



**Police and Crime Plan Priority: Protecting from Harm**

**Title: Animal Cruelty**

**Presented by: Chief Inspector Gareth Mason**

**Purpose of paper**

1. The purpose of this paper is to provide the Strategic Police and Crime Board with an update on the force's response to animal cruelty and other crimes involving animals; including dangerous dogs and wildlife crime.

**Background**

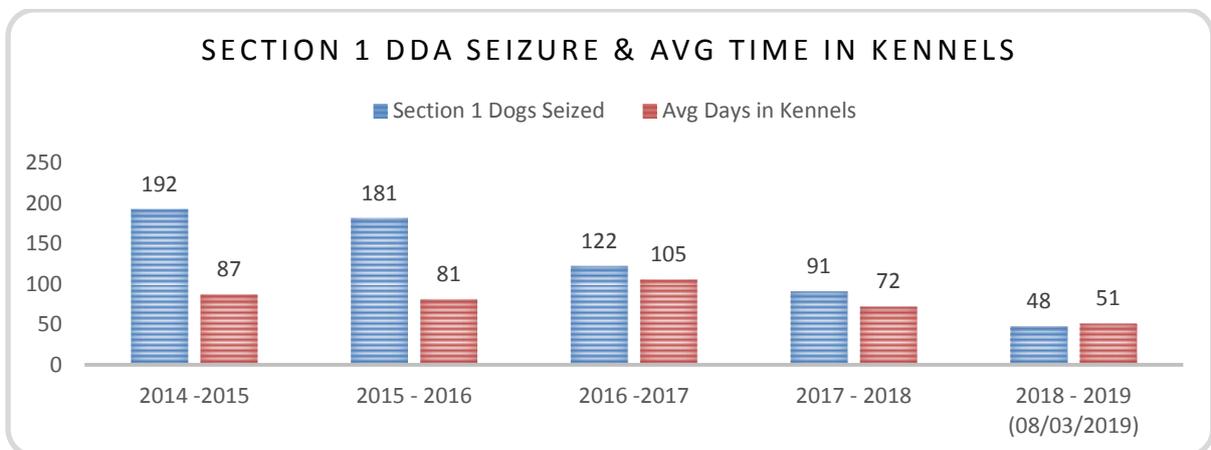
2. The West Midlands Police and Crime Plan 2016-2020 demonstrates the Police and Crime Commissioner's (PCC) commitment to the safeguarding issues arising from the irresponsible ownership of dangerous dogs.
3. Dangerous dogs have historically been investigated across the force by geographically based Investigation teams. This led to inconsistencies in the length of time of investigations, potentially unnecessary seizures and associated kennelling costs.
4. In February 2018 West Midlands Police (WMP), as part of the Effectiveness and Efficiency Review (EER) concluded that all dangerous dog investigations will be owned by the Dangerous Dog Unit (DDU) within the Operations Department. The effectiveness of which will be reviewed in 18 months.
5. Following the recommendation at point 4 two police officer posts have been identified and allocated to the DDU. Ongoing police officer recruitment into the Dog Unit will enable these posts to be filled.
6. WMP DDU is currently comprised of four full time police officers. In addition four Operational Dog Handlers are trained as Dog Legislation Officers (DLOs). Whilst we have a reduction due to retirements and resignations, further DLO courses are planned to provide resilience. The DDU has introduced a series of measures in an attempt to

expedite incidents involving dangerous dogs and promote efficiency and effectiveness. This includes:

- a) A kennelling procurement process to reduce the overall costs for kennelling seized dogs.
- b) A recent meeting with Finance will enable us (for 2019 – 2020 onwards) to separate the costs paid for vet treatment of kennelled dogs from the WMP owned dogs, which will enable improved scrutiny and monitoring.
- c) A matrix system is used to assess the threat and risk a dog poses following an incident and assists in determining whether a dog is kennelled whilst an investigation takes place. Use of the matrix has significantly reduced the number of dogs being kennelled.
- d) Engagement with the Interim Exemption Policy whereby Section 1 dogs (Prohibited Breeds) are returned to owners prior to court proceedings under Section 4B Dangerous Dogs Act 1991 under certain conditions. This is ongoing and assists in reducing kennelling costs. There are no recorded instances of this presenting an increased risk to the public.
- e) Prior to the Dog Unit taking all investigations, they were providing expert advice and guidance to investigation teams, identifying opportunities to expedite investigations which ultimately promotes the welfare of the animal and reduces kennelling costs for WMP.

