (Canine Breeders Ireland):**

What is the difference between an Internet advertisement and a newspaper advertisement?

**Mr D Hamilton:**

We are not aware of any difference. It is a medium through which people can say who they are and what they have and provide contact details so that people can go and see their pups.

**The Chairperson:**

From time to time, there is an issue with car-boot breeders, backyard sales and things like that. The Internet would easily open up an opportunity for those. If you wanted to curb those practices to try to improve the image of your industry, would you favour regulation?

**Mr D Hamilton:**

All breeders should be licensed. You can meet a man in the pub, for instance, who has dogs for

sale, but the person who is buying the dog needs to have some idea of what they should be looking for. For example, they need to buy from a licensed breeder, from someone who works with a vet, and so on. That seems to come more from the buyer. We can try to regulate the industry, but there will always be people who work outside the parameters.

**The Chairperson:**

Do you not favour regulation of Internet sales?

**Mr Gerry Smyth (Canine Breeders Ireland):**

We cannot see what difference it would make.

**The Chairperson:**

All I want is an answer. Do you favour regulation of Internet sales of animals, in particular, dogs, or do you not?

**Mr D Hamilton:**

No.

**The Chairperson:**

Thank you.

**Mr T Clarke:**

I welcome you here today. Most things that you have suggested in your paper are common sense. I support the suggestion in relation to vets. However, you used a live case, which we probably should not have been talking about. I do not agree with you on that point.

The document that you quoted says that the dogs:

“are all in a very poor condition.”

You suggest that that was not the case. Then one can read in detail the vet’s witness statement. He referred to the dogs being in “reasonable condition”. Then he went on to refer to different problems, such as the hair being very matted and dogs having ear mites, fight marks and coughs. I do not know how you could say that they were in good condition, but that is only an observation.

That piece of evidence was used today to say that the police officer was wrong, but it should

not be included here if it is a current case. I think that that was wrong. However, I support your suggestion that, in the future, constables should be assisted by a qualified person. However, the example that you used today is not the best.

**Mr D Hamilton:**

I understand what you are saying, and perhaps the way that it has been brought forward was not the best, but we are saying that the police constable and the veterinary surgeon were wrong. That is the point that we are making. The veterinary surgeon was disagreed with and, in our estimation, was wrong.

**Mr T Clarke:**

The danger is that you are making a recommendation today that a vet should be included in an inspection, but when are you going to agree or disagree with the vet? That is the next problem. I would have to take the vet's evidence.

**Mr Smyth:**

What we are trying to establish is that the vets should be Department vets, with no onus on you, me or anybody else.

**Mr Michael McKay (Canine Breeders Ireland):**

In that particular case, the vet came from a biased point of view. He was gaining financially from it, whereas Department vets do not.

**Mr T Clarke:**

So you want Department vets?

**Mr Smyth:**

Yes.

**Mr M McKay:**

Yes. It is important that that is clarified.

**Mr D Hamilton:**

This is the point that we are trying to get across.

**Mr M McKay:**

In that particular case, two vets within 24 hours —

**Mr T Clarke:**

I do not think that we should go into the case.

**Mr Hamilton:**

We can leave that.

**Mr Molloy:**

How do you distinguish between puppy farms and breeding establishments, because there is an image of puppy farms, and it becomes a label? How does your job as breeders differ?

**Mr D Hamilton:**

We have said before that the term “puppy farmer” is derogatory. The definition of “puppy farmer” is someone who earns money from the suffering of animals. As far as I am concerned, that is already illegal. There is no question of that. Cruelty to animals is a crime. We are licensed breeders, and we represent licensed breeders. We think that it is an overhyped issue. “Backyard breeders” is the new slang term. What is a “backyard breeder”? Even I fail to understand what that means. Are people supposed to keep dogs in the front yard? It does not make sense, and that is why we say that, if you have a licensed breeding establishment, you have a dog breeder. That is what the legislation needs to look at. We will always look at people within this system. We want to make a system that brings people in, and that is certainly the direction in which it seems to be going.

