



**BOULIA**  
SHIRE COUNCIL

# Dangerous Dogs

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# What is a Dangerous Dog?

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There are several ways that a dog might be considered to be dangerous. One person might feel a dog is dangerous if it behaves in a way that it could be unpredictable, another might say its dangerous only if it attacks a person.

The legislation from *Animal Management (Cats and Dogs) Act 2008* (The Act) guides us on what a Dangerous Dog is.

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# What does The Act state?

To protect the community from actual, or the risk of actual damage or injury, the Act identifies that there are times when a dog should be regulated. This is what is referred to as *Regulated Dogs*.

*What is a Regulated dog?*

A regulated dog is –

- a. a declared dangerous dog; or
- b. a declared menacing dog; or
- c. a restricted dog

*What is a Declaration?*

Any local government may, by complying with the requirements of Act -

- a. declare a particular dog to be a declared dangerous dog  
(a ***dangerous dog declaration***); or
- b. declare a particular dog to be a declared menacing dog  
(a ***menacing dog declaration***); or
- c. declare a particular dog to be a restricted dog  
(a ***restricted dog declaration***).



# What does The Act State?

A *dangerous dog* declaration may be made for a dog only if the dog -

- (a) has seriously attacked, or acted in a way that caused fear to, a person or another animal; or
- (b) may, in the opinion of an authorised person having regard to the way the dog has behaved towards a person or another animal, seriously attack, or act in a way that causes fear to, the person or animal.

A *menacing dog* declaration may be made for a dog only if a ground mentioned above exists for the dog, except that the attack was not serious.

A *restricted dog* declaration may be made for a dog only if the local government is satisfied the dog is of a breed which is prohibited from importation into Australia under the *Customs Act 1901*. These breeds include the *American Pit Bull*, *Pit Bull Terrier*, *Dogo Argentino*, *Fila Brasileiro*, *Japanese Tosa*, *Perro de Presa Canario* and *Preso Canario*.

The declaration may be made even if the dog is not in the local government's area.

A declaration under this section is a ***regulated dog declaration***.

***To Seriously attack*** means to attack in a way causing bodily harm, grievous bodily harm or death.



# Who decides?

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Only an *Authorised Person* can declare a dog to be dangerous under The Act.

- *An Authorised Person is a person who is appointed by the CEO of a local government. The CEO may appoint an employee of the local government or a person prescribed under legislation to investigate, monitor and enforce compliance with the Animal Management (Cats and Dogs) Act 2008*

The CEO of a local government must *delegate their powers* to enact the requirements of an Authorised Persons within relevant Acts.

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# What makes a dog dangerous?

## Main factors

- heredity (genes, breed)
- early experiences
- socialisation and training
- health (physical and psychological); and
- victim behaviour



