

HOW THE CATS JUMP

The state of affairs in the approach to cruelty
to and neglect of animals

Summary



Beke *reeks*

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Hoe lopen de hazen?

**De stand van zaken in de aanpak van dierenmishandeling
en dierenverwaarlozing**

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How the cats jump

The state of affairs in the approach to cruelty to and neglect of animals

Increasingly in recent years animal welfare increasingly has become a focal point. In an attempt to enforce animal welfare more successfully, the government has developed an approach in which various parties work together. Late 2011, the animal police was introduced and a special report line for animal welfare opened: report line 144. The animal police and report line 144 constitute the primary line and the first links in the follow-up of reports regarding animal welfare. To streamline this process, collaboration agreements were concluded between the main animal welfare organisations. Arrangements for the enforcement of animal welfare are recorded in the Animal Welfare Collaboration Agreement (*Convenant Samenwerkings Dierenhandhaving*), an enforcement agreement; arrangements regarding animal aid are set out in the Animal Aid Agreement (*Convenant Dierenhulpverlening*).

By order of the Scientific Research and Documentation Centre (*Wetenschappelijk Onderzoek- en Documentatiecentrum*) of the Dutch Ministry of Security and Justice (*Ministerie van Veiligheid en Justitie V&J*), Bureau Beke carried out an evaluation of that approach. The main question to be answered in this study concerned (the development in) the nature and scope of cruelty to and neglect of animals and the state of affairs in the collaboration on safeguarding animal welfare. To produce a clear picture of this, desk research and a survey were done, 47 representatives of the parties involved in the approach were interviewed and 30 files of animal welfare cases were studied; the researchers also went along on two enforcement shifts and registered data of several parties involved in animal welfare were analysed. In this summary, the main findings from these research activities are presented. First of all, the effectiveness of report line 144 is discussed. Then, an overview is provided of how the enforcement arrangements have been given shape and form in practice and where bottlenecks arise. Subsequently, it is set out how animal aid is organised and how the situation in practice translates into the various parties' registered data on animal welfare. The summary ends with some concluding observations.

Report line 144

In November 2011, report line 144 was opened for reports on cruelty to and neglect of animals. The report line was lodged with the Dutch National Police Unit (*Landelijke Eenheid van de Nationale Politie*). In 2013, the National Police developed working instructions for the registration of and follow-up of reports. Based on a flow chart, the operators of 144 are taken through a number of choices, in the end to reach the correct party (back office) to which to relay a report. Depending on the type of report, reports may be passed on to an enforcement party (the Dutch National Police, the Dutch Food and Consumer Product Safety Authority (*Nederlandse Voedsel- en Warenautoriteit NVWA*)) or an emergency service (the fire department, animal rescue or the Dutch Society for the Protection of Animals (*Nederlandse Vereniging tot Bescherming van Dieren NVBD*)). In accordance with the working instructions, the operators of 144 cannot accept anonymous reports – these may be relayed to Crimestoppers NL (*Meld Misdaad Anoniem*).

The respondents agree that the central report line for animal welfare is a good thing. Since the start of report line 144, the number of reports on animal welfare has increased; by now, it has stabilised. The fact that there have been no new campaigns to promote the existence of 144 may be an explanation for this.

Although the report line has resulted in a clearer picture of animal welfare cases, it has not become the central desk, as was originally intended. After all, partners such as the National Police, the Inspectorate of the Dutch Society for the Protection of Animals (*Landelijke Inspectiedienst Dierenbescherming LID*), the NVWA and the emergency services also receive reports about suspected animal suffering through other channels.

The quality of report line 144 has noticeably improved in the course of the years, or so the chain partners believe. Operators are better trained and quality assessments are conducted, which translates into better-quality reporting to the partners. However, the situation is not ideal yet. Although the report line has undergone a quality boost, chain partners mention a number of bottlenecks related to the assessment and coordination of reports. Sometimes, these are passed on to the wrong partner or to several partners at the same time. In addition, an operator's assessment of a report depends on his or her expertise: uniformity is not always achieved. Another problem is the lack of relevant information in reports, or the fact that reports can be received late. Further professionalisation of the process and the operators may solve these issues.

The operators of 144 miss the Animal Welfare Expertise Centre (*Expertisecentrum Dierenwelzijn EDW*). Thanks to the EDW, the report line was able to make a flying start in 2011 but since the EDW was abolished in 2015, report line 144 has missed its specialist back-up. As it happens, also other chain partners

miss a national expertise centre where substantive expertise about animal welfare is bundled and decisions are made on a central level.

