

PROCEDURES AND GUIDANCE

Dangerous Dogs and Safeguarding Children

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1. Introduction and Definition

The benefits of owning pets are well established. Having a pet can have physical and emotional benefits for a child as well as teaching them about responsibility and caring for living creatures. However, a number of children of different ages have been seriously injured or have died from attacks by dogs in recent years.

Therefore the aim of this chapter is to assist practitioners to assess risk and take action to protect children from serious injuries which can be inflicted by dogs that are prohibited, dangerous or badly looked after by their owners.

The practice guidance addresses the following:

- The information that should be gathered when any child is injured by a dog and the criteria that should prompt a contact to EHASH.
- The basis for an effective assessment of risk and the options for action that should be considered in strategy discussions or at Child Protection Conferences.

Research suggests that abuse of animals can be part of a constellation of intra-familial violence, which can include maltreatment of children and domestic violence and abuse. However, this does not imply that children who are cruel to animals necessarily go on to be violent adults, or that adults who abuse animals are also violent to their partners and/or children. Effective investigation and assessment are crucial to determine whether there are any links between these factors and the possible risks to the safety and welfare of children and/or vulnerable adults.

2. Legislation Relating to Dangerous Dogs

The Dangerous Dogs Act (1991) provides detailed information about the legislation covering certain types of dogs, the responsibilities of the 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;

Part 7. of the Anti-social Behaviour, Crime and Policing Act 2014 strengthens powers to tackle irresponsible dog ownership by extending to private places the offence of owning or being in charge of a dog that is dangerously out of control in a public place. It also provides that a dog attack on an assistance dog constitutes an aggravated offence.

Part 7. also ensures that the courts can take account of the character of the owner of the dog, as well as of the dog, when assessing whether a dog should be destroyed on the grounds that it is a risk to the public.

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.

3. Assessing Risks to Children and Young People

When a practitioner from any agency undertakes a home visit and there are children and dogs in the household, the practitioner should consider whether the presence of the dog/s may present any kind of risk to the welfare of the child/ren.

There will be times when even the most well cared for dog behaves in a way that had not been expected. The care, control and context of a dog's environment will impact on the dog's behaviour and the potential risks it may pose. 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 others are likely to present more risks than genuine pets.

All children are potentially vulnerable from an attack by a dog but very young children are likely to be at greatest risk. A young child will be unaware of the potential dangers they could face and will be less able to protect themselves. Small children are of a size that leaves especially vulnerable parts of their body exposed. The question should be asked: 'is the dog left alone with the child?' This applies even if the child is in a cot, bed or seat of some kind.

If it is the professional judgement of the practitioner that a dog presents a risk to a child, the police and Children's Services should be contacted immediately.

4. Protection and Action to be Taken

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

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

Where there is a report of a child having been injured, consideration should be given to the nature of the injuries and a contact should be made to EHaSH in line with the **EHaSH process**

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The contact should be considered if the following criteria apply:

- The injured child is under two years of age;
- The child is under five years of age and the injuries have required medical treatment; The child is over five years and under 18 and has been bitten more than once by the same dog;
- The child/young person is under 18 years of age, the 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.

Some contacts might be logged 'for information only' by the agencies, if it is clearly established that no significant or continued risk is likely to the child, or other children (for example, if the dog has already been 'put down' or removed).

Some contacts might prompt 'information leaflets' on Dogs and Safe Care of Children to be issued by the referrer (see links below), 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 a strategy discussion and joint section 47 investigation should lead to further discussions with other agencies and home visits to complete assessments and to inform judgements on parenting and the care and control of the dog(s).

Advice might be sought from a veterinary professional 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.

5. Significant Issues

The RSPCA advice to all professionals who are in contact with a household where there is a dog/s present:

'When looking at, or asking about a dog think about the following points, which should not be considered an exhaustive list but are intended to prompt a professional's curiosity as to the state of the dog's welfare along with suggested courses of action.'

'The points relate to Section 9 of the Animal Welfare Act, 2006 which imposes a duty of care on a person who is permanently or temporarily responsible for an animal. This duty of care requires that reasonable steps in all the circumstances are taken to ensure that the welfare needs of an animal are met to the extent required by good practice. The welfare needs are:

- The need for a suitable environment;

- The need for a suitable diet;
- The need to be able to exhibit normal behaviour patterns;
- The need it has to be housed with, or apart from, other animals;
- The need to be protected from pain, suffering, injury and disease.

During the visit ask if there is a dog in the property including the back garden. If there is, and the dog isn't in the same room as you, ask to see him."

Further Information

Guidance on the Recognition of Prohibited Dogs in Great Britain – defra

www.defra.gov.uk

<https://www.gov.uk/control-dog-public/banned-dogs>

Keeping your family dog and visiting children safe

<https://www.bluecross.org.uk/pet-advice/keeping-your-family-dog-and-visiting-children-safe>

The Blue Cross Be Safe with Dogs Leaflet - Guidance for Families

https://www.bluecross.org.uk/sites/default/files/downloads/14865_proof_4_LR_WEB.pdf

The Blue Cross Your Dog and Your Baby

<https://www.bluecross.org.uk/sites/default/files/downloads/16093-D25 DOG AND BABY Ir.pdf>

The Dogs Trust: Staying Safe With Dogs - leaflet

<https://www.dogstrust.org.uk/help-advice/factsheets-downloads/stay%20safe%20around%20dogs.pdf>

Kennel Club's Safe & Sound Programme with Resources for Schools and Parents

<https://www.thekennelclub.org.uk/training/safe-and-sound/>

National Animal Welfare Trust Advice Sheet/Free Webinar

<https://www.nawt.org.uk/advice>

Animal welfare in violent homes - free training resource

<https://www.virtual-college.co.uk/news/virtual-college/2017/09/virtual-college-helps-understanding-of-animal-welfare-in-violent-homes>