



DOG ATTACKS

Section 16 of the Companion Animals Act 1998 provides that an attack is where a dog rushes at, attacks, bites, harasses or chases any person or animal (other than vermin), whether or not any injury is caused to the person or animal.

WHAT SHOULD I DO IF A DOG ATTACKS ME?

If you have seen a dog attack a person or animal, or been attacked by a dog yourself, irrespective of whether the attack happened on public or on private property, you should report it to your local council.

If the attack occurred outside local council hours, you may call your local police station. Police officers are also Authorised officers under the Companion Animals Act 1998.

Authorised officers have a wide range of powers to deal with owners of attacking dogs, including seizing dogs that have attacked.

An Authorised officer may seize a dog at any time within 72 hours of an attack if the owner fails to keep the dog adequately secured or the officer has reasonable grounds to believe that the dog will not be kept under effective control.

WHAT ACTION COULD COUNCIL POTENTIALLY TAKE?

The enforcement options available to Council will depend upon the evidence obtained during the investigation. If evidence is obtained that establishes your dog was responsible for the attack incident, action may include a:

- warning
- penalty infringement notice (fine)
- notice of intention to declare your dog a nuisance
- nuisance dog declaration
- notice of intention to declare a dog menacing
- menacing dog declaration
- notice of intention to declare a dog dangerous
- dangerous dog declaration
- prosecution in Court
- or a combination of any of the above.

Strict conditions apply to menacing, dangerous and restricted breed dogs.

In determining action to be taken, Council will consider the circumstances and seriousness of the attack, the nature and extent of injuries sustained by the victim(s) and the role of the dog and whether the dog was provoked.

AM I LEGALLY LIABLE IF MY DOG ATTACKS ANOTHER PERSON OR ANIMAL?

As a dog owner, you are liable if your dog attacks a person or another animal. While the Companion Animals Act 1998 gives certain protection to an owner whose dog

attacks as a result of a person or an animal trespassing onto the property on which the dog is kept, other forms of liability may still apply. If your dog has attacked a person or another animal, you may wish to seek your own legal advice.

WHAT SHOULD YOU DO IF A DOG ATTACK IS BEING INVESTIGATED?

SECURE YOUR PROPERTY

If your dog escaped from your yard, identify how this occurred. Check for holes along the fence line or gate where the dog could crawl under. Remove anything from or near the fence line or elsewhere that the dog could have used to jump over. Check existing locks on gates or doors. Consider making all gates self-closing and self-latching. If you do not know how the dog escaped, consider placing the dog inside or on a chain, long enough for the dog to access food, water and shelter.

ADDRESS THE DOGS BEHAVIOUR

There are many different organisations that specialise in dog behaviour. You should seek advice from your vet or a qualified animal behaviourist.

AFTER AN ATTACK

There are many things for a dog owner to consider after an attack including:

- whether the dog has shown signs of unreasonable aggression before?
- has the behaviour of the dog changed lately?
- has the dog's behaviour become a problem?
- has it been alleged to have been involved in a previous attack incident?
- is your yard appropriate for the dog?
- can your yard be adequately secured to prevent the dog escaping?
- can you ensure your dog is muzzled, on a leash and under the control of a competent person when in public?
- can you ensure your safety and the safety of your family, friends and general public.
- could you comply with the conditions if the dog was declared a menacing or dangerous dog?
- should your dog be surrendered to authorised impound facility?

FOR MORE INFORMATION

Should you require any further information or need to report a dog attack, please contact Council's customer service centre on:

Phone: 98430555

Email: council@thehills.nsw.gov.au

Fax: 98430409

Mail: PO Box 7064, Baulkham Hills BC 2153