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This bulletin provides statistics on the outcomes and demographics of adult offenders<sup>1</sup> sentenced for certain offences covered by the draft guideline on dangerous dog offences. The consultation period for the dangerous dog offences draft guideline will begin on 17 March 2015 and close on 9 June 2015.

The Sentencing Council issued a dangerous dog offences guideline in August 2012.<sup>2</sup> In May 2014 amendments to the Dangerous Dogs Act 1991 were enacted through the Anti-social Behaviour, Crime and Policing Act 2014,<sup>3</sup> which made such substantial changes to the offences and the maximum penalties that the Council considered it would be appropriate to comprehensively revise the existing guideline.

Further information on these offences and the draft guideline can be found in the consultation document which can be accessed via the Consultations page on the Sentencing Council website, at the following link: <http://www.sentencingcouncil.org.uk/consultations/>.

The Court Proceedings Database (CPD), maintained by the Ministry of Justice, is the source of the data for this bulletin. Data on the CPD are categorised by the relevant legislation under which proceedings are brought.

## Introduction

The draft guideline on dangerous dog offences contains guidelines for five offence groups. The first four offences (shown below) are covered by the Dangerous Dogs Act 1991 (section 3(1)), as amended by the Anti-social Behaviour, Crime and Policing Act 2014 (section 106).

### 1. Dog dangerously out of control in any place causing the death of a person

Dangerous Dogs Act 1991 (section 3(1)), whereby a dog dangerously out of control causes the death of a person in any place. The statutory maximum for this offence has increased from two years to 14 years' custody.

### 2. Dog dangerously out of control in any place where a person is injured

Dangerous Dogs Act 1991 (section 3(1)), whereby a dog dangerously out of control injures a person in any place. The statutory maximum for this offence has increased from two to five years' custody.

### 3. Dog dangerously out of control in any place where an assistance dog is injured

Dangerous Dogs Act 1991 (section 3(1)), whereby a dog dangerously out of control injures an assistance dog in any place. This new offence has a statutory maximum of three years' custody.

### 4. Dog dangerously out of control in any place

Dangerous Dogs Act 1991 (section 3(1)). This non-aggravating offence now covers all offences where a dog is dangerously out of control in any place, and may include circumstances where a dog injures another animal. The statutory maximum for this offence remains unchanged.

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1 Includes adult offenders (aged 18 or over) at the time of conviction.

2 <http://www.sentencingcouncil.org.uk/publications/item/dangerous-dog-offences-definitive-guideline/>

3 <http://www.legislation.gov.uk/ukpga/2014/12/part/7/enacted>

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

Dangerous Dogs Act 1991 (section 1(7)), which covers the possession of, or breeding, selling, exchanging or advertising of, prohibited dogs. There has been no change to the statutory maximum for this offence.

Amendments to the Dangerous Dogs Act 1991 did not come into force until May 2014. The data used in this bulletin relate to the most recent calendar year available (i.e. 2013); consequently data relating to offences covered under guideline 3 are not yet available. Figures for 'Dog dangerously out of control causing the death of a person' (guideline 1) are included within the category 'Dog dangerously out of control causing injury'.<sup>4</sup> The data in this bulletin are therefore broken down into the following categories; Dog dangerously out of control causing injury, Dog dangerously out of control (without causing injury), and Possession of a prohibited dog.

The figures on which all of the tables and charts provided in this bulletin are based are available for download as Excel spreadsheets at the following link:

<http://www.sentencingcouncil.org.uk/publications/?type=publications&s=&cat=analysis-and-research-bulletin&topic=&year>