A problem observed by the operators of report line 144 is that, after they have relayed reports to the control room or the service centre of the National Police, they lose control of the case because the recipient party makes a new assessment of the report. Because the operators in the control room and the service centre have no specialist knowledge about animal welfare matters, occasionally reports may be misassessed or not followed up after all. In addition, to enhance and safeguard their expertise the operators need more feedback about the outcome of their reports from the chain partners.

Chain partners agree that further professionalisation of the report line is important. Under what organisation the report line might be best lodged is not deemed as important as the fact that the line should become properly embedded and that its operators have sufficient knowledge on animal welfare.

Enforcement

The organisations that have enforcement tasks in the area of animal welfare are the National Police, the NVWA and the LID. The enforcement agreement contains generic agreements on the division of tasks between those enforcement partners. It is set out therein, for example, which party should act in response to what type of report or situation. A distinction is made between situations that do or do not require emergency aid, and between categories of animals.

The agreement is based on the principle that the National Police constitutes the primary line for reports on pets and animals kept on a non-commercial basis that come in through 144 and that secondary support is provided by the LID or the NVWA. Besides being the first party designated to intervene in the event of an emergency, the policy is also the first point of call in the event of minor offences involving pets or animals kept on a non-commercial basis. In such cases, the police are the first to investigate on site and, where necessary, to act in their criminal law capacity. In addition, the police may ask the LID for specialist information and administrative law intervention in regard to the categories of animals mentioned.

In (non-emergency) situations concerning farm animals and commercially held animals, the NVWA is the right party to intervene, either in an administrative or a criminal law capacity. According to the agreement, the LID and the NVWA should support each other where needed or in case of a lack of manpower. An added task for the police is to support the enforcement partners where the safety of the inspectors might be at risk.

The settlement of animal welfare cases under criminal and administrative law has been assigned to the Dutch Public Prosecution Service (*Openbaar Ministerie*)

OM) and the Netherlands Enterprise Agency (*Rijksdienst voor Ondernemend Nederland RVO*), respectively. In the Dutch Animals Act (*Wet Dieren*), a criminal law approach is preferred in cases of cruelty to and neglect of animals. Using the Assessment Framework, the OM has formulated a policy in elaboration of the expediency principle. Significant indicators in this respect are the severity of the offence, the chances of conviction and the supply of cases. The main point of departure in this assessment framework is that in regard to animal welfare cases, an administrative law approach is to be preferred over a criminal law approach. With a view to good collaboration the enforcement agreement stipulates periodic consultations between the partners on an operational level on the initiative of the police, as well as annual consultation on the policy level.

First and foremost, both the Ministry of V&J and the Ministry of Economic Affairs (EZ) are involved in the approach on animal welfare. For the chain partners in question, this creates a lack of clarity about who is in charge and who should be contacted in regard to animal welfare enforcement. Effectively, the Ministry of EZ is in charge of the rules and regulations concerning animal welfare and of compliance therewith, for example through supervision and administrative law enforcement. The Ministry of V&J is in charge of criminal law intervention.

The animal police

Since the enforcement chain was first set up, a significant change of course has taken place in the National Police. Instead of the intended 500 full-time animal police officers, the current ambition is to have at least 180 job focus holders (*taakacc-enthouders* TAHs). This change of course has caused a stir in the National Police but also among the enforcement partners. The present stage is one of transition, during which the new staffing plans for the animal police are still being drafted. The new development memo (*Inrichtingsplan*) of the National Police (2012) provides for the TAHs to be allocated to the basic core teams (*Robuuste Basis Teams* RBTs) and for the positions, roles and hours of the TAHs to be allocated per unit. A standard definition of the TAH is lacking; as a result, there are regional differences between units but also inside units. A TAH in one district may spend a smaller or greater percentage of his/her hours on animal welfare than a TAH in another, for example, and this may vary from zero to one hundred percent. In some units, also full-time animal officers are still active. In the National Police as a whole, good geographic coverage by TAHs is expected because the TAHs work inside the RBTs. However, there are also concerns about this model. Respondents of the National Police but also of chain partners fear that the continuity of report follow-up will be jeopardised since the TAHs can only spent a limited proportion of their hours on animal

welfare. The present TAHs indicate spending nearly two thirds of their hours on animal welfare; for most of them, this suffices.

