

A photograph showing the lower half of a person wearing a tan jacket and cargo pants, walking a black and tan dog on a red leash. The scene is outdoors on a dirt path with grass and trees in the background.

COUNCIL ON ANIMAL AFFAIRS

GETTING OUR TEETH INTO DOG BITES
PREVENTION OF SERIOUS DOG BITES
IN HUMANS AND ANIMALS

SUMMARY

Aims and activities of the Council

The Council on Animal Affairs (*Raad voor Dierenaangelegenheden* – RDA) is an independent council of experts that gives the Minister for Agriculture solicited and unsolicited advice on multidisciplinary issues in the field of animal welfare and health. The Council on Animal Affairs currently comprises around 35 members with very different backgrounds and expertise, who serve in a personal capacity, are independent and not bound by any instructions.

The Council on Animal Affairs deals with issues across the spectrum of public policy on animals: relating to farmed animals and non-farmed animals, in other words those that ‘live in the wild’, to hobby farm animals, to companion animals and to production and laboratory animals.

The Council documents the outcome of its considerations in an advisory report. This gives details of the scientific and social background of an issue and gives advice on policy directions and solution directions for dilemmas. Consensus is not necessary: a Council advisory report can contain minority opinions.

Foreword

In 2013, the Council on Animal Affairs (RDA) published an advisory report on the way in which unacceptable behaviour on the part of dogs and their keepers can be countered. Since then, dogs and cats have been placed as an animal species on the positive list for pets. The Animal Husbandry Decree laid down requirements for the keeping of dogs as pets. However, they have proved inadequate in preventing serious biting incidents.

For that reason, and since public disquiet concerning biting incidents involving dogs has increased rather than decreased in the meantime, the Minister for Agriculture has asked the Council to produce a new advisory report. This advisory report, which is summarised briefly in the present publication, focuses on the biting behaviour of high-risk dogs: can such dogs be distinguished from other dogs and which rules for this category could reduce further the risk of biting incidents?

The Council obtained advice from various experts and organisations including the Royal Association for the Protection of Dogs, the municipalities of Rotterdam and Assen and the Faculty of Veterinary Medicine for this advisory report.

The Council trusts it has thus contributed to a reduction in the number of serious biting incidents involving dogs.

The Hague, February 2017



Pauline Krikke, Chair



Marc Schakenraad, First Secretary

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SUMMARY



RAAD VOOR DIERENAANGELEGENHEDEN

Getting our teeth into dog bites; prevention of serious dog bites in humans and animals

An advisory report requested by the Minister for Agriculture

Question: Is it possible to distinguish between dogs with a high bite risk and other dogs, and how could such a distinction be made between all the various dog breeds and cross-breeds? Could separate ownership rules be drawn up for such high-risk dogs, and if so, what should they entail?

Motivation: Not very long ago, in 2013, the Council published an advisory report on ‘unacceptable behaviour of dogs and their owners.’ Nevertheless, the Minister for Agriculture has again requested advice. ‘This has to do primarily with the fact that many people have observed a rise in the number of incidents involving serious dog bites,’ explains Han Swinkels. He is chairman of the forum which prepared this advisory report. ‘Although this rise cannot be found in hard figures, that is the perception and the same also applies to society’s concerns on this topic. We can also see that this is set to increase.’

Considerations: ‘When drawing up this advisory report, we maintained the line taken in our previous advice since it remains valid,’ says Swinkels. ‘We have therefore looked for ways of building on that advice so as to be able to respond to the greater sense of urgency within society. The question was how to distinguish high-risk dogs from other dogs and what ownership rules could be used to limit such risks.’