### 1 General trends across all dangerous dog offences

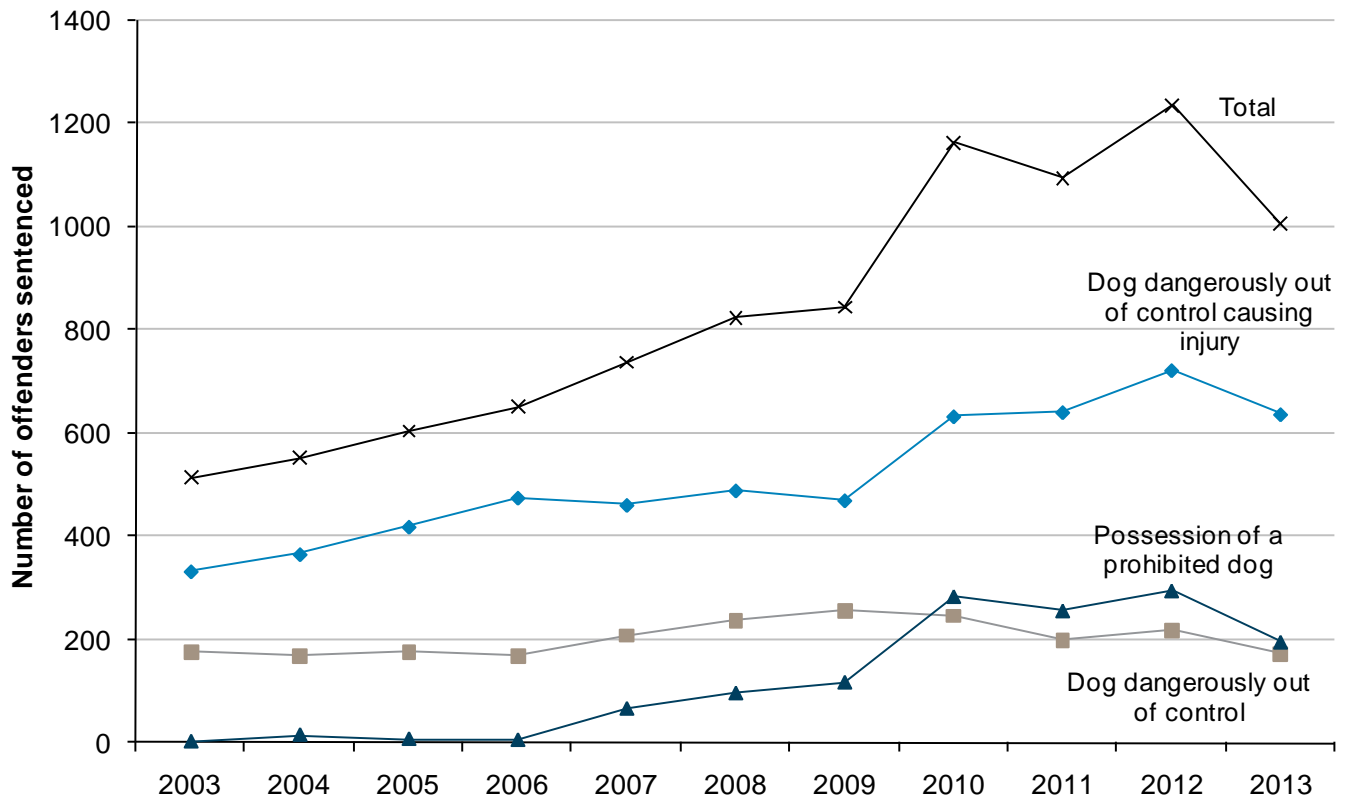
This section summarises data across all dangerous dog offences covered by the draft guideline, for which data are available.

Figure 1.1 shows the number of adult offenders sentenced for dangerous dog offences since 2003. Over the last ten years there has been an upward trend in the number of offenders sentenced for dangerous dog offences. In 2003, approximately 510 offenders were sentenced for these offences, with the figure increasing to its highest point of 1,200 in 2012, before decreasing to 1,000 in 2013, almost double the number sentenced in 2003.

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<sup>4</sup> Since 2014, cases where the principal offence is 'Dog dangerously out of control causing the death of a person' will now be separately identifiable in the CPD.

**Figure 1.1: Number of adult offenders sentenced for dangerous dog offences covered by the guideline, 2003-2013**



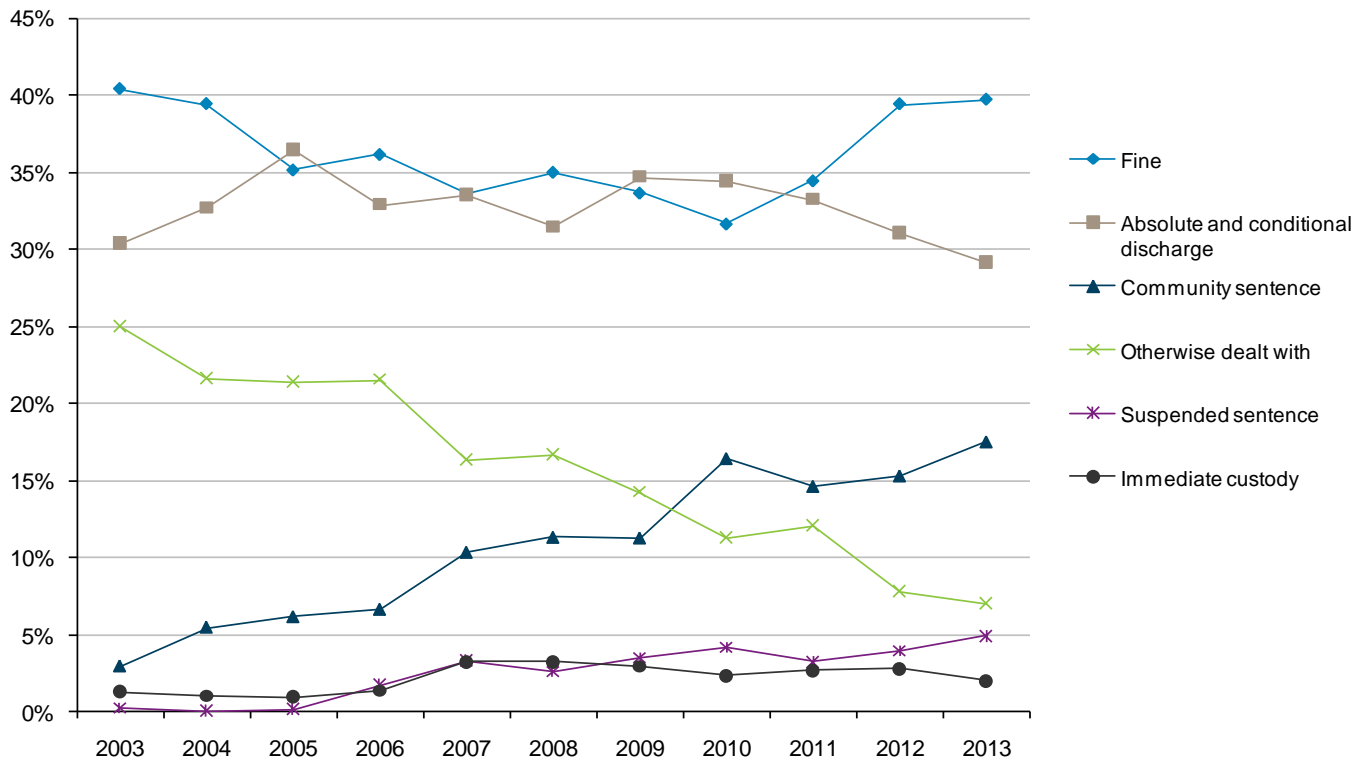
The number of offences involving a dog dangerously out of control causing injury has generally been increasing over the last decade, from around 330 in 2003 to 640 in 2013. During the last ten years offences involving possession of a prohibited dog have shown a similar trend and, since 2010, the number of these offences has been greater than the number of offences involving a dog dangerously out of control.

