



ARTICLE NO.: 1F

**CORPORATE & ENVIRONMENTAL
OVERVIEW & SCRUTINY
COMMITTEE**

**MEMBERS UPDATE 2015/2016
ISSUE: 1**

Article of: Assistant Director Community Services

Relevant Managing Director: Managing Director (People and Places)

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**SUBJECT: SENTENCING COUNCIL CONSULTATION ON NEW SENTENCING
GUIDELINES FOR DANGEROUS DOGS OFFENCES.**

Wards affected: Borough wide

1.0 PURPOSE OF ARTICLE

1.1 To advise Members of the contents of a Sentencing Council consultation and the response agreed, in consultation with the relevant Portfolio Holder.

2.0 BACKGROUND

2.1 The Sentencing Council is the independent body responsible for developing sentencing guidelines for the courts to use when passing a sentence. In March 2015, they launched a consultation in relation to the proposals to enhance the sentences for offences in relation to Dangerous Dogs. The consultation documentation is available via www.sentencingcouncil.org.uk/consultations/.

2.2 The consultation has been deemed necessary following changes to the legislation relating to dangerous dogs and the original sentencing guidelines have been seen as too weak.

2.3 The consultation is a comprehensive document and lists 52 individual questions relating to scenarios involving dogs.

2.4 The offences that the consultation relates to are as follows

- Dog dangerously out of control in any place causing the death of a person.
- Dog dangerously out of control in any place where a person is injured.
- Dog dangerously out of control in any place where an assistance dog is injured.
- Dog dangerously out of control in any place.

- Possession of a prohibited dog, breeding, selling, exchanging or advertising a prohibited dog.

3.0 CONSULTATION

3.1 In summary, the consultation is seeking views in relation to the following:-

- the principal factors that make any of the offences included within the draft guideline more or less serious;
- the additional factors that should influence the sentence;
- the approach taken to structuring the draft guidelines;
- the sentences that should be passed for dangerous dog offences; and
- anything else that you think should be considered.

3.2 In essence, they are attempting to produce guidelines which will allow the courts to impose much stricter sentences if one of the offences listed in 2.4 arises. This would directly affect the owners of dogs involved in such attacks. The hope would also be that it also indirectly acts as a deterrent for existing or potential owners.

4.0 RESPONSE

4.1 Rather than commit officer resources to answering all of the detailed questions, the following response was agreed with the Portfolio Holder:-

West Lancashire Borough Council fully supports the introduction of stronger sentencing guidelines for the Courts. The Council will not be providing responses to all the questions in the consultation, but would support any actions aimed at encouraging responsible ownership and reducing the numbers of dog attacks.

5.0 SUSTAINABILITY IMPLICATIONS/COMMUNITY STRATEGY

5.1 There are no significant sustainability impacts associated with this report and, in particular, no significant impact on crime and disorder. The report has no significant links with the Sustainable Community Strategy.

6.0 FINANCIAL AND RESOURCE IMPLICATIONS

6.1 There are no significant financial or resource implications arising from this report.

7.0 RISK ASSESSMENT

7.1 This report highlights a consultation that the Council can respond to, but does not have to. As a result no risk assessment is necessary.

Background Documents

There are no background documents (as defined in Section 100D(5) of the Local Government Act 1972) to this Report.

Equality Impact Assessment

The decision does not have any direct impact on members of the public, employees, elected members and / or stakeholders. Therefore no Equality Impact Assessment is required.

Appendices

None.