In addition, there is a fear that knowledge will be lost; also, dilution of the network is anticipated since TAHs are likely to be less easy to reach because of night shifts and emergency work. On their level of expertise there are great differences between TAHs in the current situation – there is a need for and a necessity of nationally organised further education for TAHs, besides their regular training.

Preconditions that enable continued police follow-up of primary line reports are capacity, quality and resources; moreover, that animal welfare cases are taken seriously in the prioritisation of matters in the RBTs. In view of the expectation that the TAHs will no longer be able to deal with all the animal welfare cases (directly), respondents feel that all police officers should be made very aware that animal welfare is a real police task that in principle, anyone should be able to follow up. In that way, natural back-up for the TAHs is created. Some units perceive a primary advisory role for the TAHs in the RBTs in this regard, with colleagues able to consult them on animal welfare issues. The team chiefs, but also the TAHs, will then be tasked with making others aware of the parts they play and the expertise they possess.

Collaboration

In practice the collaboration between the enforcement partners works generally well. Nine out of ten TAH respondents are satisfied about this. The cooperation between the TAHs and the inspectors of the LID is more intensive than that between the TAHs and the NVWA. In conformity with the arrangements in the agreement, this is also self-evident since the police and the LID together are in charge of a different category of animals than the NVWA. Depending on the region and the individual enforcers, communication lines between partners may be shorter or longer and they may work together less or more often. Whereas the cooperation between the police and the LID is of a bilateral nature, that between the NVWA and the police is more unilateral. The police and LID will rely on each other for checks to be conducted, for example, whereas the NVWA may request the police's assistance on occasion, in matters where the safety of an inspector may be at risk.

Reflection on arrangements

Where the arrangements in the enforcement agreement are concerned, chain partners believe that first of all, some of these are superfluous. This applies where, for example, other provisions already prescribe who is in charge of following up emergency aid and also to things that do not belong in an agreement, for example a

provision that consultation should take place. By law, the police are the designated party in charge of following up emergency aid; in practice, the police also take this on. Cooperation is impossible without consultation and in practice, consultation takes place when needed rather than at the prescribed frequency.

Secondly, according to the chain partners the agreement lacks a number of other things. Since the municipalities play an important part in enforcing animal welfare, the Association of Netherlands Municipalities (*Vereniging van Nederlandse Gemeenten VNG*) should be a partner to the agreement. Its role is mainly in the areas of shelter and nuisance; if the municipalities are effective there, this will help enforcement; moreover, this is in line with their remit. Municipalities are in charge of public policy and safety and have a mandatory custodianship of at least two weeks. This means that animals that are suspected to have had an owner should be kept in custody for two weeks. Another thing the chain partners miss is a clear information agreement; this is considered important in view of the exchange of information between government organisations and private parties – think of exchanging confidential police information, for example.

In their reflections on the agreement the partners mention in third place that the arrangements are not always clear and sometimes even hamper cooperation. On paper, the tasks are specifically divided: what party follows up the primary and secondary lines; who is in charge of which categories of animals. In practice, however, this is more complicated. In addition, the agreement partners lack a description of how to really work together. In practice, the distinction between commercially and non-commercially held animals and pets sometimes leads to discussions that delay the follow-up of a report, since none of the parties may feel responsible and there is no one in control to make the final decision. It is important to note that the collaboration partners are taking action to provide more clarity in their operational agreements.

It turns out that the arrangements concerning primary and secondary lines are causing rigidity in the collaboration. If the police cannot follow up a report immediately, it is sometimes left on the shelf longer than necessary. In practice, people deal with this type of situation in various ways. In some regions, with a view to animal welfare, a chain partner will be the first to follow up the report – against the arrangements provided – to relieve the police. In other regions, the division of tasks is observed more strictly; the secondary line partners bide their time. The result is that the continuity of report follow-up is at risk, and the chain partners become competitors. In their own words: the enforcement partners would prefer a more flexible collaboration, where at any given time, reports are followed up by whoever is best equipped and has the time to deal with them. It is also important that one party is clearly in charge, to make decisions in situations where it is unclear who should take action.