In 2013, of all adults sentenced for dangerous dog offences, 63 per cent were for offences involving a dog dangerously out of control causing injury, 17 per cent were for offences involving a dog dangerously out of control and 19 per cent were for offences relating to the possession of a prohibited dog.

Figure 1.2 shows the different sentence outcomes received by adult offenders sentenced for dangerous dog offences during the period 2003 to 2013. The proportion of offenders who received a fine has been increasing since 2010, which coincides with a decline in the proportion of discharges. The proportion of offenders who were 'Otherwise dealt with' has generally been decreasing over the last ten years; from 25 per cent of all offences in 2003 to 7 per cent in 2013. Conversely, the use of community sentences has been increasing over the last decade, and comprised 17 per cent of all sentence outcomes in 2013, compared with only 3 per cent in 2003.

The use of suspended sentences and immediate custody increased in the period leading up to 2007, as a result of the Criminal Justice Act 2003, which made suspended sentences more readily available from 2005 onwards. Since 2007 the proportion of offenders who received suspended sentences or immediate custody has remained relatively stable.

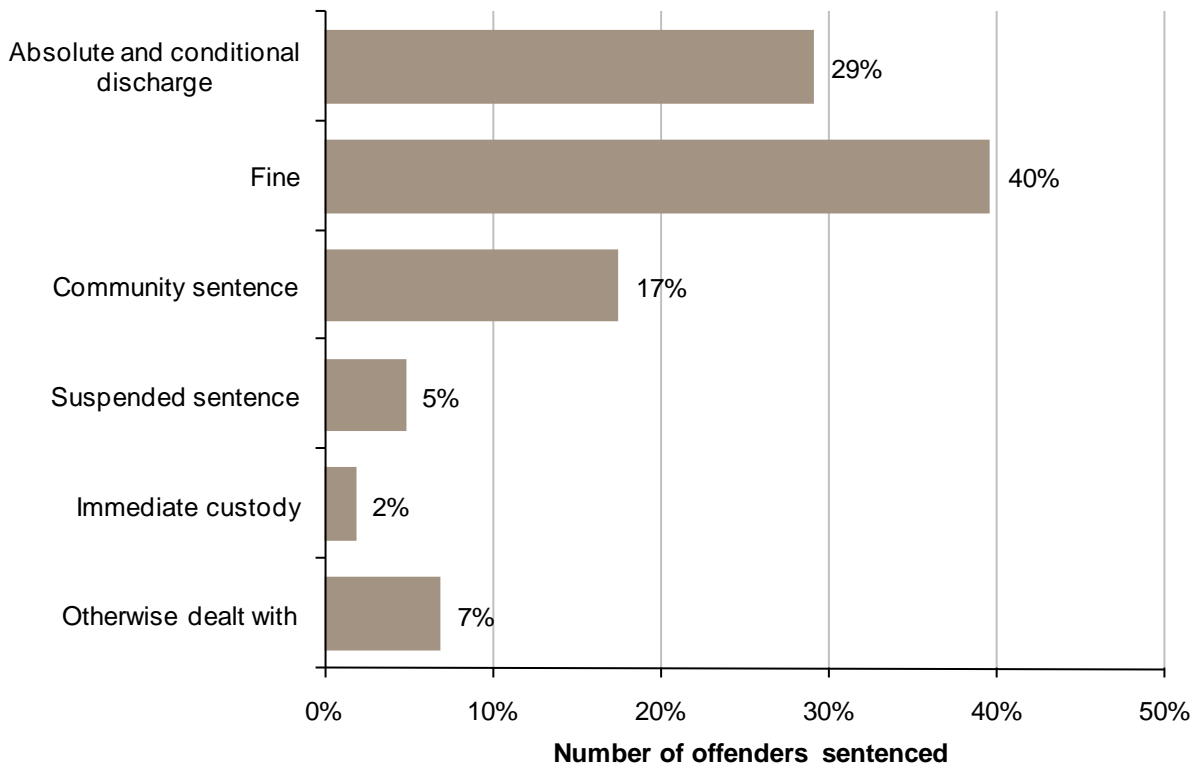
**Figure 1.2: Sentence outcomes received by adult offenders sentenced for dangerous dog offences, 2003-2013**



Although there has been a shift in the use of different sentence outcomes, without knowing the relative severity or other details of the cases coming to the courts each year, it is not possible to say whether these trends indicate a change in the way that the courts are dealing with dangerous dog offences.