**Mr Molloy:**

Do you see any difference between the breeding of dogs and the breeding of cattle, sheep or other animals?

**Mr D Hamilton:**

They are living animals, and they are bred for profit whether people like that or not. There is no distinction.

**Mr Molloy:**

Do you export animals to England, Scotland and other parts of the world?

**Mr D Hamilton:**

Yes. I am involved in exports of dogs to England, Scotland and around the world.

**Mr Molloy:**

Have you any idea what total that market brings to the economy here?

**Mr D Hamilton:**

The monetary value?

**Mr Molloy:**

Yes.

**Mr M McKay:**

Last year, we dealt with similar matters in the South, and we reckon that, on an all-Ireland basis, it amounts to between €400 and €500 million a year. We reckon that, in the North, we make about 28% or 29% of that. Therefore, the total is around £150 million or £160 million.

**Mr Molloy:**

We dealt earlier with the docking of dogs' tails. Most members of the Committee agree that the cosmetic docking of dogs' tails serves no useful purpose. Do you agree? Do you see any issue with docking or not docking the tails of working dogs?

**Mr D Hamilton:**

Absolutely. We represent dog breeders, and we know from our experience that it is a massive issue. It is very clear that working dogs are at a heightened risk and need to be docked. For pets, it is a different issue, and we see a distinction there. However, we have heard a lot of discussion about the pain, and I think that the suffering caused by a damaged tail outweighs any amount of docking. That is extremely painful. I am confused by the issue because a ban on docking seems to sit nicely with a lot of people. However, for me, the substance of the argument is not there.

**Mr J Hamilton:**

I listened to the debate earlier, and there was discussion about the amount of working-type dogs that are sold for pets and about pups that will be docked for no reason. However, working breeds that we sell to England as pets are not docked because they do not go there to work.

**Mr T Clarke:**

You are all breeders. How much does it cost to get a tail docked? We could not get a definitive answer today.

**Mr Smyth:**

I used to get it done a lot. Years ago, I used to do it all myself. It is the same as docking pigs' tails or taking pigs' teeth out, and it is very simple. The vet charged me £6 a tail when I last had dogs' tails docked.

**Mr T Clarke:**

That is all I want to know.

**Mr Smyth:**

It was very simple. He gave it two jags of a needle, left it a few minutes and nipped it. That was it.

**Mr T Clarke:**

He put two jags into it?

**Mr Smyth:**

Yes.

**Mr T Clarke:**

That is contrary to what we were told earlier.

**Mr Smyth:**

He put one needle in one side and then the other; it was the same way that one takes the horns off a cow or a bullock. He froze it in two places and just nipped it. He mentioned point 1; I think that was on the needle.

**Mr D Hamilton:**

The other question was about the cost of a damaged tail. I heard a report from England — we can repeat these things — that a dog that initially damaged its tail went to the vet and the treatment was to save the tail. That treatment did not work and it became an amputation. The total cost was £500.

**Mr Smyth:**

The figures show that, last year, 16,000 tails were damaged and 5,000 tails were removed. Any working dog should be docked the same as a pig or a lamb. There is no pain involved.

**Mr Beggs:**

You mentioned figures for damaged tails. Where do those figures come from?

**Mr Smyth:**

We got those figures from a fellow in England who was doing a survey. David Hamilton has the paperwork.

**Mr D Hamilton:**

I have the paperwork. The figures came from the Council of Docked Breeds, I believe.

**Mr Beggs:**

Can you submit that information?

**Mr T Clarke:**

We have that.

**Mr Beggs:**

OK. That is helpful.

Do you accept that, in ensuring that those who are involved in breeding dogs do so at a high standard, there needs to be regulation and surveying of what is happening? I know that a person was stopped on the Larne-Cairnryan ferry and was found to have 75 dogs in a car. I expect that there would have been issues with health and breathing and, perhaps, even heat issues. Do you

accept that someone who misuses animals in such a way should not be breeding animals?

**Mr D Hamilton:**

I certainly do. A system is already in place to license the transport of animals. I hold such a licence to transport animals on long journeys, and there is also a licence for short-journey transport. Legislation already exists for the transport of animals. How that person got 75 animals into a car, I do not know. It sounds incredible, but, if it is true, it sounds ridiculously wrong.