# Other factors include

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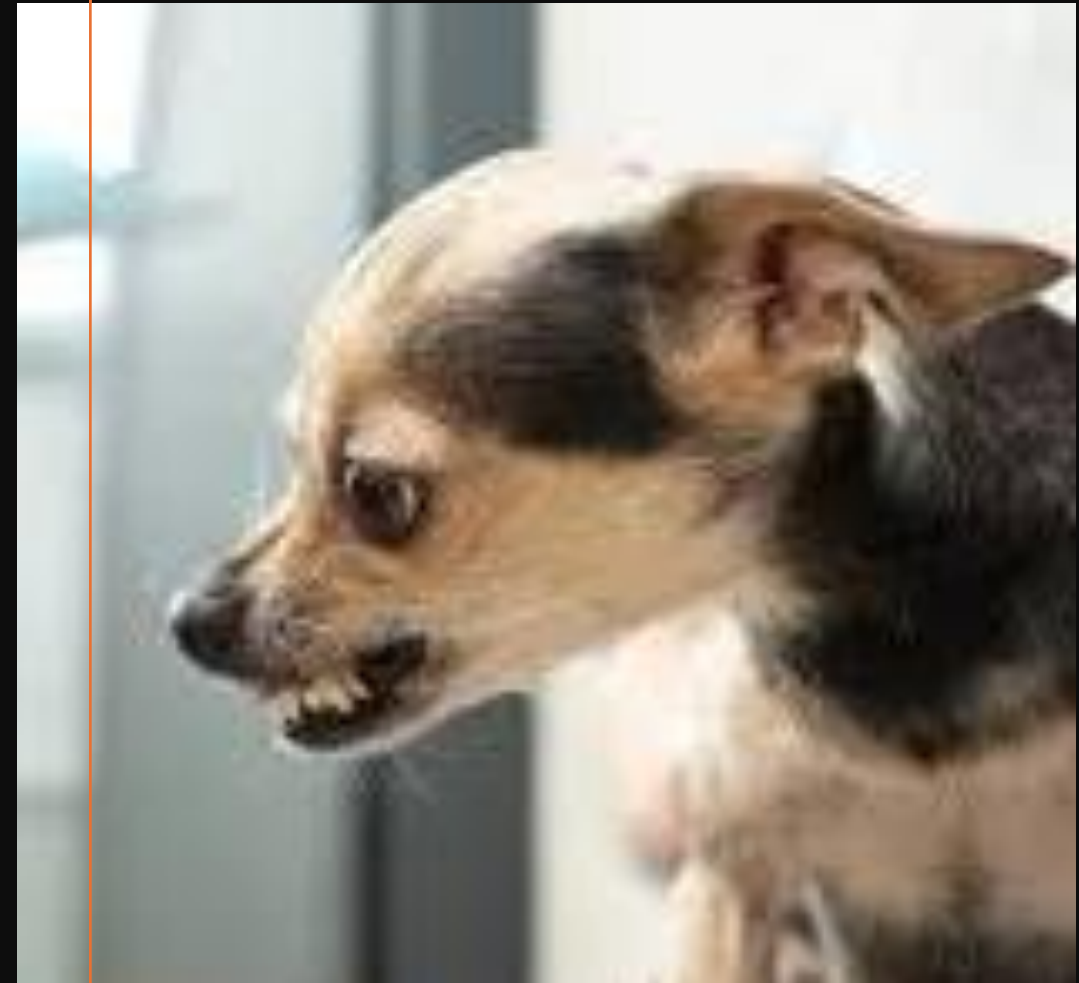
- Male dogs are 6.2 times more likely to bite than females
- Entire (un-desexed) dogs are 2.6 times more likely to bite than those that are spayed or neutered (desexed)
- Chained dogs are 2.8 times more likely to bite than unchained dogs
- Dogs with “dominance aggression” are more likely to be 18-24 months old
- Dogs bred at home are less likely to bite, compared to those obtained from breeders and pet shops
- Dogs are more likely to bite the older they are when they are obtained
- Biting dogs are more likely to live in areas of lower median income
- Dogs are more dangerous when acting as a pack

# What happens if a dog is declared dangerous?

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## The dog must be

- desexed,
- Microchipped,
- wear a collar that has an identification tag which is:
  - Made of plastic or metal
  - Be in the shape of a disc
  - Have a yellow background
  - Be at least 25mm in diameter and
  - Be engraved with the words “regulated dog” and a 24 hours contact telephone number for the responsible person for the dog





# What happens if a dog is declared dangerous?

## Cont'd

- The dog must be muzzled in a public place and must be under the effective control of someone who has control of no more than one dog at the same time.
- An enclosure must be maintained at or on the address in the registration notice for the dog and meet strict requirements.
- A sign/notice must be placed at or near each entrance to the place where the dog is usually kept notifying that a regulated dog is kept there.
- The dog must not be kept at a place other than the place in the registration notice as the address for the dog.
- The owner must advise local government of any change in their residential address within 7 days after making the change. If the new residential address is in another local government area, the permit holder must also give notice to the other local government.

