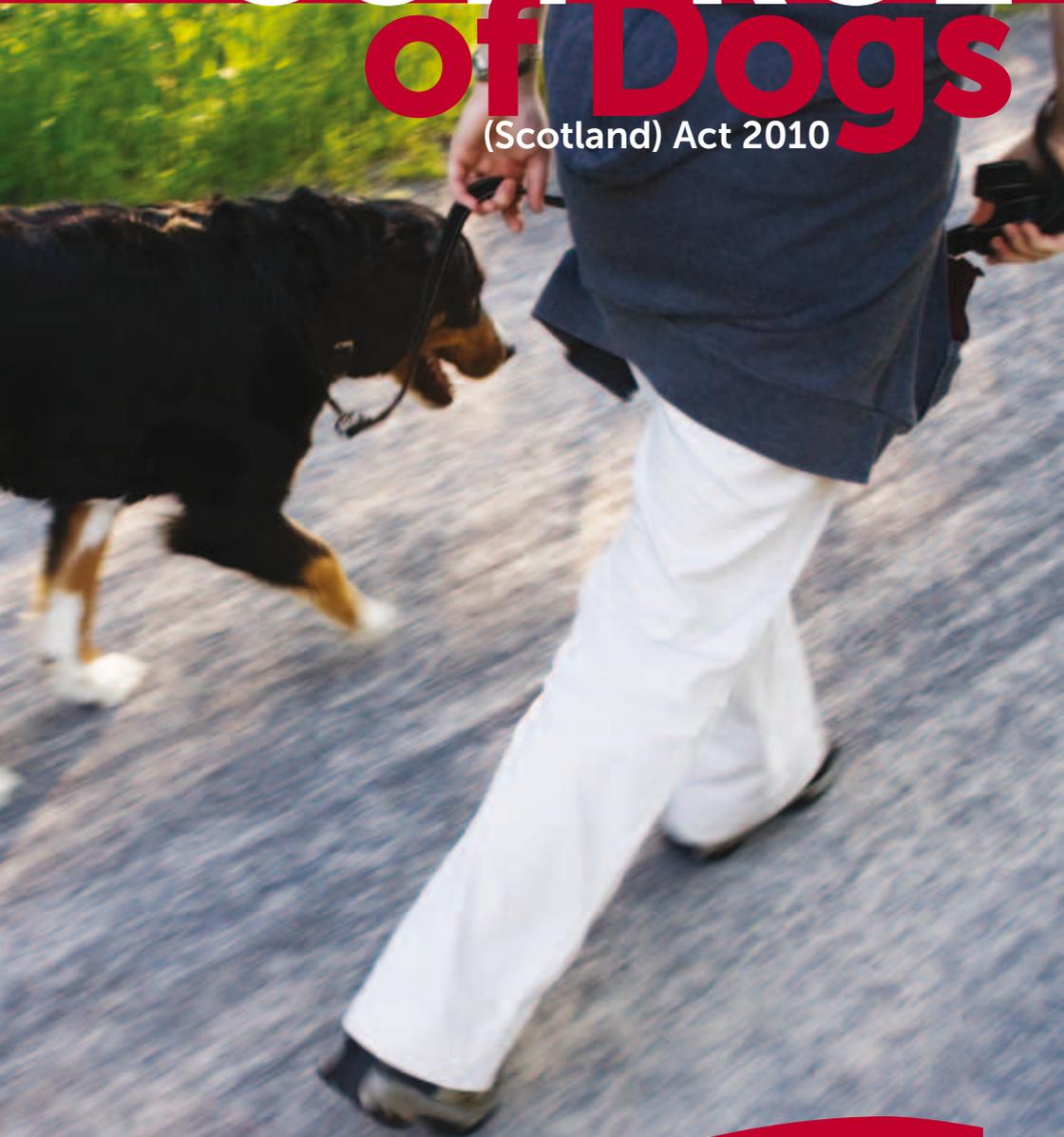


Guidance reassuring you, your family and owners
of well-behaved dogs

CONTROL of Dogs (Scotland) Act 2010



CONTROL of Dogs

Owning a dog is a pleasure, but comes with many responsibilities. One of your main duties as owner is to make sure your pet is well-behaved and does not cause fear or alarm to people or other animals. The Control of Dogs Act (Scotland) 2010 was introduced in February 2011 to promote awareness of the responsibility involved in owning a dog.

