

DOG ATTACKS



DOG CONTROL ACT 2000 (TAS)

It is an offence under the Dog Control Act 2000 if your dog rushes at or chases any person or causes injury to any person or another animal, whether it is on your own property or in a public place.

Who is legally responsible for a dog?

- *The owner is the person who puts their name on the dog's registration form.
- *If a dog isn't registered then the person who usually keeps the dog is the owner.
- *If a dog is a child's pet, the child's parent or guardian is the owner.

If a person commits an offence under the dog laws, then the person who is with the dog or being closely followed by the dog may be called the owner of the dog.

Why do dogs attack?

All dogs, regardless of age, breed or temperament have the capacity to cause harm or injury to another animal or person.

A dog's likelihood of biting depends on at least five interacting factors:

- Heredity (genes, breed)
- Early experiences
- Socialisation and training
- Health (physical and psychological)
- The behaviour of the victim

Who Investigates?

Dog attacks are very serious and authorised officers of Council may seize the dog/s and hold it while they investigate the attack and take appropriate action.

When should you report a dog attack?

If you or someone else, or your dog and/or another animal have been attacked by a dog, you should report the attack to Council or the Police as soon as possible.

The owner of a dog that has attacked a person must tell the council about the attack within 24 hours.

Help Prevent Dog Attacks:

- Ensure your dog is unable to escape over, under or through the fence or enclosure where it is kept.
- Ensure your dog is always under effective control in a public place and held by a lead no longer than two metres.
- You must be able to physically control your dog.
- As an owner you must understand basic dog behaviour and use appropriate training techniques such as positive reinforcement (praise not punishment) to help train your dog.
- Training and socialising your dog decreases its fear, anxiety and aggression towards other dogs and people.
- Training improves a dog's ability to cope with new situations.
- De-sexing your dog can decrease the risk of it wandering or displaying aggressive behaviour.

Where do dog attacks occur?

The majority of dog attacks reported to Council occur in public places.

Attacks by dogs in public tend to occur outside the dog's own home on the footpath or road and are mainly the result of the dog not being properly confined to its property or under effective control.

Many unreported dog attacks occur in the home and involve family members being bitten by their own dog.

Please remember that:

- Serious mental, physical and emotional issues can be experienced by people after being attacked.
- Injuries to dogs involved in fights can result in ongoing veterinary costs.
- People have the right to be safe in their community

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Helpful information to provide when making a report.

When you report a dog attack, please try to include as much of the following information as possible:

- Date and time of the incident.
- Where it happened. (Please include the nearest street address, park location and/or any landmarks. If you're not sure where you are and have your phone with you, use a mapping or GPS app on your phone such as Google Maps to tell you your location.
- A description of the offending dog, which might include:
 - * breed
 - * colour or markings
 - * size
 - * sex
 - * whether it has long or short hair, a collar or any tags.
- A description of the dog's owner, which might include:
 - * male or female
 - * hair colour
 - * name, address and phone number
- A description of the dog owner's car, which might include:
 - * registration number
 - * colour
 - * make
 - * model
- A description and/or photos of any injuries.
- Keep copies of any medical/vet invoices or reports to give to the investigating officer.

If a person commits an offence under the Dog Act then the person who is with the dog or being closely followed by the dog may be called the owner of the dog.

NOTE: If your dog attacks or chases people or other animals you may be charged with an offence under the Dog Control Act 2000, even if no actual injury is caused.

What Happens after I report a Dog attack?

GATHER

An Authorised Officer will:

- Request a statement (stat dec) and photos of any injuries
- Ask for medical reports or other documents
- Seek witness statements and other evidence
- Contact the dog's owner if known to get their side of the story and request a statement (stat dec)
- Where necessary seek further statements off any person.

Council may seize the dog allegedly involved in an incident, when a dog attack is reported. The dog may be detained for the course of the investigation (up to 7 days).

Depending on the severity of the attack or if new matters need to be investigated, the case may require further investigation or enquiry by Authorised Officers.

When the investigation is complete, an investigation brief will go to the General Manager for their decision.

The General Manager will make a decision on what appropriate action should be taken.

CONSIDER

Council will make a decision based on the evidence before them.

Council will do one or more of the following:

- **Take no action** - because the evidence does not support the alleged attack or complainant/ witness is not prepared to provide statutory declarations.
- **Issue an infringement** - for breach of Dog Control Act 2000, Tas
- Notify you of **recommendations or conditions** for the dog.

Council may decide that the dog involved poses an unacceptable risk to the public and commence a dangerous dog assessment.

Once Council has made a decision, the owners of the dog as well as the victim or complainant, will be advised in writing.

DECISION

A dog seized for the purposes of the investigation may be released upon conclusion of the investigation pending authorization from Council. In certain circumstances, a Dog may remain detained during a dangerous dog assessment/declaration unless conditions are met.