**Dangerous Dogs Act 1991 (DDA)**

- 7. This section relates to offences of possession, disposal and breeding of dogs bred for fighting; and applies to any dog of the type known as the pit bull terrier and Japanese tosa, and any dog appearing to have been bred for fighting.
- 8. The below chart shows the number of Section 1 seizures and the average length of stay during assessment of the dog. It should be noted that dogs are now being retained for shorter durations than in any time since we have retained records.

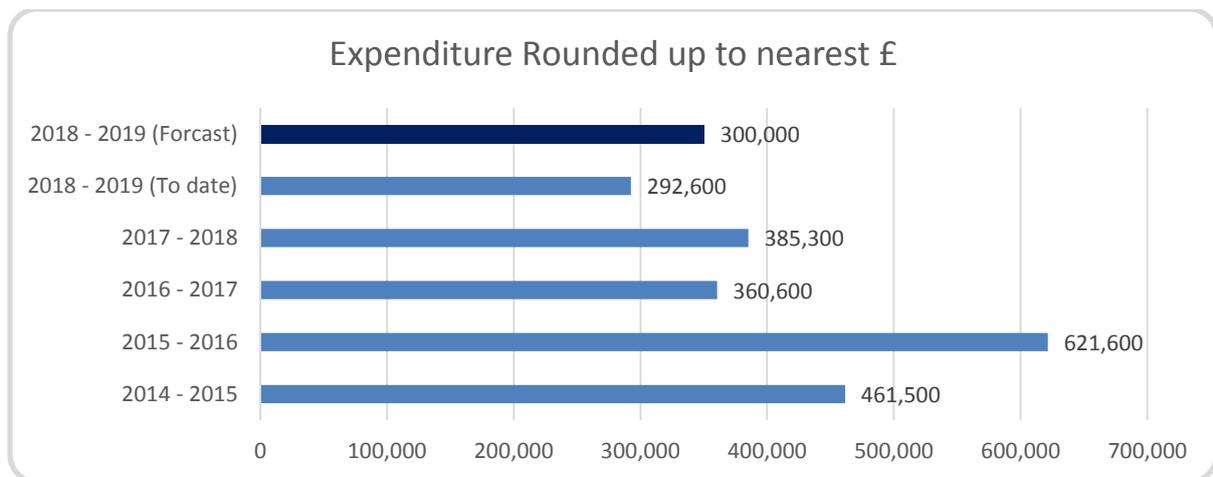


Data collated from DDU IT System "Case Dogs"

9. As can be seen in the above chart there has been a steady decrease in the seizures of Section 1 dogs (predominately “Pit Bull” type) this is due to many dogs being cross bred. Cross breeding masks many characteristics of the “Pit Bull” type which makes it difficult to type the animal as a band breed under this legislation. In addition to this the purchase of legal bull breeds appears to be on the increase such as Cane Corso (Spanish Mastiff). The reduction in average kennelling is directly linked to early interaction in the investigation by DDU officers providing direction and addressing the requirement to retain dogs at kennels.

**Performance**

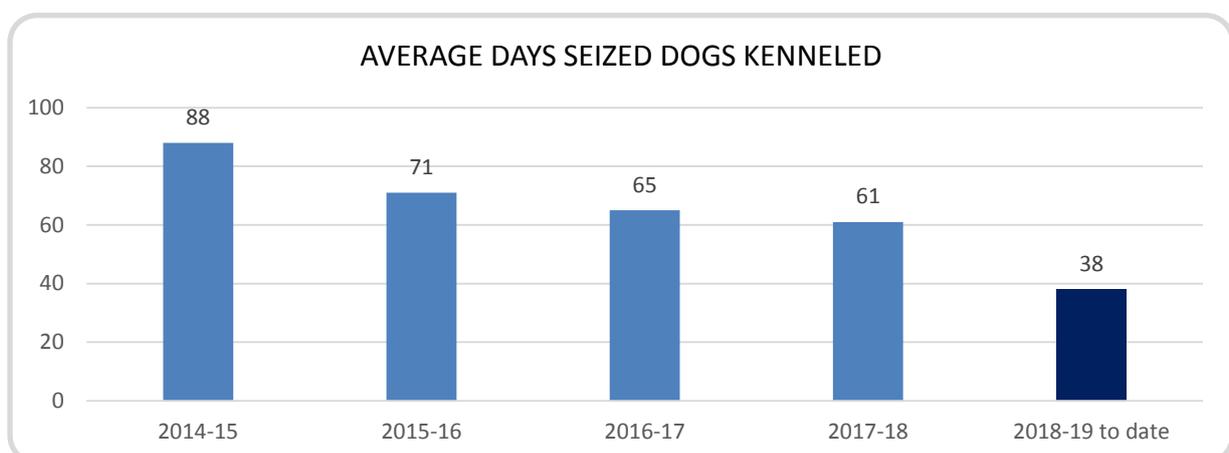
10. The below table displays the Dangerous Dog (Kennelling/Vets) costs for 2014-2019.