**Mr J Hamilton:**

That is absolutely true. Something should be done about that.

**Mr M McKay:**

I remember that case. The fellow that was stopped has been out of the business for a long time since, as you can imagine. However, the reality is that the exporting and transport of dogs must be done to an extremely high standard. Otherwise, no one wants the dogs.

**Mr Beggs:**

OK. What aspects of the proposed regulations for monitoring your establishments go too far?

**Mr D Hamilton:**

In the new Bill?

**Mr Beggs:**

Yes.

**Mr D Hamilton:**

In our experience, the problem has always been the involvement of people whose agenda is other than that of licensing the premises. Someone who is media-driven and who wants to get some excitement going can find things wrong where nothing is wrong. For instance, as far as we are concerned, the introduction of improvement notices is excellent. If an inspector, who, under the legislation, is the proper person to do the job, says that things are not good enough and allows X number of days to fix them, there is a standstill, and the owner has some time to make some adjustments and do whatever needs to be done. Set that against a big newspaper story that everyone is talking about. In that instance, the owner cannot go down to his local pub and his

children are bullied at school. Was there anything wrong or was nothing wrong? Was the person who made the decision qualified to do so? The police constable was the one with the powers, but he was advised by someone else, because he did not know, but he made the decision. It is a nightmare, and it is open to all kinds of problems, and that is what we have got. We can fix it with this legislation.

**Mr Beggs:**

How can you protect the welfare of the animals that you may sell on to individuals who may not have any knowledge of looking after an animal or of what they are letting themselves in for? What training or advice do you give to someone who purchases an animal so that its welfare is looked after beyond the sale?

**Mr D Hamilton:**

As a large-scale dog breeder, I work with other dog breeders in England or Scotland or wherever it may be. I sell to them, and they will sell them to the public in their local area. I know that there are returns policies and that people are given guidance on veterinary paperwork and feed. You must remember that this is a professional industry and there are professional standards. There are basic things that a person has to do to function as a business. Those things are all done for the benefit of the owner. If they are not happy with the dog, they will come back in a few days to return it and get their money back.

**Mr Smyth:**

I sell to the home market. Every dog that I sell is sold with a vet check and a vet certificate before the person receives the dog. When the dog is received, names, addresses and telephone numbers are taken and the paperwork is stamped up properly. That is the way that it is.

**Mr Beggs:**

Some of the information that we have been given appears to be from live files or certainly from statutory authorities. We should check whether we need to expunge some of that detail before submitting it in evidence. I do not want to do anything inappropriate. Perhaps the Committee Clerk could do that for us.

**The Committee Clerk:**

The speaking notes and so on will not be included as part of the report; it will only include what has been recorded by Hansard.

**Mr Beggs:**

I am talking about the attachments.

**The Committee Clerk:**

Those will not be submitted. We only take written submissions.

**Mr Savage:**

You state in your paper:

“we are an industry in need of regulation and guidance, the misdeeds of a few must be dealt with firmly and stamped out so that the decent majority of animal owners might succeed and progress free from restriction or impediment.”

Will you enlarge on that a wee bit?

**Mr D Hamilton:**

Certainly. At the moment, a dog breeder —

**Mr Savage:**

Do you mean that you need more regulation from government?

**Mr D Hamilton:**

As it stands, dog breeder is a dirty name. People think, “Forget about him; he is a dog breeder”. No distinction is made between a licensed breeding establishment and puppy farmers or people who do not do the job correctly. We want the Government to help us to raise the standard and tell people that they can become licensed and regulated and remain in the system. That is how legislation works, and it is how the system should work.

**Mr Savage:**

To raise the standard?

**Mr D Hamilton:**

Yes.

**Mr Savage:**

You can respond to these points together. How do you define a working dog? If there has to be

an inspection, it is a case of no vet, no power. A lot of our councils are tied up in that sort of situation. If a vet or official from the Agriculture Department is not present when the council is called out to a specific case, it is powerless to do anything. What do you define as a working dog?