Photograph: William Hoogteyling

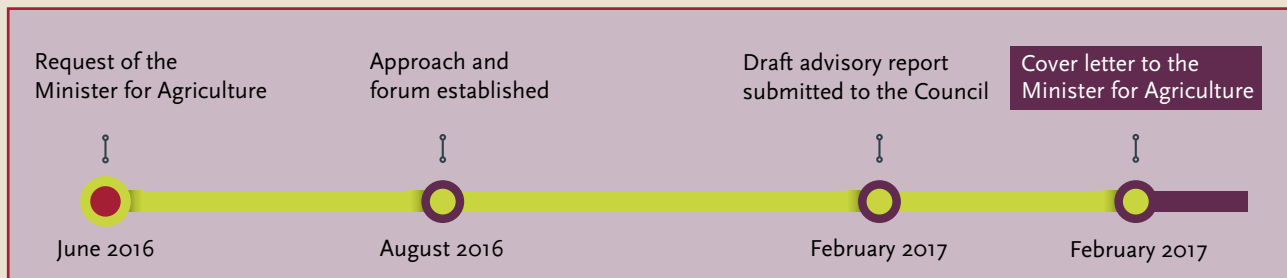
Forum chairman Han Swinkels

The forum chairman explains that we must take care not to stigmatise particular breeds because it is not the case that one breed will bite and another will not. Three parties play a role in every biting incident: the keeper, the dog and the environment. ‘A dog of any breed could be involved in a biting incident. However, an estimate of the risk can be made on the basis of physical and behavioural characteristics such as the structure of the jaw and tenacity.’

On this basis, it is perfectly possible to draw up a list of breeds, cross-breeds and look-alikes, looking in each case at the likelihood of a biting incident and the impact thereof. ‘Those two factors together determine the risk associated with a particular category of dog,’ says Swinkels who, in addition to being a member of the Council, also has a consultancy firm. ‘For high-risk (HR) dogs we recommend ownership rules, on the one hand with a view to reducing the risk effectively and, on the other, also to discourage potential keepers.’ For the first factor, Swinkels cites the mandatory use of short leads and muzzles in areas where dogs run free as examples, and for the second, mandatory euthanasia of the dog the first time it takes part in a serious biting incident involving a human being or another dog.

‘All this is also in light of our conviction that prohibiting certain categories of dog is undesirable. A prohibition has a stigmatising effect, is difficult to enforce and there is also the possibility that it will be counter-productive.’

Recommendation: Have a group of experts draw up a dynamic list of breeds, cross-breeds and look-alikes with a high bite risk, and have that list regularly amended and supplemented on the basis of the latest findings. Draw up additional rules for dogs described as HR dogs for the keeper, dog and the environment as proposed in this advisory report and make observance of these rules mandatory. Implement the advice in the previous advisory report, namely to keep records of serious biting incidents centrally so as to be able to assess the urgency of the problem and the impact of the measures and to be able to amend the dynamic list on a well-founded basis. Ensure there are hot-lines which people can use to report anonymously potentially dangerous situations involving dogs. And implement a welfare-based euthanasia policy, linked to a maximum duration of stay by HR dogs in an animal shelter.



Brief summary of content

- Dogs are important in our society. For example, they provide companionship and entertainment, support us as assistance dogs and guard dogs and are members of the family in nearly 20% of households.
- In principle, people, dogs and other animals should be able to function alongside each other harmoniously. However, there are also examples where things go wrong: where dogs bite people or animals, sometimes causing serious injury and occasionally even death.
- We do not have an up-to-date overview of (serious) dog bites. There is no ignoring the fact that this subject is attracting regular media attention at the moment and in a number of municipalities there are indications that the problem is worsening.
- The absence of a reliable insight into the nature and

scale of serious biting incidents, in particular where other dogs are the victims, does not mean no measures are necessary. Every serious biting incident is one too many. There are good reasons for assuming that serious biting incidents will not be one-off occurrences. This is incompatible with the desired level of protection of people and animals in the Netherlands. The data available, albeit incomplete, and the public's concerns about biting incidents that have taken place are reason enough to propose measures based on a precautionary approach. As soon as new information is available and we have a fuller picture of the nature and scale of the problem - and this is likely to be the case in the not too distant future - these measures will have to be reviewed by the authorities concerned.

- The owner, the dog and the context play a role in the occurrence of a biting incident. The measures should therefore take account of all three aspects.
- The risk of injury and psychological damage as a result of a dog bite, as well as the fear of being bitten depends on the likelihood of being bitten and the impact or potential impact of that bite.
- To limit the risk of a serious dog bite, the Council proposes that a distinction be made between different breeds of dog and cross-breeds: additional measures are justified for 'high-risk' dog breeds (HR dogs), including as part of a policy of discouragement.
- HR dogs are dogs which can cause serious injury. This is because of their strength (jaw structure, musculature) combined with their biting behaviour (low attack threshold, no warnings, refusing to release, shaking).







