



**Ministerial Statement to the
House of Assembly
by the Minister of Health, Seniors and Environment
The Honourable Jeanne Atherden, JP, MP
On 22nd May, 2015**

RESTRICTED / PROHIBITED DOGS

Mr. Speaker, as recent events demonstrate, the issue of restricted and prohibited breeds of dogs is an emotive one. This Government is sensitive to this fact and it is for this reason that I appointed a canine advisory committee to consider what, if any, changes might be made to our approach to these breeds of dogs and the ability of people to own and breed them.

Mr. Speaker, the recent matter is the subject of a continuing investigation and as such I will not comment on it specifically but through this statement will attempt to remind Honourable Members and the public of the pertinent issues that are connected to this area in a general sense.

Mr. Speaker, the relevant statutes vest the discretion in the disposal of prohibited breeds in the Director of Environmental Protection. As a matter of policy, where a person is found to own a prohibited breed of dog, there is no objection to the owner of that illegal dog exporting the dog from Bermuda prior to the Department becoming involved. In fact, this has previously been encouraged and this has been confirmed in public statements when this issue has previously arisen.

For purposes of license recordkeeping, it is useful for the Department to know of any dog being permanently *moved* overseas. However, no person requires the

permission of the Bermuda Government to export a dog. It is important to note, **Mr. Speaker**, that some destinations require the Department's endorsement of travel documents. The owner of an illegal dog seeking to export the animal must be mindful of the following points:

- Airlines have their individual policies regarding transportation of animals. Most airlines do not accept animals (as luggage or cargo) during the heat of the summer or the cold of winter. The exact dates that airline restrictions come into place is determined by the airline and the expected weather conditions along the planned route. Travel that involves connecting flights is more problematic.
- Some airlines do not accept dogs of specific breeds.
- The pit-bull type dog is prohibited in several jurisdictions and owners should ensure their dog will be accepted into the destination chosen.
- The receiving party should be made aware of any behavioural issues or aggression displayed by the dog prior to agreeing to accept it.
- Once the Department has seized an illegal dog, the option to export is no longer the owner's choice; as I indicated previously, the law vests the discretion in the Director of Environmental Protection.

Mr. Speaker, the Department has determined that it is simply impractical and unworkable to offer export of seized dogs for reasons that have grown out of past experiences. There are "lessons learned" in this area. Some of them include:

- The illegal animal becomes a burden on the public purse (to feed, clean, care and liability for injury) for extended periods of time, which have lasted upwards of 8 weeks, while persons search for a new home to accept their animal. These expenses are caused by the offender's choice to acquire an illegal dog, yet are not recoverable from the offender.
- Prolonged kenneling of the dog is stressful and unfair to the animal, especially for the protracted periods of time owners have taken to act.
- The Department becomes the 'culprit' when forced to bring these matters to a close after several weeks,

- Owners become demanding upon the Department to feed special diets or to accommodate visitations, all based around the owner's wishes.
- Seized animals have been the subject of numerous break-ins and attempted break-ins at our kennel facility. Even when break-ins were unsuccessful, the building was left in need of expensive repairs. These events raise concerns about the safety of our officers.
- Persons/Owners have literally 'camped out' at the kennel facility to be close to their seized animal. Having persons loiter about the kennel also raises concerns about officer safety.
- In general we are speaking of dogs that are of a prohibited/restricted breed, and thus a dog about which the Bermuda Government already has concerns. There is a responsibility (perhaps liability) upon the Government to ensure that the animal being exported poses little/no unreasonable risk to those receiving it. That is a responsibility we cannot take lightly, and is a responsibility that cannot be satisfied with a simple temperament test.
- Airline policy (as explained above) leads to inconsistent resolutions of cases which, although not rooted in Government policy, make Government appear inconsistent. The Department simply cannot hold animals waiting for the weather and circumstances to become favourable for transport.

Mr. Speaker, the Animal Wardens have an enforcement function. Once an illegal dog is discovered, Wardens must enforce the law; seizure must occur. This Government understands that this is an emotive issue and some people favour the export of illegal dogs, but it must be recognized that this option is burdensome in many aspects as I indicated earlier.

Mr. Speaker, if an owner wishes to export his/her illegal dog, the guidelines I have provided can assist in that being done **now**. Waiting until authorities arrive at your premises to begin thinking about this option will be too late.

Mr. Speaker, I would further remind this Honourable House and the public that receiving illegal animals is an offence. Dogs may be legally obtained via importation under permit; from the SPCA or from a licensed breeder or seller. A legal dog from a local source would come with a registered microchip and a license.

Mr. Speaker, for the reasons I have outlined and pending any changes recommended by the advisory committee, the existing policy remains in force and will be applied as sensitively and fairly as possible. This Government wants the people of Bermuda to enjoy their pets and enjoy all of the benefits that come from dog ownership. There is a balance to be struck in this area and we are committed to doing so, putting the safety of the community first.

Thank you, **Mr. Speaker.**