



Controlling your dog in public

It is your responsibility to make sure your dog behaves in public.

When is your dog 'under control'?

A dog is considered 'under control' if it is on a lead held by someone able to control the dog. So, for example, a large dog would not be 'under control' if its lead was held by a child who would be unable to restrain the dog if it strained against the lead.

It isn't necessary for dogs to be leashed at all times. However, dogs must be kept on a lead in designated pedestrian zones and on land where livestock is present. Councils can also introduce by-laws to indicate areas where leashing is required, such as in public parks.

Dogs which behave dangerously

It is an offence to allow any dog to attack or cause serious injury to a person or livestock, or to behave in such a way that makes a person worried that it might attack them.

Dogs which behave dangerously may be seized by the dog warden, and their owners prosecuted. The dogs may be destroyed if the magistrate considers that they are a danger to the public.

Control conditions

As well as any conditions imposed by a court where your dog has attacked a person or worried livestock, a council dog warden can impose similar conditions where certain breaches of the Dogs Order have occurred (whether or not you are prosecuted for those breaches).

If your dog has strayed, attacked a person, livestock or someone else's pet, or been out of control on certain specified roads or on land where there is livestock, a dog warden may issue a notice requiring you to keep your dog:

- muzzled when in a public place
- under control (that is, on a lead and held by someone strong enough to restrain the dog) when in a public place
- securely confined in a building, yard or other enclosure when not under control
- away from any specified place or any type of place
- neutered (if male) within 30 days of the date on which the notice comes into effect

The notice may also require you to undergo a course of specified training within a 6 month timescale.

If you fail to observe any of these conditions and do not take all reasonable steps to make sure that that the condition is fulfilled, you commit an offence punishable by a fine of up to £2,500.

When six months have passed from the issue of the notice imposing a control condition (or conditions) you can ask the council, whose officer issued the notice, to review the continuing need for the conditions.

Or you can formally appeal against the imposition of any control condition to a magistrates' court. You should take legal advice on the procedures to be followed when giving notice of such an appeal.

If your dog is subject to any control condition you must tell the council, whose officer issued the notice, if you intend to sell or give the dog away. You must also inform the council of the name and address of the person you are selling or giving the dog to. Failure to do so is an offence punishable by a fine of up to £1,000.



What is an 'attack' and what are the penalties for the owner and the dog?

The definition of attack includes your dog 'behaving in such a manner so as to cause a person apprehension of being attacked'.

So your dog does not need to bite someone for you to have committed an offence. If your dog's behaviour is aggressive or threatening you may be prosecuted. If an offence is committed it is punishable by up to six months imprisonment and a fine of £5,000.

If your dog does injure the person attacked, you could be sentenced to two years imprisonment and a £5,000 fine.

If your dog worries livestock you are guilty of an offence punishable by a fine of up to £1,000. Worring livestock does not just mean attacking or killing cattle, sheep and so on. If your dog chases livestock in such a way as could reasonably be expected to cause any form of suffering to the animals or a financial loss to their owner, it will be considered to have worried the livestock.

If your dog attacks and injures another person's pet, you are guilty of an offence punishable by a fine of up to £1,000. If you deliberately set your dog on livestock or another person's pet you could be fined up to £2,500.

Finally, if your dog has attacked a person or worried livestock a court may order that your dog be destroyed.

Fixed penalties

Certain offences attract fixed penalties, as well as other sanctions, as an alternative to prosecution. A dog warden may therefore offer you the opportunity of discharging liability for the offence through payment of a fixed penalty (you have the choice of not paying the fixed penalty and having the matter dealt with in court).

The offences which can attract a fixed penalty are:

- keeping a dog without a licence
- straying
- failing to keep a dog under control on certain roads and where livestock is present
- failing to display identification information on a collar/tag
- failing to notify the council of the transfer of a dog whose licence is subject to a control condition
- contravention of any control condition

The default level for a fixed penalty is £75, although a council may set its own level between £50 to £80 and allow a discount for early payment.

Who enforces the law

An authorised Council officer may seize a dog, without a warrant, that is in a public place or on any land where the dog appears to be attacking a person. The Council officer may detain the dog until the relevant court case.

Welfare organisations or charities have no powers under the Dogs Order, although councils may make arrangements with animal charities to provide dog pound facilities.

What legislation governs dangerous dogs in Northern Ireland?

The control of dogs is governed by the Dogs Order (NI) 1983 (as amended by the Dangerous Dogs (Northern Ireland) Order 1991 and the Dogs (Amendment) Act (Northern Ireland) 2011). Dog fighting and baiting are also offences under the Welfare of Animals Act (Northern Ireland) 2011.