- The list of HR dog breeds should be a dynamic list. Look-alikes (dogs without pedigree documentation) and cross-breeds involving those breeds will also feature in the list. The list will have to be evaluated every four years.
- The Council is proposing a number of preventive measures for HR dog breeds to limit the likelihood of serious biting incidents.
- For the time being, the RDA is advising against a ban on HR dog breeds because it considers this to be disproportionate. As an evaluation of the Aggressive Animals Regulations (RAD) showed, a complete ban does not have the desired effect.

In light of the foregoing, greater attention needs to be paid to the prevention of dog bites. In broad outline, the RDA is proposing the following measures in order to limit the risks of serious dog bites:

Registration and analysis

- Measurement is the key to knowledge: we need to ensure we are in possession of up-to-date and reliable facts about serious dog bites where people and animals are the target, about the role of different dog breeds and types and their owners and about the context in which serious biting incidents take place.
- The procedure for the identification and registration of dogs should be improved, for example, by stipulating that this should be performed exclusively by a vet. The same also applies to the re-registration of dogs which change owner.

Measures aimed at owners

- We should aim to raise awareness among adults by providing them with information about safe contact between a child and a dog, through specific channels such as midwife practices, child health centres, infant and pre-school childcare centres, primary schools and specialist pet shops. Readily accessible information about breeds, breeders and husbandry aimed at potential buyers of HR dogs should be provided.
- List of HR dog breeds or types: We need a national list of HR breeds and types, look-alikes and cross-breeds. Such breeds of dogs are not necessarily dangerous, but may be more inclined to offend in sub-optimal breeding and husbandry circumstances and, if they bite, have a high impact. Additional measures for such dogs are desirable. With the aid of a group of experts, a national list of HR breeds, look-alikes and cross-breeds should be prepared in a responsible and clear way.
- Readily accessible information about responsible breeders, breeds and husbandry aimed at potential buyers of HR dogs should be provided. Based on



that information, people will be able to assess properly the risks and responsibilities associated with any of those breeds.

- A HR dog should be kept on a short lead in public places and muzzled when in areas where it is let off the lead. Municipalities could consider imposing an area ban for HR breeds or issuing an order requiring
- muzzles to be worn in specific areas.
- The keeper of a HR dog should be obliged to take measures to ensure that the animal remains on the keeper's own property at all times.
- The owner should complete an obedience course at an approved dog school with every HR dog he or she owns.

Measures aimed at the dog

- In addition to orders requiring a dog to be muzzled or kept on a lead and the other measures aimed at prevention, the RDA also recommends that HR dogs which have bitten people or other dogs with serious injuries or death as a result be euthanised automatically: One strike and it's out.
- An adequate and where possible nationally aligned euthanasia policy, part of which includes a maximum duration of stay in a shelter for the HR dog in the interest of the welfare of the dog concerned should be put in place.
- It is recommended that the present behaviour test (TOP) be developed further so that it becomes a test which demonstrably guarantees the safe homing of dogs.

Measures aimed at the environment

- Members of the public should be able to report dangerous situations involving dogs easily and anonymously, preferably within their own municipality. Reports should be passed on quickly and accurately to the police so that the owner of the dog can be contacted in order to discuss dangerous situations and to prevent any worsening of those situations.
- Municipalities are advised to declare a ban on keeping animals and/or an exclusion order for owners of HR dogs which have twice been involved in a biting incident.
- Municipalities are also advised to create the possibility to declare an exclusion order for HR dogs in a protected area.
- A number of municipalities has already laid down specific accommodation requirements and measures for HR dogs. The RDA recommends that all municipalities do the same, include standard wording in

their General Municipal By-laws and share best practices. The Council believes that municipalities have sufficient measures at their disposal to be able to discourage the acquisition and keeping of HR dogs.

- In Section 425(1) of the Criminal Code, which currently reads: 'A person who sets an animal on a human being or who does not restrain an animal under his supervision when it attacks a human being', the words 'human being' should be replaced by the words 'human being or animal' in the final part.



Photograph: Lectoraat

Appendix

Parties involved in the preparation of this advisory report

This advisory report is a product of the full Council on Animal Affairs (RDA). It was prepared by a forum composed of RDA members Dr H. Hopster, J.Th. de Jongh, H.M. van Veen and Dr J.W.G.M. Swinkels (chairman). The role of secretary to the forum was performed by M.H.W. Schakenraad and G.H.M. Vosseveld.

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