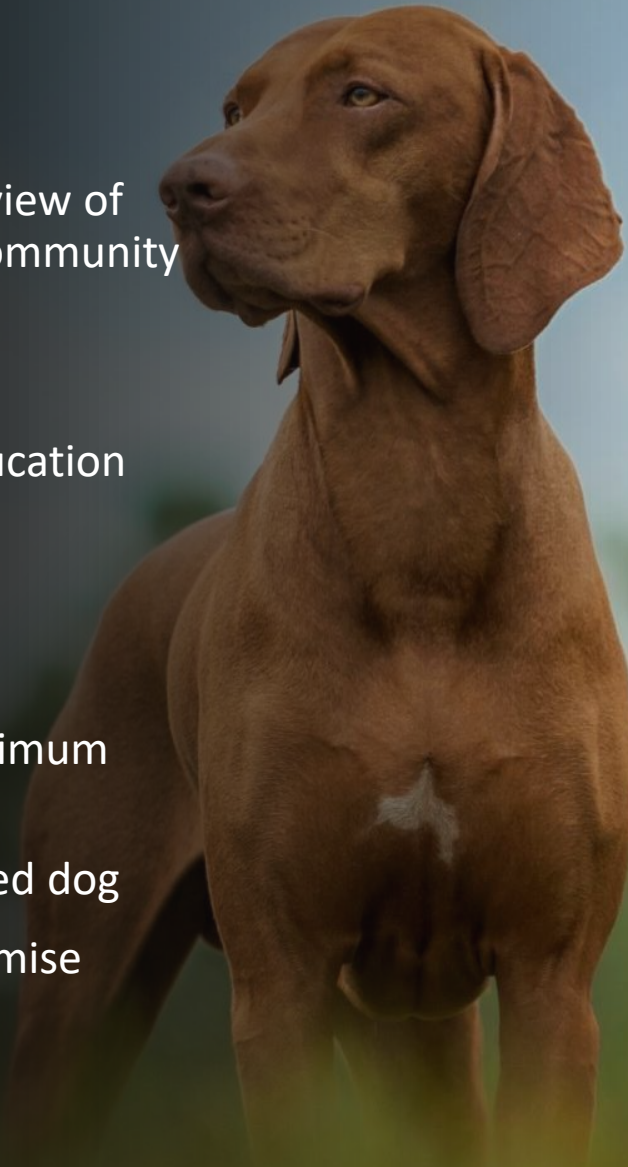


# What is happening state wide to decrease dog attacks?

The Department of Agriculture and Fisheries are undertaking a review of different proposals to strengthen dog laws to better protect the community through promoting responsible dog ownership in Queensland

Their proposals include:

- Developing and implementing a comprehensive community education campaign
- Imposing new state-wide bans on restricted dog breeds
- Reviewing penalties for owners of dogs that cause harm
- Introducing a new offence that includes imprisonment as a maximum penalty for the most serious dog attacks
- Clarifying when a destruction order must be made for a regulated dog
- Streamlining external review process for regulated dogs to minimise unnecessary delays experienced by Councils and relevant parties.



# What can we do to reduce dangerous dogs in our communities?

Most dog attacks are predictable and preventable. Data and research from Queensland and other national and international jurisdictions show consistent patterns that we can learn from to better prevent attacks occurring in the first place.

Effective responses combine strategies including:

- clear guidance about responsible dog ownership,
- strong regulation,
- education and awareness about dog behaviour, and
- education and awareness on how people should interact with animals.

Owners and people responsible for dogs play a critical role in preventing dog attacks. People choose their dog and are responsible for its care and wellbeing including de-sexing, socialisation and training, maintaining the dog's health, ensuring it is appropriately supervised and restrained, and monitoring how their dog interacts with people and other animals. Owners must be able to recognise and respond effectively to early signs of concerning behaviour in their dog.



# References

*Animal management (Cats and Dogs) Act 2008*

*Strong Dog Law: Safer Communities, Discussion Paper; June 2023, The State Of Queensland Department of Agriculture and Fisheries.*

*Animal Welfare Victoria, Agriculture Victoria, May 2024; Dangerous Dogs, [Dangerous dogs | Dog attacks, dangerous and menacing dogs | Dogs | Animal Welfare Victoria | Livestock and animals | Agriculture Victoria](#)*

*2022 Review of the Dog and Cat Management Act 1995, December 2022; Final Report, Government of South Australia, Dog and Cat Management Board*

*Dangerous Dogs – A Sensible Solution; January 2019; Australian Veterinary Association*

*Irresponsible dog owners costing the community, July 2023; Dan Knowles Local Government Association of Queensland*