

 West Mercia POLICE		POLICY
Security Classification	OFFICIAL	
Disclosable under Freedom of Information Act 2000	Yes	

POLICY TITLE	Dangerous Dogs
REFERENCE NUMBER	WMP134
VERSION	1.0

POLICY OWNERSHIP	
DIRECTORATE	LOCAL POLICING
BUSINESS AREA	OPERATIONS

INITIAL IMPLEMENTATION DATE	January 2021
NEXT REVIEW DATE:	January 2023
RISK RATING	MEDIUM
EQUALITY ANALYSIS	MEDIUM

West Mercia Police welcome comments and suggestions from the public and staff about the contents and implementation of this policy. Please e-mail contactus@westmercia.pnn.police.uk

1.0 POLICY OUTLINE

- 1.1 This document reflects the policy of West Mercia Police. It sets out how The Force will respond to incidents involving dangerous dogs. The policy is aimed at police dog handlers, police officers, control room staff, supervisors and management who are involved in the response to incidents concerning dangerous dogs.
- 1.2 Although the Local Authority has some area of responsibility in relation to dogs, it is the duty of the police to investigate 'dangerous dog' incidents and offences relating to the ownership of controlled breeds as defined in the Dangerous Dogs Act 1991 (Section 1, Section 3 criminal offences, Sect 2 1871 Civil offences and any other criminal offences around dogs where public confidence is required).
- 1.3 This policy seeks to minimize the impact of removing a dog from its owner whilst balancing the need to reduce the risk that the dog presents to other community members.

2.0 PURPOSE OF POLICY

- 2.1 The Dogs Act 1871, The Dangerous Dogs Act 1991 and the Dangerous Dogs (Amendment) Act 1997 & Anti – Social Behaviour, Crime & Policing Act 2014 define both criminal offences relating to 'dangerous dogs' and other matters to be dealt with through civil proceedings. The 1991 act was introduced to protect the public and was later amended in 1997 and 2014 to allow the courts some discretion regarding the application of Destruction Orders. Powers of seizure are contained within this act.

This policy is informed by the [NPCC Dangerous Dogs Working Group MOG](#)

- 2.2 The Police have a responsibility to remove dangerous and prohibited dogs from the wider community or to seek control measures where appropriate. Legislation and policy does allow for owners to register and keep dogs in certain circumstances if allowed to do so by the court.
- 2.3 The main aim of this policy is to ensure that our response to incidents involving dangerous dogs is lawful, proportionate and consistent and that each case is diligently and expeditiously pursued to its earliest conclusion. The policy is underpinned by procedures designed to provide clear and unambiguous direction to all those involved in its deployment.
- 2.4 Once a dog has been seized then the police must take responsibility for the welfare of the animal and have a duty of care to do so. This is covered by Animal Welfare Act 2006 and other best practice procedures.

3.0 IMPLICATIONS of the POLICY

- 3.1 This policy seeks to minimise disruption for all concerned and tackle anti-social behaviour through adopting an intelligence-led, human rights and equalities compliant practice which reflects our primary duty to protect and uphold the human rights of our communities, whilst ensuring maximum effectiveness against crime and disorder.
- 3.2 The legal basis for this policy is derived from:
- Police and Criminal Evidence Act 1984
 - Dogs Act 1871
 - Dangerous Dogs Act 1991
 - Dangerous Dogs (Amendment) Act 1997
 - Amended Anti – Social Behaviour, Crime & Policing Act 2014
 - Common Law
- 3.3 Legislation must be read in conjunction with the Human Rights Act. Careful consideration must be given to the need to strike a fair balance between the rights of the individuals who may be affected set against the interests of the community at large.
- 3.4 The costs involved in kennelling seized dogs can be significant and this policy seeks to ensure that these costs are regulated and that investigations are conducted expeditiously in order to keep these costs to a minimum.
- 3.5 The Dog Section have Dog Legislation Officers (DLO's) and a structured training programme to ensure that all dog handlers are trained and equipped to safely deal with dangerous dog incidents. All staff have access to information and guidance on dealing with dangerous dog incidents via the Forces Intranet systems. All other officers that complete OST are now trained to deal with dogs in a spontaneous situation and have access to equipment across The Force
- 3.6 The success of this policy relies on multi-agency collaboration and ensuring that a proportionate response is applied to each incident. Officers should not only take into account the impact of seizing a dog on its owner but should also consider the risk that may be presented to the owner, their family or other members of the community should the dog be left in their charge. The power of seizure provided by the Dangerous Dog Act 1991 is discretionary. Any decision not to seize a dog should be based on an informed risk assessment.

4.0 CONSULTATION

- 4.1 Consultation on this policy has been carried out with the following:-
- NPCC
 - Local Policing
 - Dog Legislation Officers
 - Dog Handlers
 - Finance
 - Training & Development
 - Personnel

Operational Support
Force Solicitor/Legal Department
Professional Standards
Police Federation
Health & Safety

5.0 DOCUMENT HISTORY

The history and rationale for change to policy will be recorded using the below chart:

Date	Author / Reviewer	Amendment(s) & Rationale	Approval / Adoption
		Previously approved at JNCC meeting	JNCC 14/04/2014
Jan 2021	S Bradley	Reviewed – no changes, reverted to West Mercia Policy	Jan 2021

6.0 PROCEDURE

A detailed Dangerous Dogs Procedure is available on a separate document.

7.0 ASSESSMENT AND ANALYSIS

A combined health and safety, risk and equality assessment has been completed.