

**Section 1 Dangerous Dogs Act
(DDA) 1991- banned breeds**

**Section 2 Dangerous Dogs Act
1871- destruction order**

**Section 3 Dangerous Dogs Act
1991- Dog dangerously out of
control**

Dog Legislation officer (DLO)

5.0 Animal Welfare

1. Section 1 Dangerous Dogs Act (DDA) 1991- banned breeds

1.1 There are four breeds that are currently banned/prohibited in the UK: (see pictures below)

Pitt Bull Terrier

Japanese Tosa

Fila Brasileiro

Dogo Argentino

1.2 It is illegal to do any of the following with a prohibited dog:

Possess (Exemptions apply)

Sell

Gift

Abandon

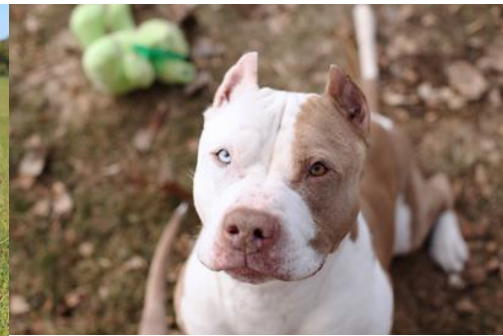
Breed from

1.3 If you believe you have seen a banned breed you can seize it there and then under this Act for a DLO assessment. DTS will assist with transport. If the dog is not with you, find out as much information as you can about the dog, owner, address/location of dog and contact a DLO as a priority.

1.4 Monday – Friday 0800 – 1600 – on duty DLO

Out of Hours – On duty DLO or email dog.legislation.officer@hampshire.police.uk marked up URGENT SCT 1

Pitbull-terrier



Japanese tosa



Fila Brasileiro



Dog Argentino



2. Section 2 Dangerous Dogs Act 1871- destruction order

- 2.1 Section 2 DDA 1871 allows the Police to lay a complaint about a dog being dangerous and look to obtain a dog control order (contingent destruction order) or destruction at court (GEN12 file, summary only).
- 2.2 This is suitable for use when dealing with consistent problem dogs i.e Dogs causing a nuisance/ASB (but not dangerously out of control which would fall under Section 3 DDA 1991).
- 2.3 There is No power of seizure, No Power of Entry and no compensation that can be awarded in relation to this Act.
- 2.4 For further information, please contact your local DLO or email dog.legislation.officer@hampshire.police.uk and the duty DLOs will assist you.

3, Section 3 Dangerous Dogs ACT 1991- Dog dangerously out of control

3.1 If no injury is caused but the victim is in fear of being injured this is a summary only offence.

3.2 If Injury to the victim is caused (including assistance dog) it becomes aggravated and is triable either way.

3.3 This offence can take place in a public or private place/dwellings.

3.4 The police have powers to seize a dog at the time of the incident in a public or private place, however the legislation does not have a power of entry. Early seizure is vital to prevent having to obtain a warrant and allowing the owner to remove/hide the dog.

3.5 If post incident and the dog is within a property, a warrant to enter and seize the dog must be obtained. Injury to person can be of any type, does not just have to be from being bitten.

3.6 Section 3 DDA can allow for compensation to be awarded at court.

4, Dog Legislation officer (DLO)

4.1 A DLO is defined as an expert in identifying illegal breeds, as described within the Dangerous Dogs Act 1991, for the purposes of giving evidence in court (only in relation to section 1 DDA).

4.2 The role of the DLO is to assist with the application of the Dog Legislation

4.3 A DLO can advise on dog investigations, strategies and plans, but does not manage them.

4.4 DLO will advise the SIO for investigations on serious or fatal dog attacks.

4.5 DLO will assess whether the dog is a specially controlled dog.

4.6 DLO will arrange the covert retention of the dog if decided it will not be immediately euthanised.

4.7 A DLO can assist with arranging a Dog Transport Officer (DTS) if required.

Use the following steps to find a DLO:

- Using the Knowzone A-Z go to SSAMI.
- Select the 'Duties and Resilience' menu.
- Click on 'Find Force Skills'.
- Select the 'By Skill' option.
- Click on the 'Other' drop down menu.
- Find 'Dog Legislation Officer' within that list.

5.0 Animal Welfare

5.1 Animal Welfare investigations should be lead and carried out by the RSPCA – 03001238007 (direct police line) Police are required to support with powers of entry, powers of seizure, executing warrants and occasionally preventing a breach of the peace.

5.2 If you are faced with an animal welfare investigation e.g – dog locked in a car on a hot day, discovering a suffering animal during a warrant execution etc. then the following steps **MUST** be taken.

- Obtain as much evidence as possible on scene
- Evidence that you have tried all reasonable avenues to contact the owner
- Contact a vet to request that they attend to observe the environment/conditions (not always appropriate if that would potentially result in fatal consequences)
- Upon seizing the animal (if a vet hasn't attended the scene) **BEFORE** taking the dog anywhere, ensure it is taken to a vets practice for an examination to allow the vet to certify the animal under S18(5) AWA 1996
- Contact DTS to collect the dog
- Inform a DLO as soon as possible.