*Data collated by Operations Finance – Claire Holloway*

11. As can be seen from the above data we have achieved the lowest spend since records have been kept with regards to dealing with seized Dangerous Dogs. The use of the matrix has given officers the opportunity to allow dogs to remain in situ when previously they would have been seized and kennelled. As a consequence, demand for dog seizures involving the Dog Unit has significantly reduced.

12. The below chart displays the average days seized dogs are kennelled whilst an offence is investigated.

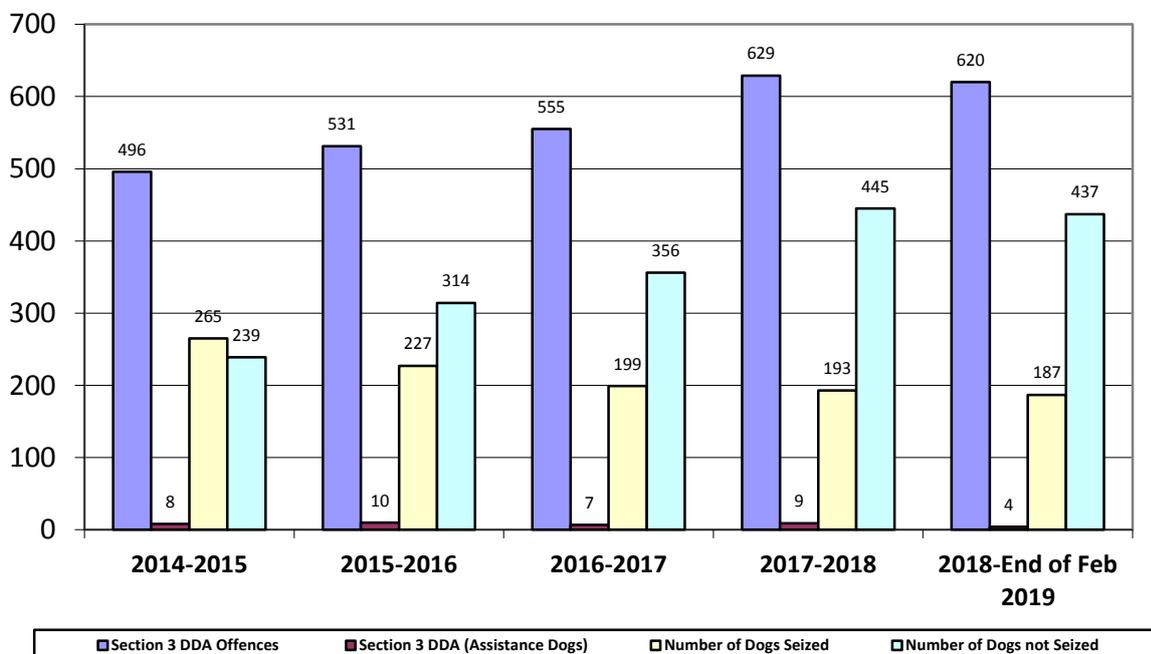


Average days taken from recording to outcome by year where date recorded between 01/04/2014 and 26/03/2018.

13. Kennelling seized dogs for prolonged periods can have a perverse impact on their well-being and exacerbate existing behavioural problems (as reported by the RSPCA, 'The welfare of seized dogs in kennels: A guide to good practice').
14. We have had a year on year reduction in time dogs are kennelled.
15. Discussions are continuing between the DDU and Blue Cross – Animal Charity to produce a “Responsible Dog Ownership Course” in line with the suggestions made by the recent EFRA committee report on Controlling Dangerous Dogs.
16. The DDU are engaging with investigation teams where appropriate advice and direction is given to generate a quicker outcome.
17. The EFRA Committee report recommended following the Metropolitan Police Force model of a having a dedicated court to deal with Dangerous Dog Offences. The DDU liaised with CPS and WMP CJ Services to explore the opportunity to introduce a dedicated court process for the West Midlands regional forces but it was not considered feasible. This will be progressed further in the next financial year with the aim of determining a West Midlands Police area dedicated court.

