

Welfare and Dog Law

This guide is designed to help owners understand their responsibilities, but it should **NOT** be considered legal advice. For expert advice please look at <https://www.doglaw.co.uk/>. For a downloadable guide please look here <https://www.thekennelclub.org.uk/media/8277/law.pdf>

There are over 20 pieces of legislation that apply to dog ownership in Britain.

Animal Welfare Act 2006, section 9

Being a dog owner means we have a legal duty to provide for our pet's welfare needs.

All domestic animals have the legal right to:

- live in a suitable environment
- eat a suitable diet
- exhibit normal behavior patterns
- be housed with, or apart from, other animals
- be protected from pain, suffering, injury and disease

Dog owners who fail to ensure their pet's welfare needs may face prosecution. Owners can be taken to court if they don't look after their pets properly and face a prison sentence of up to six months, and a fine of up to £20,000. They may also have their pet taken away from them or be banned from having pets in the future.

Animal Welfare Act 2006, section 4

Animal cruelty is a criminal offence. Allowing a dog to suffer unnecessarily could land you in prison for six months, a £20,000 fine, and a ban on keeping animals. Note: the government has announced its intentions to increase animal cruelty sentences to a maximum of five years in prison.

Dangerous Dogs Act 1991, section 1

Some types of dogs are illegal to own, breed, sell, abandon or give away. The four banned breeds are:

- Pit Bull Terrier
- Japanese Tosa

- Dogo Argentino
- Fila Brasileiro

Dangerous Dogs Act 1991, section 3

Dogs must not be allowed to be ‘dangerously out of control, which means injuring someone or making someone fear they may be injured. This applies to any breed or type of dog. Owners (or the person in charge of the dog at the time) who allow their pets to hurt a person, face up to three years in prison for injury, or 14 years for death, an unlimited fine, disqualification from owning pets, and having their dog destroyed.

It is also an offence to allow a dog to injure a registered assistance dog. In cases where no injury is caused, owners can still go to prison for six months, be fined up to £5,000, be banned from owning pets and have their dog destroyed.

Anti-social Behavior, Crime and Policing Act 2014 amends the Dangerous Dogs Act 1991

Allowing your dog to be ‘dangerously out of control’ is now against the law on private property, as well as in public. This means owners can be prosecuted if their dog attacks someone in their home, including in their front and back gardens, or in private property such as a pub. An exemption is in place if a dog bites someone who has no legal right to be in your home, for example a burglar. You will need to make sure your dog is not a threat to delivery drivers, postal workers, health workers and other professionals who may visit your property.

A dog doesn’t have to have bitten or physically injured someone for an offence to take place. If a person feels your dog may hurt them, they may still be considered ‘dangerously out of control’. This applies to all dogs of all sizes, breeds and types.

Environmental Protection Act 1990

Dog barking too much. All dogs bark sometimes, it’s perfectly natural. But when they bark a lot over a long period of time, they can become a noisy nuisance to your neighbours. If the problem has gone on for too long and has caused a lot of upset, your local authority’s environmental health department can formally ask you to stop your dog from continuing the behaviour, and if you don’t, they can take your dog away from you.

The Clean Neighborhoods and Environment Act (2000), Environmental Protection Act (1990), Litter (Animal Droppings) Order 1991

You must scoop that poop in most public places, however there are some areas where picking up is not a legal requirement (unless a specific order or bylaw has been placed), and these are heathland, woodland, land used for the grazing of animals. Your local authority also has the power to introduce Public Space Protection Orders (PSPOs) to curb dog fouling, including requiring dog owners to pick up after their dogs in certain areas or requiring owners to always carry poo bags on them. Owners can be issued a fixed penalty notice of up to £100 for not complying with regulations. Areas with a PSPO on them should be indicated by signs.

Owners of assistance dogs who have a disability that prevents them from picking up poo, for example a Guide Dog walked by a registered blind person, are exempt from these rules. [Road Traffic Act 1988](#) Dogs must always be kept on a lead when walking on pavements. [The Control of Dogs Order 1992](#) All dogs in a public place must wear a collar with the owner's name and address on.

Dogs (Protection of Livestock) Act 1953, Animals Act 1971, section 3

Dogs should not be allowed to 'worry' livestock. This means owners must prevent dogs from attacking livestock, chasing livestock, be kept on a lead or under close control in a field containing sheep. Even if your dog does not bite livestock, chasing or barking at them can cause pregnant animals to abort their young through stress.

Travelling with your dog in a car or other road vehicle

The Highway Code requires dogs (and other animals) to be 'suitably restrained so they cannot distract you while you are driving or injure you, or themselves, if you stop quickly' ([rule 57](#)). While breaking the Highway Code is not an offence in itself, allowing a dog to distract you could be taken into account in the event of an accident. Bear in mind that in a crash, an unsecured dog will be thrown forward with significant force. This could result in your pet's death, and depending on the size of your dog, could also injure or kill the driver or passengers.