

Report on	Consultation response on additional protection for service animals in Northern Ireland
Date of Meeting	5 th July 2021
Reporting Officer	Fiona McClements

Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	The purpose of this report is to provide Members with information on the recent consultation launched by Department of Agricultural & Rural Affairs (DAERA) on 17 th June 2021. This consultation seeks views on a proposal to strengthen protection provided to service animals in Northern Ireland. It is aimed at those stakeholders who work with service dogs and those who have an interest in animal welfare. The list of consultees is not, however, meant to be exhaustive and responses are welcomed from anyone with an interest in or views on the matters covered by this consultation paper.
2.0	Background
2.1	Councils, members of the public and a number of Animal Welfare organisations have been invited to respond to this consultation on the proposals for the introduction of Finn's Law to Northern Ireland. The law is named after Finn, a police dog in England who was stabbed whilst pursuing a suspect with his Police handler. Finn sustained serious stab wounds to the chest and head and initially thought unlikely he would survive. Subsequently, the Animal Welfare (Service Animals) Bill, also known as Finn's law was passed by Westminster in June 2019 to protect service animals such as police dogs and horses. The law prevented anyone who attacked or abused a service animal from claiming self-defence. Before this law, someone accused of causing suffering to a service animal could justify their actions by claiming self-defence.
3.0	Main Report
3.1	Service animals often need to restrain suspects or use their physical presence to support the actions of an officer acting in accordance with his or her duty. In Northern Ireland, there is, however, currently no account taken of the role performed by service animals in the Welfare of Animals Act (Northern Ireland) 2011. By introducing this legislation in Northern Ireland similar to Finn's law, it will make it an offence to harm or abuse service animals.
3.2	Therefore, it should make it more straightforward to prosecute under the Welfare of Animals Act (Northern Ireland) 2011 for the offence of causing unnecessary suffering to a service animal. Under the proposed change, an attacker will no longer be able to inflict suffering on a service animal and claim that they were

3.3	<p>simply protecting themselves. Changing the law in this way should also act as a serious deterrent to those who think that they can harm these animals without repercussion.</p> <p>The new proposed legislation is to be welcomed as the proposed legislative change will ensure that the law demonstrates sufficient regard for the vital role that service dogs play in protecting the community in Northern Ireland and that they are provided with the same level of protection as they are afforded elsewhere in the United Kingdom. In relation to enforcement of the legislation, it would be hoped that this would naturally fall to the PSNI to enforce as the majority of service dogs are under their remit.</p>
4.0	Other Considerations
4.1	<p>Financial, Human Resources & Risk Implications</p> <p>Financial: N/a</p> <p>Human: It is requested that enforcement of this legislation would fall to the PSNI.</p> <p>Risk Management: N/a</p>
4.2	<p>Screening & Impact Assessments</p> <p>Equality & Good Relations Implications: N/a</p> <p>Rural Needs Implications: N/a</p>
5.0	Recommendation(s)
5.1	<p>It is recommended that the Council responds to the online consultation in support of the new legislation to protect service dogs in advance of the response date of 1st August 2021.</p>
6.0	Documents Attached & References
6.1	Appendix 1 – DAERA Consultation Paper
6.2	Appendix 2 – List of consultation questions with proposed response