

Safeguarding Children from Dangerous Dogs

Introduction and Aim of this Guidance

This guidance was initially produced as a result of the Serious Case Review (SCR) into Child Q in Northamptonshire which can be found [here](#). The primary aim of this guidance is to protect children in Northamptonshire from the serious injuries that can be inflicted by dogs that are prohibited, dangerous or poorly managed.

The guidelines set out to explain and describe:

- The children most likely to be vulnerable and the dogs most likely to be dangerous;
- The information that should be gathered when any child is injured by a dog and the criteria that should prompt a referral within the Safeguarding children procedures;
- The basis for an effective assessment of risk and the options for action that could be considered by strategy discussions or child protection conferences.

Dangerous Dogs

- The Dangerous Dogs Act (1991) provides very detailed information on the legislation covering certain types of dogs, the responsibilities of owners and the actions that can be taken to remove and/or control dogs;
- Certain dogs are 'prohibited' and if any agency has any knowledge or report of a dog of this type, the matter should be reported to the police immediately;
- Any dog can be 'dangerous' (as defined by The Act) if it has already been known to inflict or threaten injury;
- Injuries inflicted by certain types of dog are likely to be especially serious and damaging. Strong, powerful dogs such as Pit Bull Types will often use their back jaws (as opposed to 'nipping') and powerful neck muscle to shake their victims violently as they grasp;
- When reports of 'prohibited' dogs and known or potentially dangerous dogs are linked to the presence of children, all agencies should be alert to the possible risks and consequences;
- From the 13 May 2014 the Anti Social Behaviour, Crime and Policing Act 2014, amends Sec 3 of the Dangerous Dogs Act 1991 by extending the offence of being in charge of a dog dangerously out of control in a public place to 'any place in England or Wales', which includes private places. Please see legislation section below. See **Section 6, Legislation**.

The Dog and the Child: Family Context

When you visit a family that has a dog you need to consider whether the dog poses any threat to the child's health, development or safety.

- All children are potentially vulnerable from attack(s) from dog(s);
- Young and very small children are likely to be at greatest risk;
- A young child may be unaware and unprepared for the potential dangers they could face;
- A young child may be less able to protect themselves and more likely to be of a size that leaves especially vulnerable parts of their body exposed to any 'assault';
- Is it a large dog in a small home;
- Is the dog left alone with the child;
- How much money is spent on the dog compared to the child;

- If you consider a dog is a serious risk to a child you should contact the police immediately.

Owners and Families (including extended family and temporary carers)

- Many commentators will insist that 'the owner, not the dog' is the problem;
- There will be occasions when even the 'best' of owners fails to anticipate or prevent their dog's behaviour;
- The care, control and context of a dog's environment will undoubtedly impact on their behaviour and potential risks;
- Research indicates that neutered or spayed dogs are less likely to be territorial and aggressive towards other dogs and people;
- Dogs that are kept and/or bred for the purpose of fighting, defending or threatening are likely to present more risks than genuine pets.

Owners:

- Owners linked to criminal activity, anti-social behaviour, drugs or violence may have reason to encourage aggressive behaviour from dogs;
- Owners with interests and histories in crime, violence, drugs or anti-social behaviour are unlikely to appreciate or prevent the possible risks their dog(s) present to children.

Families, who experience high levels of aggression and domestic tensions:

- Are more likely to trigger excitement and possible attacks by dogs;
- Are less likely to appreciate and anticipate risks;
- May be less likely to take necessary precautions;
- May be less likely to guarantee the safety of the most vulnerable youngsters;
- Very young, small children living in chaotic or dysfunctional families are likely to be especially vulnerable;
- Prohibited, dangerous or powerful dogs are likely to inflict the most serious injuries.

Action to be Taken / What to do

Any agency aware of a dog that could be prohibited or considered dangerous should collect as much information as possible:

- The dog's name and breed;
- The owner;
- The reason for keeping the dog and other family members, particularly young children.

A risk assessment tool (see [Safer Dogs around Children \(Risk Assessment\)](#)) and [Prompting Professional Curiosity - Signs of Poor Welfare in Dogs](#) has been developed to assist practitioners in identifying and assessing the risk of potentially dangerous dogs.

Any agency aware of or treating an injury to a child caused by a dog should:

- Establish precisely when and how the injury was caused;
- Ask whether there is a history of previous similar injuries.

A referral to the MASH should be considered if any of the following criteria apply:

- The child injured is under two years of age;
- The child is under five years of age and injuries have required medical treatment;
- The child or their sibling has been bitten more than once by the same dog or by a different dog owned by the same person;
- The child/young person is under 18 years of age, injuries have required medical treatment and initial information suggests the dog responsible could be prohibited and/or dangerous;
- A prohibited and/or dangerous dog is reported and/or treated, and is believed to be living with and/or frequently associated with children under five years;
- If you believe the injuries caused are 'non accidental injuries' or if neglect was a major factor.