Proactive conduct

Besides safeguarding animal welfare, the agreement partners have the duty to work proactively where animal welfare themes are concerned. Although this duty is observed to some limited extent, proactive detection often stagnates at the National Police. Reasons for this are a lack of time on the part of the TAHs and a lack of capacity in the criminal investigation units, but also the lack of a central controlling party by which orders may be given for a focus on specific themes. Despite the fact that proactive investigations have been launched insufficiently as yet, there have also been some successes as a result of a joint proactive approach by the police and collaboration partners.

Case settlement

In conformity with the Assessment Framework of the OM, the chain partners mainly act under administrative law. Generally speaking, the idea is that if a situation can still be remedied, this should be attempted, and that only where this cannot succeed or help, the criminal law path should be followed. Where rules and regulations in the context of animal welfare are concerned, the Animals Act has been in effect since 1 July 2014. The Animals Act has replaced the Health and Welfare of Animals Act (*Gezondheids- en welzijnswet voor dieren*) and a number of other acts with rules on keeping animals. In the Animals Acts, in cases of cruelty to and neglect of animals, criminal prosecution is preferred. Once the public prosecutor announces that criminal prosecution is waived, and also no proposal for a settlement is made, an administrative fine can be imposed.

In 20 out of the 25 files that were studied, in which it had been decided that some intervention was necessary, an administrative law settlement followed. In five of those matters, also criminal law action was taken; in the remaining five, exclusively criminal law intervention was decided on. The individual assessment of the enforcers always plays a part in the choice for a specific type of intervention. Some TAHs will more readily process matters under criminal law than others. As a rule, the added value of an administrative law approach – i.e., that the situation for the animal is remedied, and costs are recovered from the owner – has increasingly become the more obvious choice for TAHs.

Collaboration with the RVO in the context of administrative law interventions is going well. Generally speaking, this is true also for cooperation with the OM. A bottleneck that chain partners experience in regard to the OM is that the OM cannot always offer or does not always have available sufficient expertise on animal welfare. There is no standard ‘animal officer’ everywhere, which is experienced as a lack.

The quality of the animal welfare files submitted to the RVO and the OM has improved. Although the RVO has successfully invested in this for the chain partners, the reports of the police still show little uniformity in terms of their content and structure – something that would benefit their quality.

A new development faced in this area is the guideline about finding animals. Think of the presence of a dog in the house of a suspect who is taken to the police station, for example, or a parrot in a home vacated by the municipality. For a number of years, the RVO arranged for such found animals to be taken in – they stopped doing this on 1 January 2016 because of the rising costs, and based on the fact that it is not the RVO's task to shelter animals where animal welfare is not an issue. This means that the institutions that are usually responsible for found animals now again have that explicit responsibility; (in principle) they cannot rely on the RVO's 'courtesy' in that respect. The RVO's change of course is leading to unrest in the field; not so much because the parties involved believe this was a bad decision but because it was made unexpectedly, and has left the institutions at a loss about how they should act.

In conclusion

In summary, one could conclude about the course of enforcement that what the signatories to the agreement intended – to make agreements about the division of tasks, about collaboration and about the exchange of information – has been partly achieved. Cooperation between the chain partners is generally successful, although this depends on the region: in some regions, there are short communication lines between enforcing parties; in others, they barely know each other.

The division of tasks, collaboration and the exchange of information have improved but there are also bottlenecks, which seem to ensue from superfluous arrangements that complicate the situation in practice, from the fact that some arrangements are lacking, and from others that are not always clear. In particular the rigid arrangements concerning the primary and secondary lines were mentioned in this respect.

Aid

The following parties have committed to the aid agreement: the NVBD, the Royal Netherlands Veterinary Association (*Koninklijke Nederlandse Maatschappij voor Diergeneeskunde KNMvD*) and the Netherlands Animal Ambulances Federation (*Federatie Dierenambulances Nederland FDN*). The arrangements set out in this agreement relate to aid for animals found injured or lost in the public area. The purpose of the agreement is to improve and professionalise the existing network of animal aid and to come to a network with nationwide coverage behind report line 144.

One of the arrangements in the agreement is that a network of animal ambulances with nationwide coverage and 24/7 accessibility is realised. In addition, quality requirements should be developed for the animal ambulances and schedules should be drawn up for ambulance trips to animal shelter facilities. Finally, uniform and nationwide arrangements must be made in regard to the organisation of veterinary aid. Collaboration requires consultation between the parties, to take place twice a year, or so the agreement prescribes.

