

**#FinnsLaw**

November 2016

Thank you for supporting #FinnsLaw.

#FinnsLaw will be debated on Monday 14 November 2016 at 16:30, in Westminster Hall.

This is an amazing achievement, and we believe marks a significant step towards changing the law to offer better protection to Police Dogs and Horses – but it's important that we all know it's the first step of many.

### **What is the debate and how has it come about?**

The #FinnsLaw Debate has been scheduled by the Petition's Committee of the House of Commons. The Debate has been scheduled in response to the petition #FinnsLaw promoted with a view to starting an important public debate.

While Parliament cannot vote to change the law on 14 November, the important issues raised in the run up to, during and after the debate can, and we believe will, lead to Government seriously reviewing the law.

### **What could a Government review lead to?**

With very few exceptions, the reality of the UK Parliamentary system is that Government must introduce a Bill proposing Primary Legislation; or Amend an existing Act, or bolt on any reforms to other Legislation going through the Parliamentary process.

While Opposition Day Motions and Private Members Bills have led to changes in the law, those occasions are very rare – many thousands fall by the wayside due to a lack of Parliamentary time or because it is simply not supported by Government whose party, or occasionally parties, have a majority of MPs in the Commons.

We believe therefore that the Debate on 14 November, and all efforts either side of it, must be focused on asking MPs to Lobby the Government.

### **Can Police Dogs and Horses really be granted the same status as Officers as the petition calls for?**

In our opinion, it is unlikely. The #FinnsLaw team campaigns only to **offer better legal protection for Police animals who are attacked or killed**. Currently the law regards the worst attacks as criminal damage. We believe this to be an offensive term and out of line with public opinion.

## **What do we do next?**

The #FinnsLaw team will continue to engage with the Government, politicians from all parties and Policing stakeholders.

It is vital that you write to your MP and ask them to support #FinnsLaw.

## **How do I find my MP?**

If you don't know who your MP is, you can find them by entering your Postcode on Parliament's website <http://www.parliament.uk/mps-lords-and-offices/mps/> or via [writetothem.com](http://writetothem.com)

Many MPs are fully connected to social media like Facebook and Twitter. We would absolutely encourage you to contact them through all platforms, but we ask that you also write them a letter. Many MPs tell us the physicality demonstrates the time a Constituent has taken to write to them.

Write to your MP via:  
House of Commons  
London SW1A 0AA

## **Is there a pre-written letter we can send?**

No. While it is very common for lobbyists and campaigners to write form letters for people to print and send, we know that most MPs take exception to them.

The small team at #FinnsLaw are all volunteers, with different life experiences, and world views. We believe strongly that it is simply offensive to describe killings and serious attacks on Police working animals as **criminal damage**. If you agree, then it is really important that you use your own words to tell your elected MP what you think, and why you think it. We recommend a maximum length of one A4 page. We feel confident that supporters of #FinnsLaw will be clear, concise and respectful in all communications.

## **Ok, but we need facts**

Facts are more limited than we would like because General Purpose Police Dogs in particular are kicked and punched every day in the UK. Usually these attacks are not recorded due to the very high threshold needed to charge criminal damage or animal welfare offences. This means most offenders do not have to answer for their actions – and therefore the deterrent is next to non-existent.

We have however produced a briefing document, which you are welcome to share, along with your letter – but please, tell your MP that the document has been produced by the #FinnsLaw team.

## **Briefing Document - #FinnsLaw**

This document has been produced by the #FinnsLaw team to give MPs, politicians and other interested stakeholders a brief outline of the campaign.

1. #FinnsLaw was created on 10 October 2016 following the stabbing of Hertfordshire Police Dog Finn, and his Handler PC Dave Wardell, on 5 October. The campaign sought to raise a Debate in Parliament with a view to achieving stronger protection in law for Police Dogs and Horses. Parliament's Debate on 14 November means our early aim has been achieved.
2. #FinnsLaw is staffed by a small team of volunteers. Our initial aim was to drive people to a Government e-petition <https://petition.parliament.uk/petitions/168678> which calls for Police Officer Status, for Police Dogs and Horses, *who are attacked and killed in the line of duty*. 10 days later, the petition breached 100,000 signatures.
3. The #FinnsLaw team does not take any view on whether Police Dogs or Horses should be granted Officer status. In our view, this is likely to prove unrealistic. Instead, we believe the current law does not reflect the serious nature of attacking these animals. We believe there is a compelling case for change.
4. We are aware that in 2014, the Government responded to a similar petition: <https://petition.parliament.uk/archived/petitions/57585> . While #FinnsLaw agrees that any additional offence would demonstrably be likely to lead to more prosecutions. We submit that existing Statutory instruments are not sufficient to address most incidents and therefore, they fail to act as a deterrent.
5. **Currently, the only charging mechanism for those who attack or kill Police Dogs or Horses is S4 Animal Welfare Act 2006** <http://www.legislation.gov.uk/ukpga/2006/45/section/4> which (as a Summary Offence) carries a maximum 6 months in prison. Or, for the most serious cases, **Criminal Damage Act 1971** <http://www.legislation.gov.uk/ukpga/1971/48> which is an either way Offence.
6. In reality, the very high threshold of evidence required for criminal damage and animal welfare offences, (kicks, punches and physical harm), means, in most cases, this behaviour cannot be punished.
7. In order to prove criminal damage, the Crown must show that the "property" [dog or horse] has been deliberately, or recklessly broken, permanently or temporarily. Bruises and cuts, which cannot usually be seen under an animal's fur, would not be sufficient evidence alone of criminal damage. Similarly, the threshold for charging the minor S4 Animal Welfare Act is high. The Crown would need to prove that the

offender inflicted “unnecessary suffering” and did so deliberately. Merely claiming they hit out because they were scared means a prosecution would be unlikely.

8. Mark Tasker is a recently retired Dog Handler from Hertfordshire Police: “The truth is that our dogs are attacked on a daily basis. Punches and kicks are very common, but they’re not usually recorded because we know the law doesn’t recognise this as a problem. As a Police Dog Handler of 26 years, I still cannot believe that we ask these wonderful animals to protect us against criminals, but we do not protect them when they get injured. Attacking any working dog is wrong – but Police Horses and Dogs face attacks each day, simply because they are Police animals.”
9. Even the most serious cases of attacks on Police animals are not treated as seriously as we suggest they should be. For instance, in R V Jones 2014 <https://www.west-midlands.police.uk/latest-news/news.aspx?id=4485> where an offender smashed up a cab with a hammer, and attacked a police dog, he was Sentenced to two years custody. In R V Suleiman 2008 <http://www.dailymail.co.uk/news/article-1098543/Thug-jailed-stabbing-police-officer-dog-arrest.html> , an offender was jailed for nine years after stabbing a Police Dog Handler and his Police Dog. The CPS initially did not want to charge for the attack on the police dog, because of the substantive offence against the Officer.
10. The average cost of initial training of a Police Dog is around £20,000 and the lifetime cost, including vet bills, food, kennelling and other support is around £50,000. Each force estimates vary, but we have canvassed, and taken an average. When a dog is withdrawn, even temporarily, the financial cost is huge, as is the effect on stretched police resources.
11. We would like to see a very specific offence that would enable the Crown to prosecute offenders who kick, punch, or otherwise attack or kill a police animal. We believe they deserve better protection than property. Moreover, we submit that the existing Legislation makes it impossible to prosecute the vast majority of people who attack Police animals.

We put these animals in harm’s way to protect us, in the name of the law. Surely the time has come for the law to protect them?