3.5 Deputy R.J. Rondel of St. John of the Chairman of the Comité des Connétables regarding the imposition of fines for dog fouling offences over the past 3 years:

Would the Chairman advise the Assembly whether there have been any fines imposed for dog fouling offences over the past 3 years under the Policing of Roads (Jersey) Regulations 1959, as amended, and, if so, what fines were levied and, if not, what action, if any, does the Comité propose to take to address dog owners who fail to pick up their dog's mess, particularly around the town area?

Connétable J.L.S. Gallichan of Trinity (Chairman, Comité des Connétables):

Replies from the Parish to date indicate that no fines have been imposed on dog fouling offences over the past 3 years under the Policing of Roads (Jersey) Regulation 1959, amended. But it has been discussed on numerous occasions by the Committee. I think the question was asked in this House in March 2010 by the former Deputy of St. John - now the Connétable of St. John - asking the Minister for Transport and Technical Services regarding what action would be taken to deal with this. It is not an easy matter, as one can imagine. The Committee noted that the support of both members of the public to identify offenders and the members of the Honorary Police would be needed to bring a prosecution. Maybe I could read a note that was sent back by the Parish of St. Saviour: "While it is obvious to the eye that fouling is taking place it is impossible to prosecute a dog owner without actually witnessing the dog defecating and the person in charge blatantly failing to pick up the mess." I know the Deputy is in St. Helier, unfortunately it happens throughout the whole Island and one must do whatever we can to stop this. It is not a very pleasant thing to see to the eye and I think we are still fortunate in this Island, if one goes across to the Continent there it is even worse. It is quite undesirable to walk on some of their pavements at time and hopefully the general public will take notice of this question and try to keep their habits clean.

3.5.1 Deputy R.J. Rondel:

I do appreciate it is a difficult situation to try and prove a problem but would the Chairman accept that it is becoming an increasing problem and it must be dealt with?

The Connétable of Trinity:

I would not; I think dog owners are responsible people. There are various things that happen with dogs faeces, some people decide to pick it up and put it in a bag but then have the bad habit of just throwing it in the tree alongside the hedge or the road they are walking on, which is even worse than leaving it there for nature to decompose it. It is a tricky one. We would love to see it. I think most dog owners are responsible and I disagree with the Deputy. In fact, I was quite amazed that he mentioned it earlier. I walk St. Helier many times, obviously not the same roads as the Deputy has walked along, and I find the Parish is very clean.

3.5.2 Deputy J.A. Martin:

I think there is a hint in the question. This law is a Regulation 1959 and the Constable talks about prosecution. Is it not about time the Constables got together… on the spot files, photographs: that would be a deterrent. I am very sorry if the Constable thinks they are all responsible dog owners. I do agree that it is only the few but a few dogs' mess is quite a lot. It really just needs updating and people… we have the Honorary Police, we have parking officials, we have wardens in St. Helier. They probably have them in the country. There are lots of people. We need to update this law, it

can be done through the Constables. If not, maybe it should be done through Home Affairs, but it should not be relying on a law that is about as old as me.

The Connétable of Trinity:

It was updated in 2010, the fine is £200 now. It was recently updated.

3.5.3 Deputy T.M. Pitman:

The Deputy is like a dog with a bone to this. I would like to ask the chairman, would he possibly consider reactivating the former Deputy Le Claire's idea of having increased dog toilet facilities? Would that help the problem?

The Connétable of Trinity:

Obviously it is down to each Parish. If you go into the countryside and up to certain areas where people do walk their dogs, there are bins for dog mess to be placed in. Now whether the Parish of St. Helier would decide that is one of those things they would wish to have, I would say it is down to the Connétable and the parishioners to push for that. The Committee is obviously 12 Connétables. Each Parish would deal with their own problems in a different way but I appreciate the question from the Deputy and I hope that if you remember the first question that Deputy Rondel asked, it was about what was the Treasurer doing about the lack of water in the reservoirs. After he asked that question it rained for the whole of December **[Laughter]** so hopefully this question will sort out the dog mess.

[10:15]

3.5.4 Deputy M. Tadier:

Does the Chairman acknowledge that essentially this is a policing matter and he has portrayed it as being something which is very difficult to police, which I am sure it is to a certain extent. Controversially, should it not be left to the police rather than to politicians who like to masquerade as police, and let them do their job? Does he also not agree that it cannot be that difficult to, if a policeman on the street sees somebody whose dog fouls it does not take rocket science for him to go up to that person and say: "Either pick that up or you are getting a fine."

The Connétable of Trinity:

The question was, how many fines have been administered in the last 3 years. Deputy Tadier may be correct but I must say I am pretty sure that if everyone ... maybe the Deputy should try walking behind all their parishioners then saying: "Well, I saw your dog, I would like to take you to court now", I am sure that maybe there might be a few voters at £200 a time. But I have tried to keep on a serious note on this. It is not an easy one for the Comité. I think it is down to everyone and every individual who is a dog owner to be responsible people, and I would leave it there.

3.5.5 Deputy J.A. Martin:

Again, it is sort of touching on what Deputy Tadier said because the Constable of Trinity said each Constable makes his own laws. If I am leaving my house, I am leaving from St. Saviour. I am walking along Havre des Pas in St. Helier and I cross the road and I am in St. Clement. If my dog does something in all those 3 different Parishes I should be under one law and I should know what is going on. I think the Constable is making too big a thing out of this. It should be an on the spot

fine. I do not care if it is £200, £100 or £50, and it is something the Constables should get together and it should be uniform across each Parish.

The Deputy Bailiff:

Is there a question?

Deputy J.A. Martin:

The question is that will they look into this again. It is obviously not working. There has not been a fine in 3 years. There is somebody getting away with a lot of dog's mess.

The Deputy Bailiff:

Thank you, Deputy. Will you look into it again, Connétable?

The Connétable of Trinity:

Yes, we will look into it.

3.5.6 Deputy R.J. Rondel:

Thank you, Constable, but the volume of emails and comments I have had in support of the problem, he mentioned he did not think it was a massive problem, but it obviously is and what I am particularly concerned about is the streets, which he does not obviously walk, is around the schools, such Rouge Bouillon, going up to Le Pouquelaye, and what really is concerning me is the health problems that could occur with young children walking into schools. I believe that there has been some situations where children do walk in and go into school with dogs' mess on and it is a serious problem, and I think we have to address it. He mentions he walks the streets ...

The Deputy Bailiff:

Is there a question coming?

Deputy R.J. Rondel:

Will he agree to re-look at this and possibly impose on the spot fines?

The Connétable of Trinity:

I cannot impose on the spot fines. It has to be a decision made by this Assembly and for policing. But I am sure the Connétable of St. Helier sitting behind me, he has heard the Deputy's concerns and maybe he can address his problems in St. Helier.