More organisations than those mentioned in the aid agreement are involved in animal aid. The aid field consists of animal transporters, shelter locations, veterinarians and volunteer organisations that work for animal welfare. The purpose of the aid agreement is to professionalise the existing network of animal aid organisations to build a well-functioning network with nationwide coverage behind report line 144.

Animal transport

No national overview of animal transporters is available. Nationwide, there are dozens of organisations that use animal ambulances for animal transport. Report line 144 has a list of around 120 animal transporters that may or may not be affiliated to organisations such as the NVBD, Stichting Dierenlot, the FDN and Stichting Dierkeur. Animal transporters work on a voluntary basis but are compensated for costs incurred; this is arranged with the municipalities.

Between the umbrella organisations for animal transport, Stichting Dierenlot, the NVBD and the FDN, no arrangements have been made about which transporters cover which areas. As a result, there is some overlap in some regions and in others a shortage of animal transport organisations. The latter is true in particular for the north of the country and the provinces of Zeeland and Brabant. In the field, there is a need for unequivocality and national management where the division of working areas is concerned.

In an attempt to achieve professionalization of the field through the development of quality requirements for animal ambulances, Stichting Dierkeur was formed. Stichting Dierkeur has developed a quality mark for animal ambulances to which at present 22 animal transport organisations have committed. The quality mark that has been developed is being opposed for various reasons. Animal transport organisations find the quality mark too expensive and too demanding. Not all organisations, or so they say, are able to meet the 24/7 demand, for example. Besides Stichting Dierkeur and with funding from Stichting Dierenlot, another quality mark for animal transport has been developed: the national animal ambulances quality mark (*Nationaal Keurmerk Dierenambulances NKD*). This quality mark focuses on different aspects than the Stichting Dierkeur quality mark; moreover, the NKD is free of charge for the animal transporters. In practice, effectively

an impulse has been given to the professionalisation of animal transport – for now, however, there are several different quality marks. At present, a collaboration is sought in which the two quality marks can supplement each other. The parties in question have expressed the wish for better management by the relevant Ministries of EZ and V&J in this respect. Both these ministries are signatories to the aid agreement.

Animal shelter

Also for animal shelters, a nationwide network should be realised. There are sufficient shelters in the Netherlands, one third of which is affiliated to the Dutch Federation of Animal Shelter Organisations (*Nederlandse Federatie Dierenopvang Organisaties NFDO*) and one third to the NVDB; one third of the asylums works independently. Whereas in conformity with the agreement, report line 144 has an overview of a large part of the animal transport organisation, there is no schedule of routes to the shelter organisations. For now, this has not been organised at a national level in conformity with the arrangements in the agreement.

The need for quality requirements that applies to the animal ambulances also applies to the animal shelter organisations. Late 2015 the NVBD took the initiative to develop a quality mark for pet shelters, the 'Keurmerk Opvang'. There are costs involved in obtaining this quality mark and, as is true of the ambulance quality marks, there is resistance against it. The (mostly volunteer) shelter organisations find the costs too high and believe that the requirements were not drawn up independently – as such, the shelter organisations see the quality mark as unfair competition. Concern was expressed that only the larger shelter organisations will be able to survive, the consequence of which is that travel times to the shelters becomes longer.

In addition to the NVBD's quality mark for shelters, also the NFDO and Stichting Dierkeur intend to develop a quality mark for shelters. As with the quality marks for animal transport, this will result in several quality marks for animal shelters.

Collaboration

Collaboration between the aid partners varies strongly from one region to the next. In some regions, clear arrangements were made with the municipalities about responsibilities; in others, this is not as well-organised. The VNG might play an important central part in this.

There is friction in the field between the organisations that are supported by the government and the volunteer organisations that depend entirely on donations, contributions and the municipalities. This discord in the area of aid makes it difficult to come to nationwide agreements everyone may be expected to observe.

Veterinary aid

In conformity with the agreement, the KNMvD in cooperation with other aid organisations should make uniform, nationwide arrangements for veterinary aid. This has been provided in by the drafting of a uniform ‘veterinary statement’ for vets: a form that vets can use to report on incidences of cruelty to and neglect of animals. Not all vets are aware that this form exists.

Besides the veterinary statement, the KNMvD has developed a reporting code for cruelty to animals for vets. The reporting code offers the vets information on how to act in cases of cruelty to animals. National arrangements for the costs of veterinary aid were not launched successfully, partly because of fragmented municipal policies and different levels of expertise. The result is that the vets usually end up bearing the costs.