Figure 1.3 shows the sentence outcomes received by adults sentenced for dangerous dog offences in 2013, ordered from top to bottom by least severe to most severe in terms of sentence severity, followed by 'Otherwise dealt with'. The most common sentence outcomes in 2013 were either a fine, accounting for 40 per cent of all adults sentenced, or discharge (29 per cent).

**Figure 1.3: Sentence outcomes received by adult offenders sentenced for dangerous dog offences, 2013**



In the remainder of the bulletin, analysis is presented separately for each offence for which data are available.

## 2 Dog dangerously out of control causing injury

In 2013, approximately 640 adult offenders were sentenced for offences involving either a dog causing injury in a private place where the dog was not permitted to be, or a dog dangerously out of control in a public place causing injury. Most cases were sentenced at the magistrates' court (91 per cent) and the majority were related to offences occurring in a public place (95 per cent).

Figure 2.1 shows how the number of adults sentenced for these offences has changed over the last decade. Between 2003 and 2006 the number of sentences increased, before remaining relatively stable in the period 2006 to 2009, and then increasing again to a peak of 720 in 2012. In 2013 the number decreased to a level comparable with 2010 and 2011.

**Figure 2.1: Number of adult offenders sentenced for offences involving a dog dangerously out of control causing injury, 2003-2013**

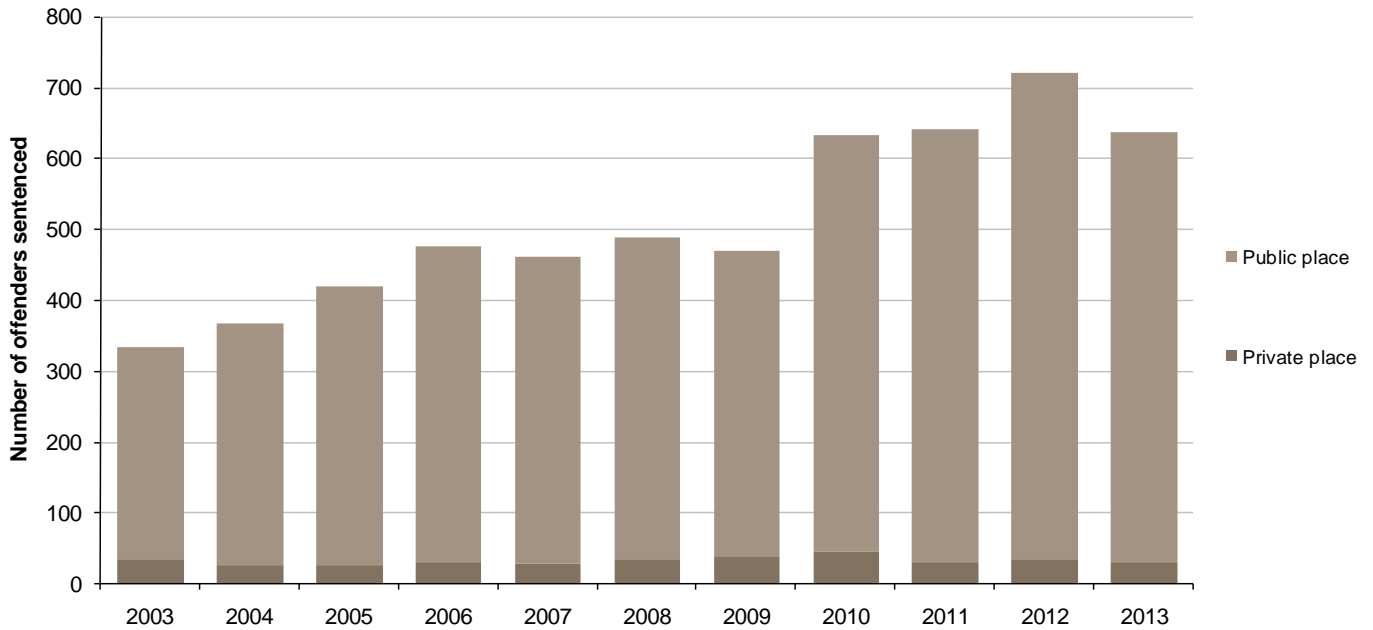
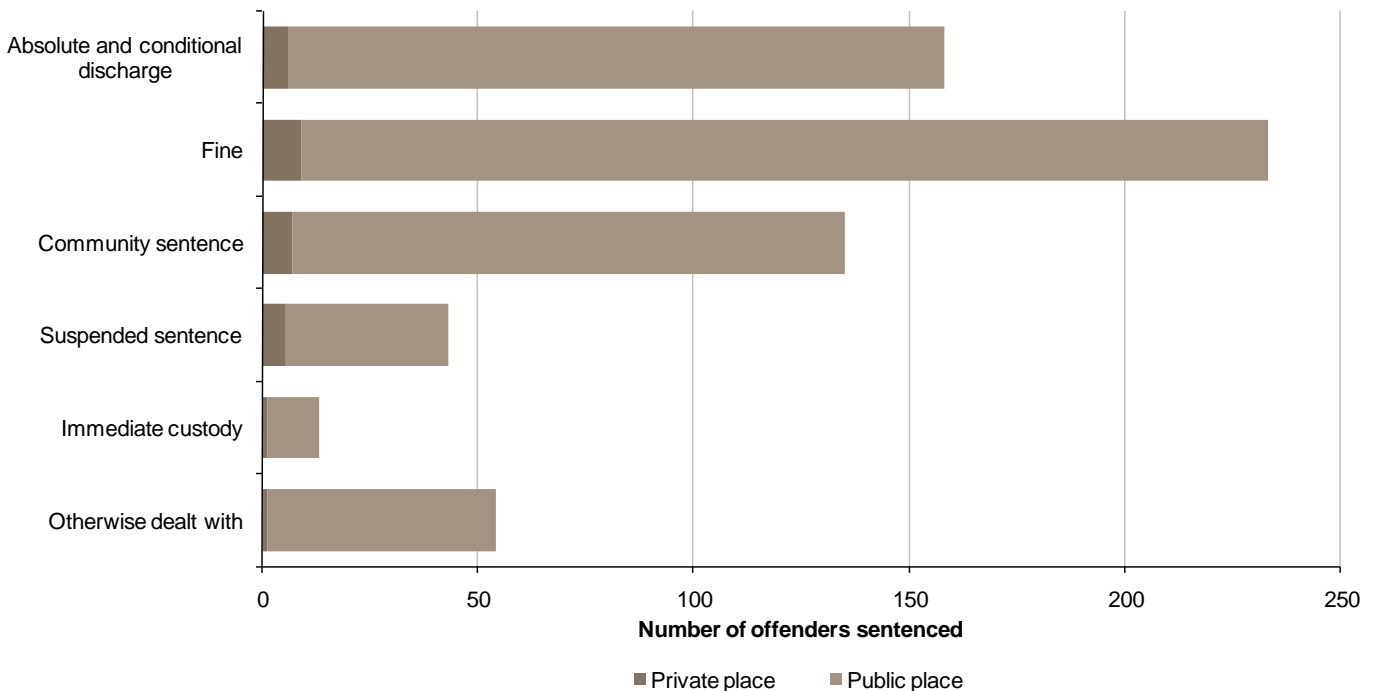


Figure 2.2 shows the sentence outcomes received by adult offenders in 2013 for offences involving a dog dangerously out of control causing injury, ordered from top to bottom by least severe to most severe in terms of sentence severity, followed by 'Otherwise dealt with'. Over the last few years, fines have remained the most frequent sentence outcome for offenders sentenced for these offences, and in 2013 fines comprised 37 per cent of all sentence outcomes.

**Figure 2.2: Sentence outcomes received by adult offenders for offences involving a dog dangerously out of control causing injury, 2013**



The historic trend of sentence outcomes imposed for offences of this kind is very similar to Figure 1.2 for all dangerous dog offences, with the proportion of sentences resulting in fines and community sentences increasing over the last few years, and the proportion resulting in absolute and conditional discharges declining.

The average custodial sentence length imposed for those adults sentenced to immediate custody in 2013 was 6 months. The historic trend of average custodial sentence lengths is not shown due to the very small volume of adults sentenced to immediate custody for offences of this kind in previous years.

Figure 2.3 shows the average fine amount imposed over the last ten years. In addition to the mean,<sup>5</sup> the median<sup>6</sup> fine amount is also shown, as the mean can sometimes be skewed by extreme values. Between 2004 and 2010, the mean fine amount generally increased, from £142 in 2004 to £228 in 2010, although this does not account for changes in the price level (inflation). Between 2010 and 2012 the mean decreased to £186, before increasing slightly in 2013 to £192. By contrast, the median fine amount remained stable at £100 in the period 2003 to 2007, before increasing in 2007, and then stabilising at £150 until 2011. Since 2011, the median has followed a similar pattern to the mean, and in 2013 the median fine amount was £133.

**Figure 2.3: Average fine amounts received by adult offenders sentenced for offences involving a dog dangerously out of control causing injury, 2003-2013**