To make a referral to MASH practitioners should follow the Northamptonshire Thresholds & Pathways document to ensure the referral meets the criteria as detailed in the document.

Some referrals might prompt '**information leaflets**' on Dogs and Safe Care of Children to be issued, if the incident or injury was clearly minor, if the child was older or if the family have clearly shown themselves to be responsible dog owners.

In more serious cases initial assessments or joint section 47 investigations would lead to further discussions with other agencies:

- Home visits to complete fuller assessments and to inform judgements on parenting and the care and control of dog(s);
- Advice might be sought from a vet to help determine the likely nature or level of risk presented by the dog(s).

As with all other assessments "the welfare of the child is paramount".

Legislation

From 13 May 2014 the Anti Social Behaviour, Crime and Policing Act 2014 amends Sec 3 of the Dangerous Dogs Act 1991 by extending the offence of being in charge of a dog dangerously out of control in a public place to 'any place in England or Wales' which includes private places. It also extends to cases where injury is caused to an assistance dog (even though no person may be injured).

The Home Office Crime Classification 8/21 is amended to:

Owner or person in charge allowing a dog to be dangerously out of control in any place in England or Wales (whether or not in a public place) injuring any person or assistance dog. Section 3 (1) Dangerous Dogs Act 1991 as amended by Section 106 Anti-Social Behaviour Crime and Policing Act 2014.

The Anti-social Behaviour, Crime and Policing Act 2014 will bring changes to the current Dangerous Dogs Act (DDA) and came into force in England and Wales on 13 May 2014.

- Extension of the law under Section 3, from a dog dangerously out of control in a public place to cover "any place in England and Wales" (whether or not a public place). There is a limited defence in relation to whether the person was a trespasser entering or in a building, part of a building, that is a dwelling or forces' accommodation at the time of the offence;

- Under Section 3 of the DDA a new offence has been created in relation to a dog injuring an assistance dog, such as a guide dog, Dog for the Disabled or Hearing dog for the deaf, this only covers assistance dogs not other assistance animals. Assistance dog has the meaning given by section 173(1) of the Equality Act 2010;
- New power to Police Constables and to authorised Local Authority Officers to seize a dog in England and Wales which is not a public place, if the dog appears to the constable or officer to be dangerously out of control. This includes a private place, but the dog must be out of control immediately before or at the time the constable or authorised LA Officers makes the decision to seize;
- Increased prison sentences for those convicted of some offences;
- In relation to court, Contingent Destruction Orders on dogs will take into consideration whether the owner is a fit and proper person.

Example Incidents:

- A burglar enters a property, as a trespasser, and is attacked by the house owner's dog. In this case there would be a "house holder case" defence;
- The next door neighbour's son climbs over the garden fence to get his ball back and gets bitten by a dog whilst in the neighbour's garden, this would be an offence. The back garden is not covered in the defence;
- The postman delivering mail entering the driveway with implied permission gets chased by a dog which is snarling and biting at him but does not get bitten but is in fear that he will – this is an offence;
- When dealing with a prohibited breed dog (under Sec. 1 of the DDA), such as a suspected Pitbull, unless out of control immediately before or at the time, a warrant will still be required to seize from a private place.

Research

- Male owners have dogs with increased aggression and fear (Roll and Unsheim 1997);
- Shy, Tense, emotionally less stable owners have increased aggression in their dogs (Podberscek 1997);
- Presence of children in house reduces behavioural problems (Kebect 2003) but presence of teenagers increases biting;
- Dogs fed at meal times from the owners table causes increased food aggression (O'Sullivan 2008);
- Dogs fed at the table and dogs which sleep with the owner especially in their bed/ bedroom have increased aggression (Jago 1996);
- The presence of other dogs in house leads to less fear aggression dependent upon the age spread of dogs (Thompson personal communication PC);
- Dogs kept outside show increased aggression to strangers (Thompson PC);
- Dogs which are walked more have less stranger aggression (Kobect 2003);
- Dogs which have a free run on open space show increased socialisation and therefore less behaviour problems;
- Lack of research on dog type before purchase leads to increased behaviour problems Those dogs chosen for practicality have less problems whereas those chosen for appearance increased problems.(Roll and Unsheim 1997);
- First time dog owners have more behaviour problems in their dogs (Jago 1996);
- Those dog owners who have taken classes with their puppies have less behaviour problems as adult dogs (Lindsay 2000).