



# Legal Responsibilities Of All Dog Owners

## Introduction

As a responsible dog owner, it is important you understand dog laws in order to protect yourself, your dog and others around you.



Many dog owners may not realise there are so many laws relevant to them, or will feel that the risks associated with these laws are low in terms of consequences. It is worth noting that there are many solicitors dedicated purely to Dog Law and many behaviourists offering their services as Expert Witnesses due to the number of reports made, and Dog Wardens are inundated with calls reporting irresponsible dog ownership.

**More than 35 acts of parliament apply to dogs, but here are a summary of the main acts outlining rights and responsibilities relating to all dog owners/walkers:**

## Animal Welfare Act

The Animal Welfare Act states that animals must be protected from pain, suffering, injury and disease. Training methods used are hugely relevant to this Act – ensure that you are not using equipment or methods that cause pain. Scruffing,

hitting, kicking, hanging a dog by the collar etc can lead to prosecution. Also ensure you seek appropriate veterinary advice for any physical or behavioural symptoms. The emotional welfare of a dog is as important as the physical welfare.

## Control of Dogs Order

Dogs in a public place must wear an external tag or collar with the name and address of the owner on. Any dog without an ID tag may be seized and treated as a stray dog. Sort your dog's ID – it's a couple of quid.

Microchips are a separate legal requirement.

## Dog Control Orders/Public Spaces Protection Orders

It is an offence to:

- not pick up faeces after your dog
- not keep your dog on a lead
- not put your dog on a lead when asked to by an authorised person
- take dogs onto land from which

they are excluded

- walk more than a specified number of dogs (usually 6) in areas specified by district and parish councils. If there are signs telling you to keep your dog on a lead, respect this. Dogs may be banned from areas altogether if faeces are not removed and owners persistently ignore 'on-lead' rules.

## Protection of Livestock Act

Your dog must not 'worry' cows, sheep, goats, pigs, horses or poultry. An offence is committed by person in charge of a dog and the owner if it attacks or chases livestock on agricultural land, or is not on a lead or under "close control" when in a field containing sheep. Farmers have a right to shoot your dog. Keep them on a lead.

## Environmental Protection Act

If your dog's barking causes a 'serious nuisance' to neighbours,

a noise abatement notice can be served requiring you to take steps to resolve the problem. If the barking continues, prosecution may occur. Factors that may be taken into account include the volume, duration of the barking and the time of day it happens. Seek behavioural advice to address why your dog may be barking excessively to prevent neighbourly complaints.

### Dangerous Dogs Act

This Act applies to every single dog owner, whether your pet is a Chihuahua, Cockerpoo or Rottweiler. It states that it is a criminal offence for the dog to be 'dangerously out of control,' both on private property (including your own house and garden) and in a public place. If the dog gives a person grounds to feel that the dog may injure them, the law applies. A dog doesn't have to bite to be deemed dangerous in the eyes of the law. Something as simple as your dog chasing, barking at or jumping up at a person or child could lead to a complaint, even if the injury is an inadvertent result of the dog being over-friendly. If your dog injures a person (knocking them



the public, in which case it may be subject to Contingent Destruction Order). A court could also decide that your dog is dangerously out of control if the owner of an animal thinks they could be injured if they tried to stop your dog attacking their animal. If you don't have a reliable recall or your dog exhibits any form of aggression towards people or animals, keep them muzzled, on a lead or a longline.

The offence is deemed to have been

its behaviour towards a person. Proceedings can only be brought against the owner (not the person in control of the dog at the time of any incidents).

### The Road Traffic Act

It is an offence to have a dog on a 'designated road' without it being on a lead. Dogs travelling in vehicles should not be a nuisance or in any way distract you during a journey, and should be suitably restrained so as to avoid injury to you if you stop quickly. In other words, a loose dog jumping around the car is an offence.



over, scratching them, bruising them, biting them etc), it may be seized by the police and the penalty may include a prison sentence and/or a ban on keeping dogs.

There is also an automatic presumption that your dog will be destroyed (unless you can persuade the court that it is not a danger to

committed by whoever is in charge of the dog at the time of the offence, and possibly also by the owner of the dog even if they were not present at the time of the incident.

### Dogs Act

Under the Dogs Act, a dog can be deemed to be dangerous in its general behaviour, not just

### Damages/Third Party Liability Claims

If you do not have 3rd party insurance cover and you face a claim for damages caused by your dog (injury to a person or damage to property), then you may be liable if the incident was due to your negligence (i.e. you did something you should not have done or you failed to do something that you should have done), or your dog has behaved in a similar manner on a previous occasion and you were aware of it. The Dogs Trust provide 3rd party cover for just £25 per year - [www.dogstrust.org.uk/get-involved/membership](http://www.dogstrust.org.uk/get-involved/membership).

Cooper & Co Solicitors (specialists in dog law) provide seminars around the UK for dog owners and professionals to keep you up-to-date on dog laws – [www.doglaw.co.uk](http://www.doglaw.co.uk).