In conclusion

To conclude the intended nationwide, well-functioning network of animal aid organisations has, for now, not been achieved: the field of animal aid is still fragmented. Although gradually, the enforcement partners have created good collaborations with animal ambulances, vets and shelter locations on a local level, the great diversity in animal aid organisations is generally considered a complicating factor. In other words, good cooperation requires considerable investments of the partners in question.

One of the reasons why a nationwide, well-functioning network has not been realised may well be the competitive nature of the partners in the field and the lack of central guidance and management. The perception in the field is that the organisations get in each other’s way and the arrangements in the aid agreement for a sector organisation to be set up, to coordinate the field, have failed. An advantage of mutual competition is that this may raise quality, if only good collaboration arrangements are made.

Quantitative developments

Statistics on animal welfare matters offer a greater insight in the scope of the problem. Apart from the registrations regarding animal welfare cases, data from the enforcement and aid parties provide a picture of the way in which matters are handled and of the costs of the approach used.

National Police

With the introduction of report line 144 and the animal police late 2011, the number of reports started to increase considerably. In the first year after 144 and the animal police had been introduced, the number of registered incidents related to animal welfare increased by 38% (from 46,000 in 2011 to 64,000 in 2012) and from

that moment until 2016 this figure has continued to fluctuate slightly at around 65,000 registrations annually. The conversations on and reports to report line 144 have followed the same pattern. In the first year, the report line was called over 140,000 times; in the years following, the number of phone calls received by 144 fluctuated around 110,000. The number of reports concerning animal welfare ensuing from those calls has seen a positive development in the course of the years. In the most recent years of report line 144 most calls resulted in a report, which indicates that 144 is increasingly called for more serious matters. Although nuisance calls (jokers, unintentional callers, wrong numbers) to the report line are still a major problem (about 30% of calls), they are less frequent than in the early years. Reports of over a third of the calls are passed on to animal ambulances or emergency aid. About one in ten calls goes to the (animal) police and 2% are immediately transferred to the NVWA.

OM

In the same way that the police have received a larger influx of animal welfare cases since 2011, also the number of cases received by the OM has grown. The number of animal welfare cases received by the OM went up by 20% between 2012 and 2014. Where in 2012, this still concerned some 3,000 cases a year; this became over 4,000 in 2014. In terms of criminal law, animal welfare cases are usually concluded with a fine or community service order. One in three cases was dismissed. An analysis of the penalties imposed seems to indicate that these have become slightly higher over the years. This is true in particular of the fines; on the other hand, the hours of community service decreased between 2012 and 2015.

LID

The statistics of the LID clearly show that from 2012, there has been a change of course from criminal prosecution to administrative law settlement of animal welfare cases. Where in 2010 the LID processed nearly two in three cases under criminal law, in 2014 that proportion was around one tenth. This means that the LID settles the overwhelming majority of cases (88%) under administrative law. In conformity with the division into categories of animals between the partners in the enforcement agreement, the LID files mainly concern pets.

NVWA

In the registrations of the NVWA, an increase of 47% in the reporting is visible between 2012 and 2015. In 2015 the NVWA received almost 2,700 reports concerning animal welfare. In the same period, there was also a considerable increase (80%) in the number of well-founded reports. As does the LID, the NVWA largely intervenes in the administrative law sense, in conformity with the Assessment Framework.

RVO

The increase in the number of reports concerning animal welfare matters is also reflected in the statistics of the RVO. Between 2012 and 2015 the influx of cases more than doubled. Settlements whereby a term to remedy matters is imposed were chosen more often than emergency administrative enforcement or administrative fines. The preference for administrative solutions is reflected in the fact that the number of animals seized under criminal law was halved and the number of animals taken into custody under administrative law has increased. Between 2012 and 2015 the number of criminal cases was reduced by over 40%. Administrative law settlement does not by definition lower the costs for the RVO: although fewer animals are concerned, the costs for animals taken into criminal law custody have gone up. This may be explained by the fact that animals remain in custody longer if they are difficult to relocate; also, costs are incurred to render them eligible for relocation.

