

## Information sheet for responsible person allegation of a dog attack

### What happens during an investigation?

- The complainant may be interviewed and a statement taken, including evidence such as photographs of injuries, surrounding area and medical and veterinary transcripts.
- Witnesses may also be interviewed and statements taken.
- You may be interviewed to make a statement if you wish. However, your statement may be used as evidence. Please complete, sign and return within 3 days if you would like to submit a statement.
- The interviews will be recorded.

### What are my rights?

You have the right to:

- Provide as much information as you choose about the incident.
- Choose not to be interviewed to make a statement.
- Apply to Council under Right to Information to access documents relating to the complaint on 1300 308 461 (a fee will be applicable);
- You have the right to seek legal advice.

### What happens to my dog/s?

The dog's history and the severity and location of the attack will determine the level of action.

Under The Animal Management (Cats and Dogs) Act 2008, if there is evidence the dog has attacked, Council may:

- Direct you to enclose your dog in a safe and secure area; or
  - Declare the dog a 'dangerous' or 'menacing' dog, making you comply with strict requirements; or
  - Seize the dog and issue a 'destruction order'; or
- Please note that such an order may be appealed through Queensland Civil Administrative Tribunal (QCAT).
- The Local Laws Officer may also seize the dog under Section 112 & 125 of The Animal Management (Cats and Dogs) Act 2008, if it's the opinion of the officer that the dog is a risk to public health or safety. If this happens the Officer will issue you with a Notice of Seizure and a copy of this part of the Act.

### Can I be fined?

If there is evidence the dog has attacked, Council may issue a Penalty Infringement Notice. Conversely, you may face prosecution which carries a maximum court ordered penalty of \$20,000.

You could also be fined for failing to register your dog, for not having your dog under effective control in a public place or allowing your dog in public unleashed.

**Confidentially**

Your personal details will remain confidential. However, documents relating to the case, such as your statement, may be made available under the Right to Information Act or if the case is dealt with by a court or Queensland Civil Administrative Tribunal (QCAT).

If you are concerned about this, please let the Local Laws Officer handling your case know.

**Medical and Veterinary Costs**

It is not Council's role to recover medical or veterinary costs. This is a civil matter.

If you need more information, please call the Officer listed on this form.

**Please note, this information sheet is a guide as to how Council investigates a dog attack complaint. This is not legal advice.**

**The Local Laws Officer handling this investigation is:**

Name: .....

Phone: 1300 308 461

