

# Put your dog out back or it might put you in court.



**If your dog is on your property but not securely confined, you are breaking the law...**

## **Dogs – territorial by nature**

A dog of any size or breed can become aggressive when defending its territory. Even a friendly dog may guard the area on or around its property, especially when you are not present.

Dog attacks on people and other animals are reported to local councils each day.

Most dog attacks in public places occur on the footpath or road in front of the attacking dog's property.

Confining dogs to the property would prevent eighty percent of dog attacks in public places!

## **Legal requirements for dog owners**

Under the Domestic (Feral and Nuisance) Animals Act 1994, all dog owners must securely confine dogs to the property. This means your yard must have a closed gate, and an escape-proof fence that your dog can not jump, get under or through.

Legally, visitors must also have safe access to your front door, without being stopped by your dog.

If your dog could get through your gates or fencing, you can be fined even if it doesn't actually leave your property.

Magistrates have the power to require owners of pets that have escaped to carry out works to ensure this does not happen again. To make sure your dog is properly confined, keep it in the backyard behind a locked gate.

## **Legal consequences if your dog rushes at or chases someone**

If your dog rushes at or chases someone, you could be fined, and your local council can declare your dog to be a 'menacing dog'. This means you will have to microchip it and you may have to leash and muzzle it in public.

If you do not comply with these requirements, council can then declare your dog to be a 'dangerous dog'. There are very strict controls on the housing, exercise and ownership of dangerous dogs.

## **Legal consequences in the event of an attack on a person or another animal**

You are liable if your dog attacks a person or animal outside your property, or someone trying to get to your front door. You are also liable if your dog attacks someone who has been invited onto your property.

An attack by your dog can lead to court action. If convicted, owners can face substantial fines. This is in addition to damages, which may potentially be thousands of dollars. In such situations, dogs are often ordered to be destroyed or declared dangerous. Strict ownership controls are imposed on dangerous dogs for the rest of their lives.

## **Other reasons to confine your dog in the backyard**

Apart from the legal consequences, an attack can be very distressing for all involved. This is particularly the case if the victim is a child or is badly injured.

If securely confined, your dog will be safe from traffic injuries or fights with other dogs. It will also be prevented from wandering and becoming lost.

It's easy to prevent most dog attacks in public places, just by confining dogs. That's good news for the reputation of our pets and for responsible dog owners.

So for the safety of your dog and everyone else, remember—confine your dog. Backyard is best!

### **For more advice or information**

Call your local council if you have questions about your rights and responsibilities as a dog owner. Your council will also deal with concerns about wandering or nuisance dogs.

For general information about responsible pet ownership, and contact details for relevant pet organisations, visit: **[www.pets.dpi.vic.gov.au](http://www.pets.dpi.vic.gov.au)** or call **136 186** for the cost of a local call.

**Confine Your Dog. Backyard is best.**

Published by the Victorian Government Department of Primary Industries, January, 2009  
© The State of Victoria, Department of Primary Industries, 2009.  
This publication is copyright. No part may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968.

ISBN 978-1-74217-296-5 (print)  
ISBN 978-1-74217-297-2 (online)  
Job No. CC/08/0036

**Disclaimer**

This publication may be of assistance to you but the State of Victoria and its employees do not guarantee that the publication is without flaw of any kind or is wholly appropriate for your particular purposes and therefore disclaims all liability for any error, loss or other consequence which may arise from you relying on any information in this publication.

**For further information, visit the DPI Website at [www.dpi.vic.gov.au](http://www.dpi.vic.gov.au) or contact the DPI Customer Service Centre on 136 186.**

If you would like to receive this information/publication in an accessible format (such as large print or audio) please call the Customer Service Centre on: 136 186, TTY: 1800 122 969, or email [customer.service@dpi.vic.gov.au](mailto:customer.service@dpi.vic.gov.au)