



Your reference:

Our reference: FOI_2023.0976

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 31/10/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0976

On 04/10/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

I am writing this email to request the following information based on reported dog attacks (on pets and people) recorded monthly from January 2018 to 2023 (today). I would like as much data that is available please. Here are some of the specific questions:

1. How many reported dogs attacks were on people (adult/child/infant)?
2. How many reported dog attacks were on pets (dog breed/cat/other)?
3. Which breed (or type) of dog was involved in the reported attacks?
4. Where did the attack take place (at home, on lead during a walk, off lead during walk, escaped from home etc)?
5. What injury did the attack lead to?
6. How many, if any, attacks led to police seizures of the dog?

Two broader questions (if they can be answered) are:

- (a) How is a dog attack defined?
- (b) Would these reports include multiple reports?
- (c) Could the same dog be reported over a number of months?

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

Following receipt of your request, initial searches were conducted of the Crime Recording System for substantiated crimes recorded between 01/01/2018 – 30/09/2023 where the offence is 'Owner or person in charge allowing dog to be dangerously out of control in a place in England or Wales (whether or not a public place) injuring any person or assistance dog.'

This has returned 1,312 records. In order to answer questions 1-6 of your request, a manual review of these records is required to determine if the information is recorded, and if so, to then extract the relevant data. We have estimated that this part of the request would far exceed the permitted time constraints, therefore Section 12 of the Act is applicable. This section does not oblige a public authority to comply with a request for information if the authority estimated that the cost of complying with the request would exceed the appropriate limit of 18 hours, equating to £450.00

You should consider this to be a refusal notice under Section 17 of the Act for this part of your request.

Section 17(5) of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

In relation to your request Section 12 applies.

Section 12(1) – Fee Regulations states:

Section 1(1) of the Act does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit. (As detailed in the Data Protection and Freedom of Information Fees Regulations of 2004)

The appropriate limit at the moment is £450 calculated at an hourly rate of £25 per hour for all staff time incurred in:

- i. Determining whether information is held
- ii. Locating it
- iii. Retrieving it
- iv. Extracting the information to be disclosed from the other information.

By way of assistance and although excess cost removes the Force's obligations under the Freedom of Information Act, I have supplied the information relevant to your request which has already been retrieved. I trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

With regards to the "broader" questions asked,

(a) The legal definition of dog attack may vary depending the circumstances of the incident, however, a dog attack generally refers to a situation where a dog injures or threatens a person or another animal with or without provocation. The definition of attack includes the dog behaving in such a way that a person becomes fearful that they might be attacked. It is an offence to allow a dog to attack or cause serious injury to a person, assistance dog or livestock

The owner or the person in control of the dog may be liable for civil damages or criminal charges if the dog attack results in injury, serious injury or death. There may be exceptions or defences if the dog was acting in self-defence or in response to abuse or threat. The dog does not need to bite someone for an offence to have been committed. If the dog's behaviour is aggressive or threatening the owner may be prosecuted.

(b) Incidents reported are dealt with on a case by case basis. There may be instances where the same owner is responsible for several dogs committing offences, or incidents where a singular dog has committed a number of offences, it depends on how it is brought to the attention of the Police.

(c) It is possible that the same dog could be reported over a number of months, but it depends on its behaviour, incident types, environmental factors and resolution from previous incidents.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary