

Professional Dog Walkers Scheme

Information on current legislation pertaining to keeping dogs under proper control

Criminal Law

Under the **Dangerous Dogs Act 1991**, if a dog is dangerously out of control in a public place, the owner or if different, the person in charge of the dog is guilty of an offence, if the dog injures any person an aggravated offence is committed, for which the penalties could include a financial penalty, a term of imprisonment and the possible destruction of the dog.

Civil Action

Under the **Dogs Act 1871**, a complaint may be made to a Magistrates Court that a dog is dangerous and not kept under proper control.

For the purposes of this Act, 'dangerous and out of control' does not necessarily indicate a dogs general behaviour, it is used for the formal laying of a complaint/s and would refer to the day/s in question in the complaint. The onus is entirely on the owner or keeper to ensure the dog does not become out of control, the duty exists even when the owner might have no realisation that the dog could behave in such a way.

A dog can intimidate without causing injury for a complaint to be made. If the Magistrates find that the dog is dangerous and out of control they may order the owner to keep it under control or order it to be destroyed.

Means of control could include muzzling, keeping on a lead, spaying/castration, prohibiting the dog from certain places and any other means of control thought appropriate.