**Section 3 of the Dangerous Dogs Act 1991 (DDA)**

18. This section relates to offences of a dog being dangerously out of control in any place (private or public). The below chart shows s3 DDA offences 2014 -2019.



Data collated from DDU IT System “Case Dogs” – Offence forecast for Section 3 DDA 2018 -2019 = 680

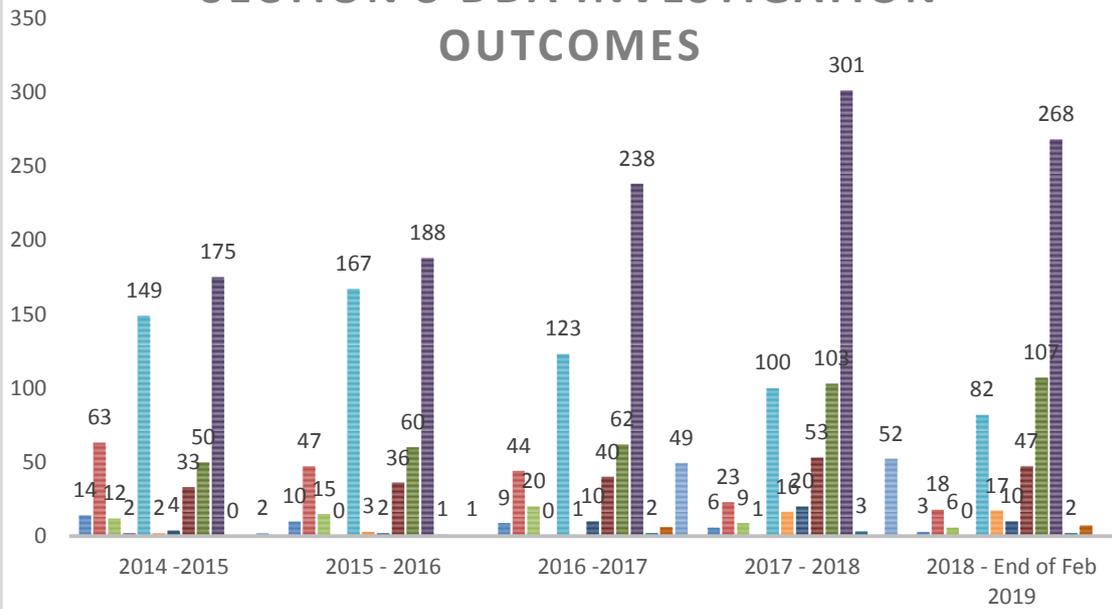
19. As can be seen, there is a year on year increase in recorded dog-related crime offences, with a -1% decrease in the last 12 months (08/03/19). In 2018-2019 total recorded crime

is projected to be 680 aggravated Section 3 DDA 1991 offences which is a predicted increase of 6%.