In conclusion

It may be concluded that from 2011, the number of reports/cases in the context of animal welfare has increased in all the organisations concerned. In recent years, the number of calls to report line 144 has remained largely the same, although more and more well-founded reports are made. Also at the police, the number of registered incidents relating to animal welfare has gone up considerably since 2011, although the number has stabilised in recent years. The number of settlements by the OM has increased by some 20% since 2011. Statistics of the LID and the NVWA reflect a clear change of course from criminal to administrative law. This is in line with the Assessment Framework, in which a preference for administrative law intervention was expressed. Finally, also the results of the RVO show a clear increase in the number of cases, which has more than doubled.

Concluding observations

All findings considered it may be concluded that much has happened in the field of animal welfare since the start of report line 144 and the animal police. Parties that did not use to work together were able to find each other more in recent years; chain partners are proud of having started a new form of collaboration that up to then was not present.

The arrangements on which the collaboration, both in enforcement and in aid, is based are recorded in agreements. By now, these agreements have expired; the agreement partners anticipate the next step. The findings in this evaluation may be taken into account in choosing that next step. The chain partners expect any lack of clarity about the collaboration to be removed in the revised agreements. These should comprise arrangements needed for cooperation, which should also be pro-

moted therein. In addition, the magic word both for enforcement and aid cooperation is ‘direction’. The involvement of both the Ministry of V&J and the Ministry of EZ in the two agreements and the lack of a sector organisation for aid, create a lack of clarity about who may be held accountable and who should give direction; as a result, coordination, of the collaboration and otherwise, is sometimes lacking. The Ministry of EZ is in charge of the NVWA, the LID and the RVO and as such, determines the prioritisation and division of tasks in those organisations. In addition, the Ministry of EZ is involved in the NVBD and Stichting Dierkeur. The Ministry of V&J bears responsibility for the OM and the National Police. Ultimately, the local authorities are in charge of the police; as such, they determine what the police do. Accordingly, it is important to involve those local authorities in directing collaboration and coordination.

The focus that was put on animal welfare by the introduction of 144 and the animal police has clearly led to an increase in the number of reports concerning animal welfare. The theme has become more alive to citizens but also to the professionals. Another significant result of the collaboration is that the balance defined in the Assessment Framework has clearly shifted to administrative law, focused on remedying the animals’ situation. That is already an important step in the approach to animal welfare cases.

A point for attention is that citizens and partner organisations but also police officers sometimes think that the animal police no longer exists and that this also means that report line 144 is no longer there. Continuing on the path that has been chosen therefore requires good and structural communication.

In the course of this study, various respondents asked whether it concerned the key tasks discussion at the police. From the Dutch Lower House, a wish has been expressed for stock to be taken of the police’s non-core tasks. The question is which tasks that do not belong to the police’s primary responsibilities actually take up relatively much time and capacity, and how those tasks might be carried out better, smarter and more efficiently. In the Ministry of V&J’s progress report of 31 August 2015 it is mentioned that before the summer of 2016, the Ministry of V&J, the Ministry of EZ, the National Police and the LID will consider whether the police should remain the primary line organisation for all cases of possible cruelty to and neglect of pets. We attach great value to stressing that the current study has a different purpose and purport than the question about the (non-)core tasks of the police.

This leaves unprejudiced that the study into the two animal agreements has yielded several findings that, when combined, should result in further discussion. The main outcome is that currently, the larger majority of animal welfare cases are settled administratively. Administrative law intervention is also the point of departure for the approach, whereas the police are the primary line organisation and

only intervene under criminal law. Fast coordination with the LID has become an absolute must that, in practice, does not always work well because the police have other priorities, so that its transferrals to the LID may more or less dry up; alternatively, cases may stay on the shelf too long. Because of this, the arrangements in the agreement sometimes work counterproductively, or so the experiences of the parties involved show. Findings indicate that the primary-line task the police should take upon itself may hamper the cooperation partners' flexibility. This is not in the interest of animal welfare. Regional differences are great, because the actual tasks imposed on the TAHs may differ from one unit to the next.

The study also shows that animal welfare matters are specialist work. For the benefit of adequate intervention by the police and other organisations, the expertise in question should be properly safeguarded in the RBTs. The police constitute an indispensable link in the enforcement and aid chain. It is important that the police are able maintain their expertise on animal welfare, to maintain the network and as such, to remain a reliable partner. The enforcement agreement was drawn up in the light of the ambition to appoint 500 full-time animal police officers to be the primary line. The political decision to scale down from 500 full timers to 180 TAHs requires another look at the arrangements that were made at the start of the process.



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