

## GUIDANCE ON DOGS

### LEGISLATION

Section 68 of the clean Neighbourhoods and Environment act dictates that from Sunday, 6 April 2008 the responsibility of dealing with stray dogs, with the exception of dangerous dogs will move from the Police to the local authority. Therefore from this date all reports of stray dogs should be redirected to local authorities 24 hours a day.

### STRAY DOGS

Inform the caller to telephone their local Authority.

### FOUND DOGS

Inform the caller to telephone their local Authority / Create Scratch pad entry.

### LOST DOGS

Transfer the caller to the nearest Enquiry Office. If out of hours, details of the loser and dog should be taken and passed to the Enquiry Office and advise caller to contact the local Authority.

### INVESTIGATION OF COMPLAINTS OF DANGEROUS DOGS

Incidents involving aggressive dogs (excludes dogs on private land unless danger of escaping) or dangerous dogs (where someone has been attacked/bitten). Create incident log and transfer to relevant Incident Control Room.

### DANGEROUS DOGS ACT 1991

The Dangerous Dogs Act 1991 (DDA) bans ownership, breeding, sale and exchange and advertising for sale of specified types of fighting dogs.

In the UK almost all the prohibited dogs (under Section 1 of the DDA) are the type know as Pit Bull Terriers.

At the time of the enactment people who owned dogs of this type were, provided they complied with various restrictions, allowed to keep living dogs once they were registered on the Central Index (the Index of Exempted dogs) and issued with a certificate of exemption. No dogs living in Derbyshire have been added to the register since.

Most dogs originally included on the index have died and **therefore possession is very likely to be an offence.**

Whether the DDA applies to any particular cross will depend on whether the resulting dog has the physical and behavioural characteristics of the prohibited type. The characteristics are essential in deciding whether or not the dog is prohibited. Not all Pit Bull Terriers will be described as a Pit Bull Terrier by their owner, some owners may deliberately misrepresent the breed of their dog using terms such as American Staffordshire Terriers, American Bulldogs and the Presa Caneria. Other names used to describe the Pit Bull Terrier types may be Irish Staffordshire Bull Terriers, Old Fashioned Staffords or Traditional Staffords.

Identification of prohibited dogs by untrained persons is difficult and help, including photographs can be found on the force Intranet on Home/Operational Policing/Operational Support/Dog Section. The Police Visual Handbook includes a section on Controlled Dogs where emergency contact numbers and useful advice is available.

### PROHIBITED DOGS DESIGNATED BY THE SECRETARY OF STATE

Pit Bull Terriers, Japanese Toza, Dogo Argentino and Fila Brasileiro are all dogs that must be registered. Failure to register could result in a fine of up to £2000 and or six months imprisonment.

A person commits an offence if they breed, sell, make a gift of any of the above, or has in a public place without being muzzled and kept on a lead, by a person not less than 16 years of age.

### DOGS WORRYING LIVESTOCK

## NOT PROTECTIVELY MARKED

If a dog worries livestock on agricultural land the owner of the dog and any other person in charge of it is guilty of an offence.

If a report is received of dogs worrying livestock create incident log and transfer to relevant Incident Control Room.

### **CERTIFICATE OF COMPLIANCE**

In the application of these procedures, the Derbyshire Constabulary will not discriminate against any persons regardless of sex, race, colour, language, religion, political, or other opinion, national or social origin, association with national minority, property, birth, or other status as defined under Article 14, European Convention Human Rights (ECHR).

This document has been drafted in accordance with the principles of the Race Relations Act 1976 as amended by the Race Relations (Amendment) Act 2000.

This document was audited in July 2008 by Elizabeth Whittemore, Finance and Administration within the guidelines of the Human Rights Act 1998. The audit was carried out on the assumption that the guiding legislation is itself compliant with the Human Rights Act 1998. Where there are areas of potential interference with individual rights under the Act, due regard has been given to the issues of legality, legitimate aim, proportionality and fairness.

Subject to any new legislation or changes in case law, which require immediate amendment, this document next requires reviewing in July 2011 by the Head of Department, Finance and Administration.