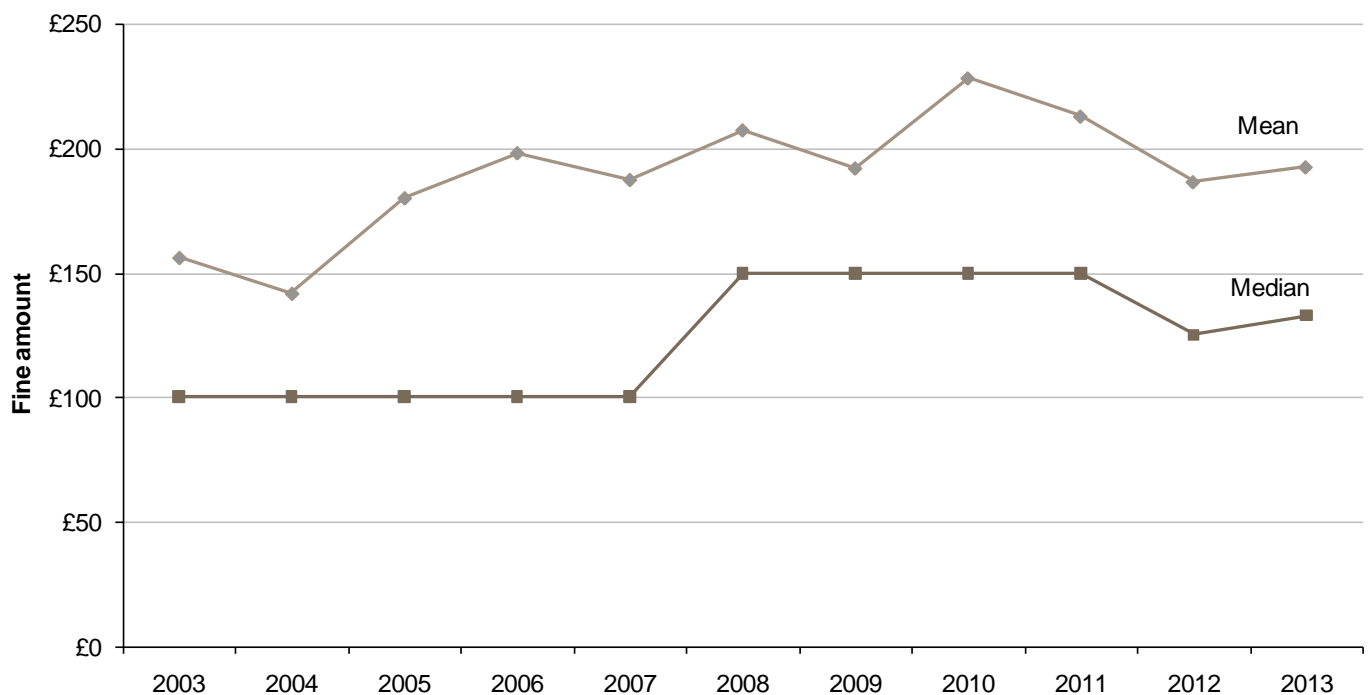


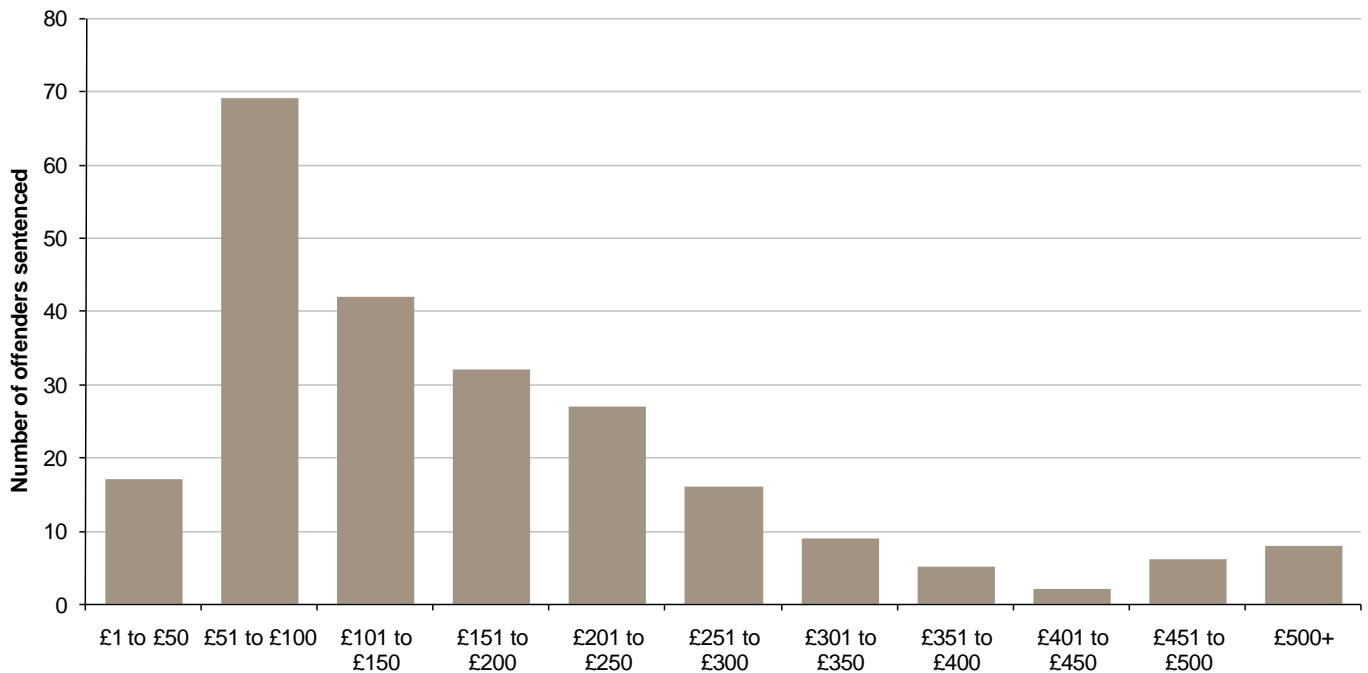
Figure 2.4 presents the full range of fine amounts received by offenders in 2013. Just over two thirds of fines issued (69 per cent) were for £200 or less, and most (30 per cent) were in the range £51 to £100.

<sup>5</sup> The mean fine is calculated by taking the sum of all fine values and then dividing by the number of fines.

<sup>6</sup> The median fine is the fine value which lies in the middle when the fines are placed in ascending or descending order.



