

## Response ID ANON-WUX3-HHTU-G

Submitted to **Criminal law - dealing with dangerous dogs: consultation**

Submitted on **2021-04-14 11:24:31**

### Questions

**Do you think option 1 or option 2 is the preferred model for criminal liability falling on dog owners/persons in charge of a dog in the area of dangerous dogs?**

Option 1

**If you wish to offer an explanation as to how you have arrived at your preference, please do so below. :**

We would support that option 1 is the preferred model for criminal liability, placing an absolute responsibility on dog owners as to the behaviour of their dogs.

We support this in favour of the current legislation in Scotland, which only places responsibility on the owner if there has been 'reasonable apprehension' of an attack.

We are aware that the existence of this requirement (as part of the the current legislation) proves to be a difficult evidential hurdle, which can result in prosecutions not being proceeded with, regardless of the severity of the attack.

We are also aware that legislation in England and Wales does not have to prove 'reasonable apprehension' and is considered to work effectively.

**Do you think new powers should be provided for seizure of dogs in respect of where a court is considering whether a destruction order is being sought and/or in other situations involving dangerous dogs?**

Yes

**Do you think relevant legislation should be consolidated?**

Yes

**Please provide any further views on the criminal law and dangerous dogs below.**

**Please give us your views:**

We broadly agree that new powers should be provided for seizure of dogs, however, this needs to be supported by specific guidance for all partners, especially around clarity of roles and responsibilities and the importance of working in partnership on this issue. We also recognise there will be real cost implications to all partners and this needs due consideration.

### About you

**What is your name?**

**Name:**

Dawn Exley

**What is your email address?**

**Email:**

dawn.exley@scsn.org.uk

**Are you responding as an individual or an organisation?**

Organisation

**What is your organisation?**

**Organisation:**

Scottish Community Safety Network

**The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:**

Publish response only (without name)

**We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?**

Yes

**I confirm that I have read the privacy policy and consent to the data I provide being used as set out in the policy.**

I consent

## **Evaluation**

**Please help us improve our consultations by answering the questions below. (Responses to the evaluation will not be published.)**

**Matrix 1 - How satisfied were you with this consultation?:**

Very satisfied

**Please enter comments here.:**

**Matrix 1 - How would you rate your satisfaction with using this platform (Citizen Space) to respond to this consultation?:**

Very satisfied

**Please enter comments here.:**