**Mr Smyth:**

Jack Russels, springer spaniels and terriers can all be defined as working dogs.

**Mr Savage:**

You have no problem with those dogs being docked.

**Mr Smyth:**

No; remove the tails. Take a fine look at all dogs. Any dog that does not have a heavy coating on its tail is liable to damage that tail. The heavy-coated tails of Labradors and golden retrievers will stand an awful lot of abuse. However, any dog that has a fine tail with little cover is wide open to causing itself great harm and pain. That will not happen if the tail is removed. I do not agree with tail docking on cosmetic grounds. We know that a pup or dog can do a lot of damage to children by whipping its tail in the family home. However, if we are to try to refine the practice and do as little docking as possible, only working breeds should be docked.

**Mr Irwin:**

I apologise for not being here for your presentation. I wish to make a point about the powers of entry. There is a farming family in my constituency who also own a shop in the local town. There is a husband and wife, and they are very decent people. Indeed, the wife was sent for an operation in England recently. Police landed at their home along with a dog warden, cut all the locks off the doors, found the dog and took it away. It was deemed to be a dangerous dog, although the family argued that it was a family pet. They felt aggrieved that the powers of entry enabled those people to come in and cut all the locks off the doors. If they had only phoned and said that they were coming out, the family would have given them the dog. However, they came out and cut six or seven locks before they found the dog. They are a very decent family who are not dog breeders. They had that dog as a pet.

**Mr Smyth:**

That dog was classed as a dangerous dog?

**Mr Irwin:**

Yes.

**Mr Smyth:**

Our survey found that there was a massive scam. Some charities were using councils and the police by simply saying that someone had a dangerous dog; it could have been cross-breed or whatever. So, the police would seize the dog, but only the council could prosecute, and one of the charities would hold the dog at a fee of £10.50 a day, which turned into a massive scam throughout the length and breadth of the island.

**Mr D Hamilton:**

It was certainly profitable.

**Mr Smyth:**

That is how we see it.

**Mr D Hamilton:**

I am not sure whether it is covered in the legislation, but, to our mind, a dog is dangerous when it is a danger, not because of what it looks like.

**The Chairperson:**

That would require a separate Bill. We cannot substantiate your remarks here, so, if you do not mind, we will move on.

**Mr Molloy:**

Do you see the councils having a role in regulating breeding kennels, or should the Department do that directly?

**Mr D Hamilton:**

Ultimately, the role must go to the Department. I find it very confusing. To our minds, the Department of Agriculture is the Department of animals, yet it is not responsible for dogs; it may be responsible for one animal but not for another. I cannot understand how that ever came to be or how we can continue to tolerate it.

**Mr J Hamilton:**

Department of Agriculture vets have great experience with animals; they work with animals every day of the week, and that is what they know about.

**Mr D Hamilton:**

It is their field of expertise, so not to use them seems ridiculous. They sit in their offices with everything in place throughout the Province, yet they say that they cannot touch one animal but can touch another. It is completely ridiculous.

**Mr Molloy:**

With respect to the power of entry, the new legislation will not give a power to enter domestic properties. It will apply only to inspecting kennels. Do you want the power to inspect domestic properties to be included?

**Mr D Hamilton:**

That happened in the past, and we would hope that this legislation will help to fix problems like that. We are aware of a case in which that happened; however, once again, we cannot talk about it. It is wrong. We must have people and legislation in place so that everyone knows who to go to. We heard councils giving evidence today, and they must be able to point to the person — a qualified veterinary surgeon and a government employee — who is responsible for doing the job. People will then be able to phone that person and get them to come out.

**Mr Smyth:**

The bottom line is that the responsibility for licensed kennels should go the Department of Agriculture and Rural Development. The responsibility for dealing with people who have, say, fewer than five dogs should stay with councils' environmental health units. However, for breeding establishments, Department of Agriculture vets are qualified people who understand large-scale animal husbandry.

**The Chairperson:**

That seems to be all. Thank you, gentlemen, for your presentation.