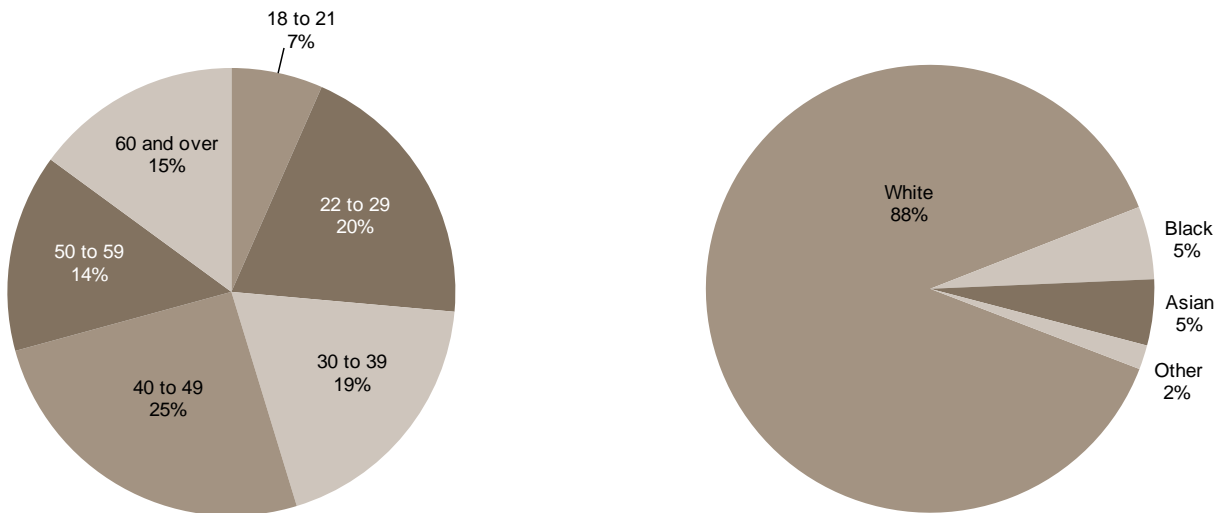
**Figure 2.4: Fine amounts received by adult offenders sentenced for offences involving a dog dangerously out of control causing injury, 2013**



### Demographics

Of all adults sentenced for offences involving a dog dangerously out of control causing injury in 2013, 59 per cent were male. Those sentenced were most frequently older adults, with a quarter between 40 and 49 years and 29 per cent aged 50 years or older. For a significant proportion of adults sentenced (37 per cent), their perceived ethnicity was either not recorded or it was not known. Therefore the proportions amongst those for whom data was provided may not reflect the demographics of the full population, and these figures should be treated with caution. For those offenders whose perceived ethnicity was known and recorded, 88 per cent were perceived to be of White origin by the police officer dealing with their case, and 12 per cent were perceived to be of Black, Asian or other backgrounds. Figure 2.5 shows the age characteristics and perceived ethnicity of offenders sentenced for offences of this kind in 2013.

**Figure 2.5: Age demographics and perceived ethnicity<sup>7</sup> of adults sentenced for offences involving a dog dangerously out of control causing injury, 2013**