20. There has been a 3% reduction in the number of dogs seized which continues a downward trend for seizures.

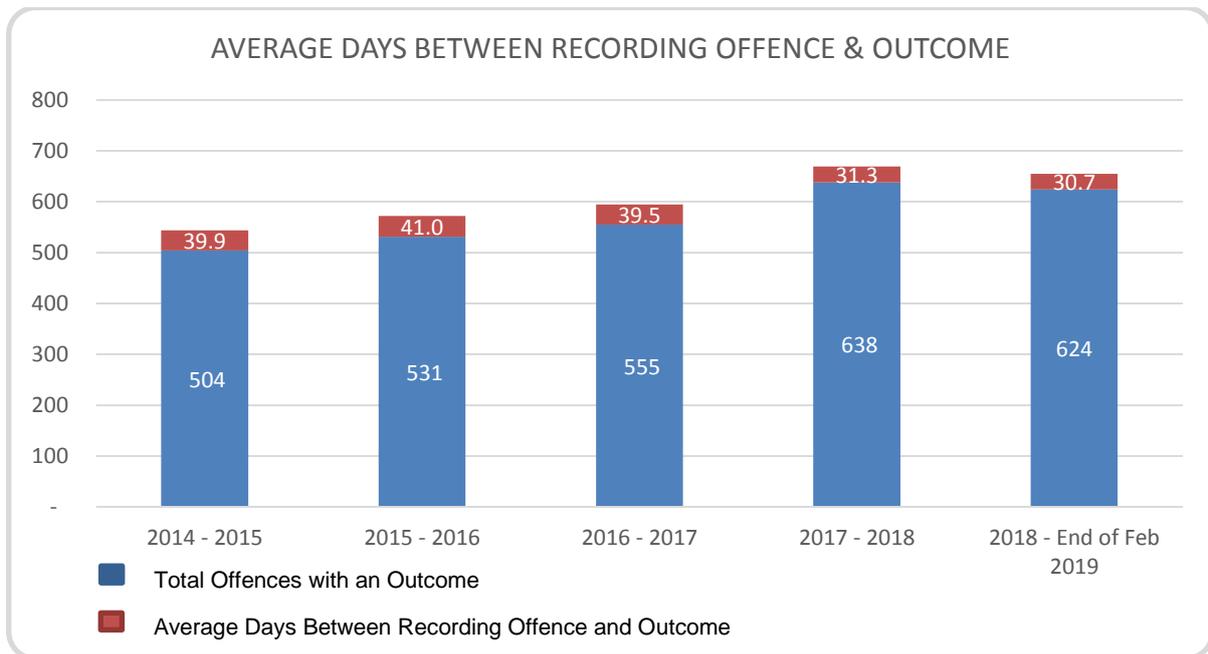
21. The below chart displays all Section 3 DDA investigation outcomes.

## SECTION 3 DDA INVESTIGATION OUTCOMES



- CHARGE OR SUMMONS
- POSTAL CHARGE
- CAUTION - ADULT (INC CONDITIONAL CAUTION)
- THE OFFENDER HAS DIED (ALL OFFENCES)
- COMMUNITY RESOLUTION
- NOT IN THE PUBLIC INTEREST TO PROSECUTE
- NAMED SUSPECT NOT IDENTIFIED UNABLE TO IDENTIFY THE OFFENDER
- NAMED SUSPECT IDENTIFIED: VICTIM SUPPORTS POLICE ACTION
- NAMED SUSPECT IDENTIFIED: EVIDENTIAL DIFFICULTIES PREVENT FURTHER ACTION: VICTIM DOES NOT SUPPORT OR HAS WITHDRAWN SUPPORT
- INVESTIGATION COMPLETE: NO SUSPECT IDENTIFIED
- OTHER AGENCY TAKES PRIMACY
- NAME SUSPECT IDENTIFIED, INVESTIGATION NOT IN THE PUBLIC INTEREST, POLICE DECISION
- OUTCOME NOT ASSIGNED

22. The below chart displays days between recording and outcome of Dangerous Dog Offences.



23. The above data displays that investigation time is being reduced significantly year to date showing 9.2 less days per investigation.

### Wildlife Crime

24. The National Wildlife Crime and National Rural Affairs Strategy has recently been taken over by CC Craig Naylor from Lincolnshire Police.

25. This work is supported by the National Wildlife Crime Unit (NWCU), based in Scotland, who are responsible for the WC& RA strategic assessments and the overview of priorities and intelligence function, as well as providing investigative support to Forces via a small network of trained investigators. Each Force makes a financial contribution of around £10,000 to support the running of the NWCU.

26. All UK Police Forces are expected to contribute to the objectives set out in both strategies. Since 2010, WMP have managed Wildlife Crime matters via a small group of Wildlife Crime Officers (WCOs) under the direction of DCI Gill Davenport. This area of business sits within the Crime portfolio. Approximately 20 officers from a cross section of WMP departments undertake “wildlife crime” duties in addition to their core duties.

27. The West Midlands force area is predominantly urban in makeup and has a relatively low level of demand in relation to Wildlife Crime. WMP focus on a proportionate response.

