

**TOM'S BASIC  
TRAINING**  
For Dogs And Owners



# Responsible Guardians **UK Dog Law**

Help for dogs and their guardians



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## Responsible Guardians

### DOGS (PROTECTION OF LIVESTOCK) ACT 1953

Your dog must not worry (chase or attack) livestock (cattle, sheep, goats, pigs, horses and poultry) on agricultural land. Farmers have the right to stop your dog even by shooting your dog in certain circumstances.

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### ROAD TRAFFIC ACT 1988

It is an offence to have a dog on a designated road without it being held on a lead.

Dogs travelling in vehicles should not be a nuisance or in any way distract the driver during a journey.

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### ENVIRONMENTAL PROTECTION ACT 1990

In addition to persistent barking, the Environmental Protection Act also incorporates other issues that can damage and/or seriously harm the quality of your immediate environment.

This can include dog fouling in inappropriate places and not cleaning the mess up to 'Dangerous Dogs' which are not permitted under UK law to dogs who are causing a nuisance or which have got out of control and thus could pose a danger to other members of the community. Fines are unlimited and courts may impose a Criminal Behaviour Order.

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### DANGEROUS DOGS ACT 1991 (SECTION 3)

It is a criminal offence to allow a dog to be 'dangerously out of control' in a public place, a place where it is not permitted to be, and some other areas. A 'dangerously out of control' dog can be defined as a dog that has injured someone or a dog that a person has grounds for reasonable apprehension that it may do so.

If your dog injures a person it can be seized by the police and your penalty may include a prison sentence and/or ban on keeping dogs.

There is also an automatic presumption that your dog will be destroyed unless you can persuade the court it is not a danger in which case it may be subject to a control order such as keeping it on a lead and muzzled when out.

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### THE CONTROL OF DOGS ORDER 1992

This mandates that any dog in a public place must wear a collar with the name and address of the owner engraved or written on it, or engraved on a tag. Telephone number is optional but advisable. At the time of writing the fine for not complying is £5000.

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### DANGEROUS DOGS (AMENDMENT) ACT 1997

The 1991 Act was amended by this Act which removed the mandatory destruction order provisions on banned breeds and re-opened the Index of Exempted Dogs for dogs which the courts consider would not pose a risk to the public, The courts were given discretion on sentencing, with only courts able to direct that a dog be placed on the list of exempted dogs.

The banned breeds are:

- The Pit Bull Terrier
- Fila Brasileiro
- Dogo Argentino
- Japanese Tosa

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### ANIMAL WELFARE ACT 2006

The Act tackles acts of cruelty, neglect, mutilation, tail docking, animal fighting and the giving of pets as prizes. In addition to this, it introduces a duty of care for all pet owners to provide for their animals:

- a suitable environment,
  - a suitable diet,
  - the ability to exhibit normal behaviour patterns,
  - protection from pain, suffering, injury and disease,
- consideration of the animal's needs to be housed with, or apart from, other animals.

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### ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014

This Act came into force on 20th October 2014 and gives police, local authorities and certain others designated, the power to tackle irresponsible dog owners and can be penalised with the following:

- Community Protection Notice (CPN) – low level such as owner failing to control a dog and causing a nuisance to others/other animals.
- Injunctions – higher level incidents such as attacks or incidents involving other animals.

Criminal Behaviour Order (CBO) – serious and continuing ASB such as where dogs are used to intimidate people.

Community Protection Notice

These can be served by the Council or the Police (and in due course by some social housing landlords) and the grounds are that there is conduct:-

- (a) which is having a detrimental effect on the quality of life for those in the locality, and
- (b) which is persistent or continuing, and
- (c) which is unreasonable

It may include incidents in both public and private places and could be used for:

- dog on dog aggression
- persistent straying
- jumping up at the letterbox
- accumulation of faeces in the garden
- dog escaping into neighbouring garden / property

Public Spaces Protection Orders (PSPO)

PSPO's replace and permit similar restrictions as Dog Control Orders under the Clean Neighbourhoods and Environment Act 2005.

Five offences may be prescribed in a PSPO:-

- failing to remove dog faeces
- not keeping a dog on a lead
- not putting and keeping a dog on a lead when directed to do so by an authorised officer
- permitting a dog to enter land from which dogs are excluded
- taking more than a specified number of dogs onto land.

Fines can be up to £1000 or may be a fixed fine.

Environment Act 2005 covers such issues as noise nuisance/barking and can be penalised with an unlimited fine and possibly a CBO.

# Responsible Guardians

## THE ANIMAL WELFARE REGULATIONS 2018

### **Licensing of Activities Involving Animals**

This came into force the 1st October 2018 in England. This was a major shake-up affecting the following animal related activities:

- Selling animals as pets
- Providing boarding for cats
- Providing boarding in kennels for dogs
- Providing home boarding for dogs
- Providing day care for dogs
- Hiring out horses
- Breeding dogs
- Keeping or training animals for exhibition

Selling animals as pets now puts greater demands for the welfare of the animals. It also requires that any adverts for the animals being sold must include the sellers license number, and much more detail on the animal, including the country of origin. It also states that puppies and kittens may not be sold if under 8 weeks of age.

Likewise, the breeding of dogs now puts more emphasis on the breeder to ensure the early welfare of litters, including the inclusion of their license number when advertising a pup, and not selling or separating a pup from its mother under the age of 8 weeks.

This new licensing requirement for breeders only applies if breeding 3 or more litters of puppies in any 12 month period and/or breeding dogs and advertising a business of selling dogs. Whilst it could still be argued that anyone breeding 3 litters a year is more than a hobby breeder, this has been reduced from 5 litters in previous legislation.

So far, there are no specific Regulations in England that deal with:

- Rescues (provided they don't rehome animals commercially)
- Dog trainers / behaviourists
- Groomers
- Pet sitters (provided it is in the owner's home – if the operator provides or arranges accommodation then they would need to be licensed)
- Dog walkers
- Greyhound trainers