Unlike previous laws, the act focuses on dealing with the problem rather than the particular breed of dog. The key aims are to:

- highlight the responsibilities of owners of 'out of control' dogs at an early stage
- provide the information and assistance needed to change the behaviour of the dog and the owner before the dog becomes dangerous.

The Act gives new powers to councils to take action against out of control dogs and enforce measures to improve such behaviour. The ultimate aim is to reduce attacks by dogs of all breeds.

When and how is the Act applied?

When a council environmental warden receives a complaint about an out of control dog, they will take statements to find out whether the dog was, in fact, out of control from the complainer, any witnesses and the dog owner.

Under the Act, a dog is viewed as being 'out of control' if:

- it is not being kept under control effectively and consistently by the 'proper person' who is in charge of the dog, and
- its behaviour gives rise to alarm or apprehensiveness on the part of any individual, and the individual's alarm or apprehensiveness is reasonable.

The Act covers incidents which happen on both public and private property/land

If, after investigation, it is found that the dog was out of control, the owner may be issued with a Dog Control Notice (DCN) from an 'authorised officer' such as a council environmental warden.



What is a Dog Control Notice?

A Dog Control Notice is issued to a dog owner whose dog has been found to be 'out of control'. It outlines the measures the owner must take to make sure the dog is controlled in a manner which ensures the safety of others and prevents further incidents/attacks.

Measures which may be included are:

- keeping the dog on a lead in public
- muzzling the dog in public
- attending and completing suitable training courses.

All dogs issued with a DCN must have an identification microchip implanted. A DCN is effective from the date it is issued and is specific to each dog.

How is a Dog Control Notice enforced?

Once a DCN has been issued, authorised officers have a duty to check the notice is being complied with. Any further reports of the dog being 'out of control' will be investigated.

Failure to comply with a Dog Control Notice

Failure to comply with a DCN is an offence carrying a potential £1,000

fine. A court may also make an order to disqualify a person from owning or keeping a dog for a period of time. Where the court has decided the dog is dangerous, it may make an order for its destruction.

Appealing against a Dog Control Notice

Anyone issued with a DCN by the Council has a right to appeal. The appeal must be made by summary application to the sheriff. To lodge an appeal, the initial writ must be lodged with the sheriff clerk within 21 days after the date of service of the notice. No appeal is possible where a court has ordered that the owner and dog should be subject to a dog control notice.

Dangerous Dogs Act 1991

The police enforce the Dangerous Dogs Act 1991. The act has now been amended to cover incidents occurring on private property. (It previously only applied to public places or private places where the dog had no right to be). Any injury sustained by a dog bite/attack must be reported to the police who will investigate the matter under the Act.

Points to consider – if you are a dog owner

- Remember that not everyone is a dog lover. When your dog is off lead, make sure that it doesn't rush up to people without invitation or greets them inappropriately, such as by jumping up at them
- Even if your dog is friendly with other dogs, make sure that you allow it to meet them in a controlled way. If your dog runs up to a frightened or unsociable dog, or behaves in an over-excited way, it may quickly become something more serious. If in doubt, ask the other dog owner if they are happy for the dogs to meet
- If your dog is on a lead, it may still act in a manner that can cause alarm to people/other dogs, for example, if it lunges while passing. Ensure that you are in control of your dog and work on any behaviour problems so that you do not rely only on the lead for restraint. This is particularly the case with extendable leads which enable the dog to be at a greater distance from the owner.

Points to consider – if you wish to make a complaint

If a dog approaches you in a way that makes you feel anxious, there are many things to consider:

- Take into account your personal feelings towards dogs. Is your apprehension made worse by an existing fear of dogs?
- Was the dog's approach intended to be friendly? For example, was it an over-excited puppy?
- Did the owner attempt to regain control by calling the dog/putting it on a lead?
- Did you do anything which may have encouraged the dog's approach/behaviour?

For further information, please contact the environmental wardens service,

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HAPPY TO TRANSLATE

ترجمہ کے لئے حاضر آماندہوں کے ساتھ انুবاد کر رہ

يسعدنا توفير الترجمة MOZEMY PRZETŁUMACZYĆ 很乐意翻译

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