28. Referrals for WCOs are received in several different ways:

- a) Referrals are received from the NWCU, via the force wildlife leads. These referrals may include intelligence logs for development and investigation, requests for support

- for the (non-warranted) NWCU investigators or requests for activity as part of ongoing National Operations.
- b) Members of the public may contact WMP via Force Contact reporting matters of concern, which will be managed via an Investigation or Neighbourhood team, or by a WCO.
  - c) Non-Government Organisations (NGOs) such as RSPCA, RSPB, Badger Trust or Natural England may contact to report issues. Due to their expertise, these callers are able to direct the nature of the enquiry.
  - d) WCOs self-generated work.
  - e) WCOs are contacted directly by NGOs due to ongoing working relationships.
29. Referrals can include but are not exclusive to:
- a) Concerns for habitats – birds in trees and hedges being felled, issues around building development and the destruction of bat roosts, badger sets and other habitats for smaller animals (newts, butterflies etc.)
  - b) Trapping of wild birds for commercial gain.
  - c) Badger baiting.
  - d) Poaching and lamping, with or without dogs.
  - e) Shooting of wild birds.
  - f) Illegal ownership and trade in protected species (eg. Trade for birds of prey, tortoises).
  - g) Online sales of protected species and animal parts and derivatives (eg. skins, skulls and ivory).
30. In relation to the Rural Crime Strategy, 4 areas across WMP have been identified as having “rural” neighbourhoods – Dudley, Walsall, Birmingham East and Solihull. Each area has identified a ‘Rural Single Point of Contact’ (SPOC) who will assist in delivering against the Rural Crime priorities, including theft of farm machinery, equine matters, livestock theft, fly tipping, fuel theft and poaching.

### **Training and Resources**

31. Bespoke training is sporadically offered to the WCOs via NGOs and specialist trainers. 2 WCOs recently attended a 3 day course to upskill them around offences relating to the illegal trade in endangered species, which is prevalent through online market places. This knowledge will then be cascades to colleagues.
32. A 5 day national Wildlife Crime Investigators Course is offered annually. None of the WCOs in WMP have attended this formal training which costs around £850 per delegate. Funding has previously been refused for this training and given the relatively low referral rate and outside specialist support available to WCOs, a further bid is not currently sought.
33. Both internal and external websites are available offering advice to both WMP colleagues and the public and links on both provide further information around specific matters of

wildlife crime. This also extends to methods of reporting available to the public. Online reporting of wildlife crime is now available.

34. The Police Online Knowledge Area (POLKA) website, provided by the College of Policing and available to all registered staff, also has useful information in relation to the recording and investigation of priority wildlife offences and is accessible to all Force Contact staff. This includes access to Approved Police Practice (APP) information around some wildlife crime priority areas and includes badgers and bats at present.

### **Mapping**

35. There is currently no formal method of recording the majority of wildlife crime nationally as at present recording of most relevant offences classed as Wildlife and Countryside Act matters are not required under the Home Office Counting Rules (HOCR). This anomaly has been raised nationally and is currently undergoing national consultation lead by CC Naylor. There is also no current WMP Oasis incident code or closure code relating to “wildlife crime” which means measuring calls for service is limited.
36. It is therefore difficult for WMP to give an accurate picture of what level of calls for service, or “crimes” are recorded within the WMP boundary. This also hampers any analytical work to assess trends or demand in this area. These issues are not unique to WMP.
37. WMP will seek volunteers to support WCOs. This includes utilising Horse Watch and Rural Watch schemes lead by community groups as well as further developing relationships with NGOs and charities with specific interests, ie Bat Conservation Trust, various Badger schemes and local interest groups.
38. WCOs continue to work hand in hand with Partners to reduce Wildlife Crime on the majority of referrals, utilising their specialist knowledge and resources to educate, prevent and prosecute where necessary.

### **Next Steps**

39. Continue scrutiny of dog kennelling numbers and the duration in order to achieve further cost reduction without increasing risk to the public.
40. The Dangerous Dog Investigation team of 6 officers are to be established and trained to the full requirements of the role.
41. Further DLO training to provide a resilient cohort of officers.
42. Separation of Vet costs to provide separate budgeting for Dangerous Dog treatment against Police Dog treatment. This allows the accurate monitoring of expenses and where costs are being accrued.
43. Contracting and procurement review of kennelling contracts to attempt to drive down costs to WMP.
44. To determine a prospectus and framework for the delivery of the “Responsible Dog Ownership Course”.
45. The business case to separate the Dog Training Centre from the Operational Dog Handling and Dangerous Dogs has been approved by the Force Executive Team and the

restructure is expected to be delivered in May 2019. This change will lead to enhanced managerial support to Dangerous Dogs.

46. Following the restructure, an Income Generation plan for the Dog Unit will be created and presented to the Force Executive Team and OPCC.
47. WMP will continue to work in conjunction with Partners in order to support the national Wildlife Crime and Rural Crime strategies.
48. The board is asked to recognise the findings of this report and is invited to review the force's progress in 12 months' time.

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