

Guidance Regarding Dog Attacks

Dog Attacks Of Any Kind – Mid Sussex District Council do not deal with this type of complaint – you should contact the Police in the first instance.

Dog Bites/Dog Attacks:-

Dog bites/dog attacks which occur in public places can be investigated by the Police as there are laws which require owners to control their dogs in public.

It's against the law to let a dog be dangerously out of control anywhere, such as:

- in a public place
- in a private place e.g. a neighbour's house or garden
- in the owner's home

The law applies to all dogs. For more information please go to <https://www.gov.uk/control-dog-public>

If A Dog Attacks You, Your Dog, Or Another Animal:-

If a dog attacks you, your dog or another animal, you should report the incident to the Police. If the attack is on your dog or another animal and you are told by the Police that nothing can be done, get an incident number and the contact details of the Dog Legislation Officer (DLO) for that area. DEFRA advises that every Police service should have a trained Police DLO, but if this is not possible, every Police service must have agreed procedures in place to gain access to a Police DLO in order to facilitate this guidance.

The DLO should be someone who:

- is trained in dog law
- understands how to identify a banned dog.

The DLO must be able to act as a single point of contact for anyone investigating dog-related crimes.

The Police may pursue your case under Section 3 of the Dangerous Dogs Act 1991 (DDA) and a court could judge that a dog is dangerously out of control if:

- it injures a person, or
- behaves in a way that makes a person worried it might injure them - even if it's in the dog owner's own home or garden, or
- it injures another animal, or
- the owner of the other animal has reasonable apprehension that they could be injured if they tried to stop the dog attacking their animal.

Any person found guilty of owning a dog that is dangerously out of control may face a fine of up to £1000 and/or imprisonment, and may be banned from owning a dog in the future, however, it is important to realise that the DDA tends only to be used in the most serious of cases, and so therefore it is vital that another piece of legislation, Section 2 of the Dogs Act 1871, be considered at the same time -

particularly in cases where a dog attacks another domestic pet or livestock. A complaint should be made, and under Section 2 of the Dogs Act, civil proceedings brought before a Magistrates' Court. This can be done by the Police, local authorities, or individual members of the public. If the Magistrate is satisfied that the complaint is justified they can make any order they feel appropriate to require the owner to ensure that the dog is kept under proper control, or in extreme cases, destroyed. This is regardless of whether the dog is in a public or private place, or with or without its owner.

Documenting the attack:-

When you report a dog attack incident to the Police you will need to gather evidence as soon as you can – time, date and place of the incident, photos of the scene and details of any injuries sustained, descriptions or names/addresses of witnesses. Understandably, this can be a difficult task, particularly if you have an injured dog in your arms, but try to remember to document evidence while it is fresh on the scene and in your mind. Even if your dog seems to have suffered only a couple of puncture wounds, still take it to your vet and obtain a vet report on the injuries. Just a single puncture wound from a dog bite can become infected and worsen within a matter of days – even requiring reconstructive surgery. Vets can be reluctant to provide a report on your dog's injuries because if your case goes to court, it means a day away from the surgery for them, but no vet can refuse to write a report, so don't be fobbed off.

Keep copies of all conversations that you have with the Police – corresponding by email will provide a clear record of events. Once the Police are involved, they should advise you of what can be done. They may be able to issue a conditional caution, whereby the owner of the attacking dog may agree to paying for damages, keeping their dog on a lead, neutering it or training it.