

Fact Sheet | A Guide to Dog Attacks

Produced in conjunction with NSW Governments Responsible Pet Ownership Grants program (year 3)



What is a dog attack ?

Section 16 of the Companion Animals Act 1998 states 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 or another person has been injured, seek medical attention urgently. If an animal has been injured, seek veterinary attention as soon as possible. Even minor wounds (on people or animals) can become infected without immediate attention
- Report the attack to Council or to NSW Police as soon as possible. If the attack has occurred within Council business hours (8:30am-5:00pm weekdays) report the attack to Council on 1300 136 833.
If the attack has occurred after hours, you will be transferred to Council's after hours call centre operator who will contact a Ranger on your behalf.

Dog attack complaints

When a complaint is received at Council about an alleged dog attack, the incident is thoroughly investigated. Actions taken against a dog owner depend on the circumstances involved in the attack. Council requires sufficient evidence to uphold any declaration it makes in court. This means that Council requires detailed information, including the following:

- Statement – dates, time, location, description of the attack and injuries sustained
- Description of the offending dog – size, breed, colour, sex and distinguishing marks
- Name of the dog, if known
- Name and address of the dog's owner, if known
- Address where the dog lives or comes from
- Names and contact details of any witnesses
- Photographic or other evidence of injuries or fatalities to any person or animal
- Doctor's report detailing any injuries suffered to any person
- Vet's report detailing any injuries suffered to any animal

Council officers will investigate the complaint, taking statements and gathering any other relevant evidence to establish whether the dog is potentially a nuisance, menacing or dangerous dog.

The owner (or person in charge) of an attacking dog can face on the spot penalty infringement notices (fines) or prosecution in court. They are also responsible for the cost of all damages the dog causes to persons, property or animals.

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 the dog a nuisance, menacing dog or dangerous dog
- 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 whether the attacking dog was provoked.

Am I liable if my dog attacks a person or animal?

Yes.

As a dog owner (or the person in charge of the animal) you are liable if your dog attacks another animal or person.

What should you do if your dog has been involved in an attack and it is being investigated?

Secure your property – If your dog has escaped your property, identify how this has occurred. Check for holes along the fence or gates. Remove anything along the fence that the dog could have used to scramble or climb / jump over the fence. Check existing locks on gates and doors. Consider having a self closing/latching gate.

If you are unaware how your dog may have escaped, consider placing the dog on a chain or runner, in an enclosure, or inside.

Address your dog's 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 you should consider after an attack including:

- Whether the dog has shown signs of aggression before?
- Has the behavior of the dog changed lately?
- Has the dog's behavior become a problem?
- Is your property / yard appropriate for the dog?
- Can your property / 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 as well as the safety of your family and friends as well as the general public?
- Could you comply with strict conditions if the dog was declared a menacing or dangerous dog?
- Should your dog be surrendered to an authorised impound facility or euthanised?

For more information

If you require any further information or wish to report a dog attack, please contact:

Armidale Regional Council

Phone: 1300 136 833
Email: council@armidale.nsw.gov.au
Fax: (02) 6772 9275
Mail: P O Box 75A, Armidale NSW 2350
Address: 135 Rusden Street, Armidale
Website: www.armidaleregional.nsw.gov.au