OPERATIONAL GUIDANCE - VERSION CONTROL

OG REF			
TITLE	Dangerous Dogs operational guidance		
AUTHOR	Peter Edwards		
DATE FIRST PUBLISHED	12/01/2017	LAST REVIEW	01/08/2023
PUBLICATION AUTHORISED BY	Andy Murray	AUTH DATE	01/08/2023
CONSULTATION	Sgt Emma Dainty and Emily Cartwright, Dog Legislation Officers		
GSC	OFFICIAL		

DATE	SECTION	DETAILS OF AND REASON FOR CHANGE	AUTHOR
01/08/23	All	Guidance reviewed and updated	Peter Edwards

Attachments and Links:

DESCRIPTION	LINK	LAST CHECKED

Equality Impact Assessment

Purpose of Equality Impact Assessment:

To have due regard to the requirements of s.149 Equality Act 2010:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it;
- (c) foster good relations between persons who share a relevant characteristic and persons who do not share it.

1. Name, rank and job title of Equality Impact Assessor:

Peter Edwards (C4123) Policing strategy advisor

2. Clearly state the rationale of the function under consideration

The function relates to Approved Operational Guidance on Dangerous Dogs.

This Guidance aims to enhance the delivery of service across Thames Valley Police by improving the effectiveness of frontline officers and staff, and the efficiency and consistency of processes and standards in respect of the above.

This approved Operational Guidance will fulfil one or more of the following objectives:

- Provide consistency in the delivery of front line service across Thames Valley Police
- Ensure that officers and staff meet a minimum required standard in their delivery of front line service (e.g. compliance with mandatory or statutory requirements)
- Enhance the health and safety of officers and staff when delivering frontline service
- Provide key information and reference material to officers and staff that cannot be easily found elsewhere, internally or externally.

3. Assessment of the likely impact of the function on the basis of quantitative and (or) qualitative evidence on the following protected characteristics:

Age

This guidance has been assessed as **not likely** to cause or contribute to discrimination, harassment or victimisation of persons sharing this protected characteristic. Opportunities to advance equality of opportunity and enhance good relations between persons who share this relevant protected characteristic and those who do not share it have been considered.

Disability

This guidance has been assessed as **not likely** to cause or contribute to discrimination, harassment or victimisation of persons sharing this protected characteristic. Opportunities to advance equality of opportunity and enhance good relations between persons who share this relevant protected characteristic and those who do not share it have been considered.

Gender Reassignment

This guidance has been assessed as **not likely** to cause or contribute to discrimination, harassment or victimisation of persons sharing this protected characteristic. Opportunities to advance equality of opportunity and enhance good relations between persons who share this relevant protected characteristic and those who do not share it have been considered.

Marriage and Civil Partnership

This guidance has been assessed as **not likely** to cause or contribute to discrimination, harassment or victimisation of persons sharing this protected characteristic. Opportunities to advance equality of opportunity and enhance good relations between persons who share this relevant protected characteristic and those who do not share it have been considered.

Pregnancy and Maternity

This guidance has been assessed as **not likely** to cause or contribute to discrimination, harassment or victimisation of persons sharing this protected characteristic. Opportunities to advance equality of opportunity and enhance good relations between persons who share this relevant protected characteristic and those who do not share it have been considered.

Race

This guidance has been assessed as **not likely** to cause or contribute to discrimination, harassment or victimisation of persons sharing this protected characteristic. Opportunities to advance equality of opportunity and enhance good relations between persons who share this relevant protected characteristic and those who do not share it have been considered.

Religion or Belief

This guidance has been assessed as **not likely** to cause or contribute to discrimination, harassment or victimisation of persons sharing this protected characteristic. Opportunities to advance equality of opportunity and enhance good relations between persons who share this relevant protected characteristic and those who do not share it have been considered.

Sex (formerly gender)

This guidance has been assessed as **not likely** to cause or contribute to discrimination, harassment or victimisation of persons sharing this protected characteristic. Opportunities to advance equality of opportunity and enhance good relations between persons who share this relevant protected characteristic and those who do not share it have been considered.

Sexual orientation

This guidance has been assessed as **not likely** to cause or contribute to discrimination, harassment or victimisation of persons sharing this protected characteristic. Opportunities to advance equality of opportunity and enhance good relations between persons who share this relevant protected characteristic and those who do not share it have been considered.

4. Equality Impact Assessor's rationale and conclusions under the public sector equality duty: s.149 Equality Act 2010

This guidance provides direction and information where officers and staff may come into contact with dangerous dog related incidents and the action to be taken. The guidance is based upon appropriate use of the Dangerous Dogs Act 1991 and associated legislation. Therefore the approved Operational Guidance does not disproportionately, unfairly or unjustifiably adversely affect those who share those protected characteristics.

5. Set out the arrangements for reviewing and (or) monitoring of the function.

This Approved Operational Guidance is subject to review in accordance with the generic review schedule for all Approved Operational Guidance which is currently every 3 years or at any point of significant legal, policy, technical etc. changes or recommendations. The Approved Operational Guidance includes a link to allow any user to submit feedback which may trigger a review and amendment.

6. Date Equality Impact Assessment completed:

01/08/2023