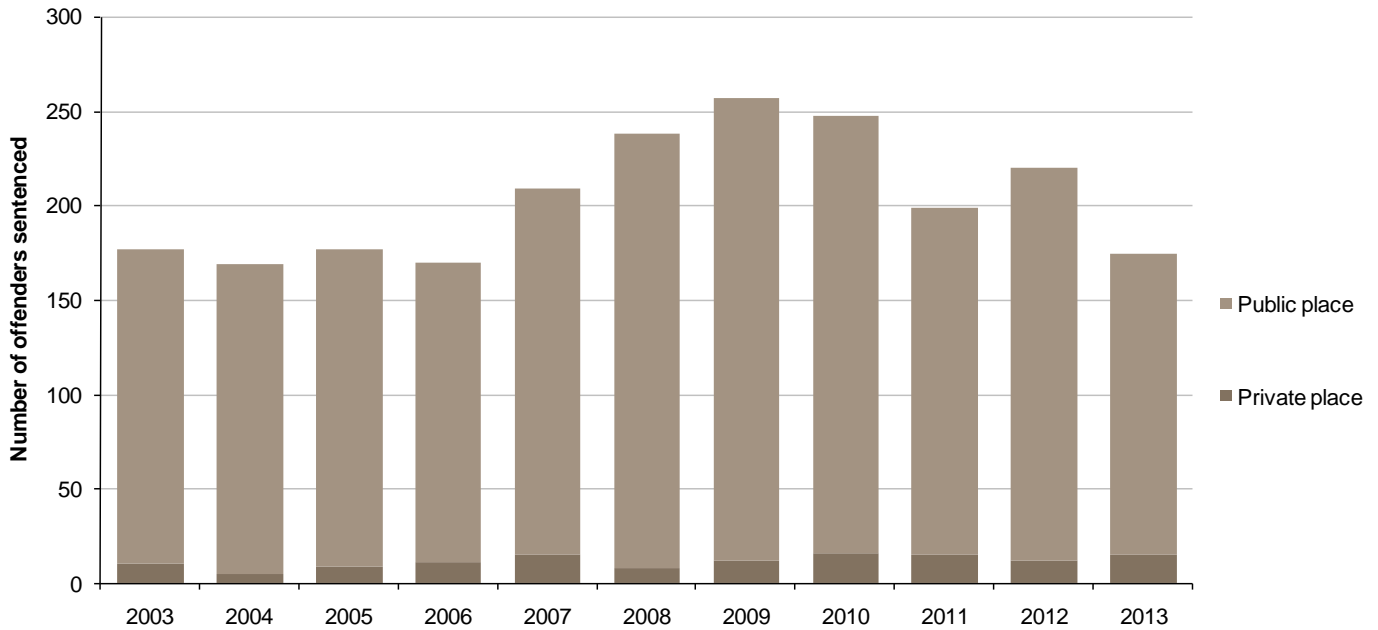


### 3 Dog dangerously out of control (without causing injury)

In 2013, approximately 170 adult offenders were sentenced for offences involving either a dog causing fear of injury in a private place where the dog was not permitted to be, or a dog dangerously out of control in a public place. The majority (91 per cent) were for cases occurring in a public place. Figure 3.1 shows the number of adults sentenced for these offences over the last ten years. The number of adults sentenced remained fairly steady until 2006. Between 2006 and 2009 there was a marked increase, with the number of sentenced adults increasing from 170 in 2006 to 260 in 2009. Since 2009 the number has been generally decreasing, and in 2013 it was at a similar level to that in 2006.

<sup>7</sup> This chart excludes cases where the perceived ethnicity was unknown or not recorded.

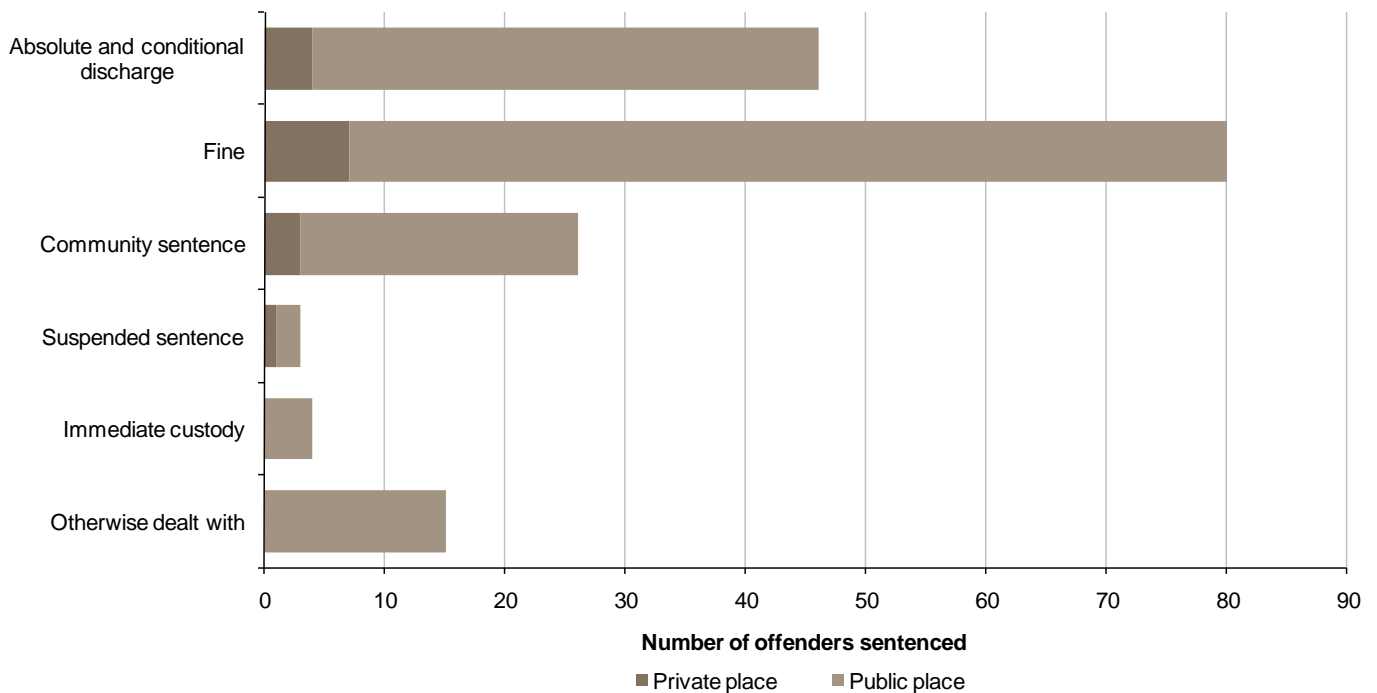
**Figure 3.1: Number of adult offenders sentenced for offences involving a dog dangerously out of control, by location of offence, 2003-2013**



Similar to other dangerous dog offences, over the last few years the proportion of sentences resulting in fines or community sentences has generally increased, whilst the proportion resulting in absolute and conditional discharges has declined. In 2013, the most frequent sentence outcome was a fine, which comprised 46 per cent of all outcomes. Conditional discharges were received by 26 per cent of offenders, with a further 15 per cent receiving a community sentence.

Figure 3.2 shows the sentence outcomes received by adults sentenced for offences involving a dog dangerously out of control in 2013, where sentence outcomes are ordered by increasing severity, followed by 'Otherwise dealt with'.

**Figure 3.2: Sentence outcomes received by adult offenders sentenced for offences involving a dog dangerously out of control, 2013**



The mean fine amount received by offenders in 2013 was £159, and the median fine amount was £109. Over the last decade the mean and median fine amounts have followed a broadly similar pattern (see figure 3.3). The average custodial sentence length is not shown due to the very small volume of adults sentenced to immediate custody for these offences.

**Figure 3.3: Average fine amounts received by adult offenders sentenced for offences involving a dog dangerously out of control, 2003-2013**

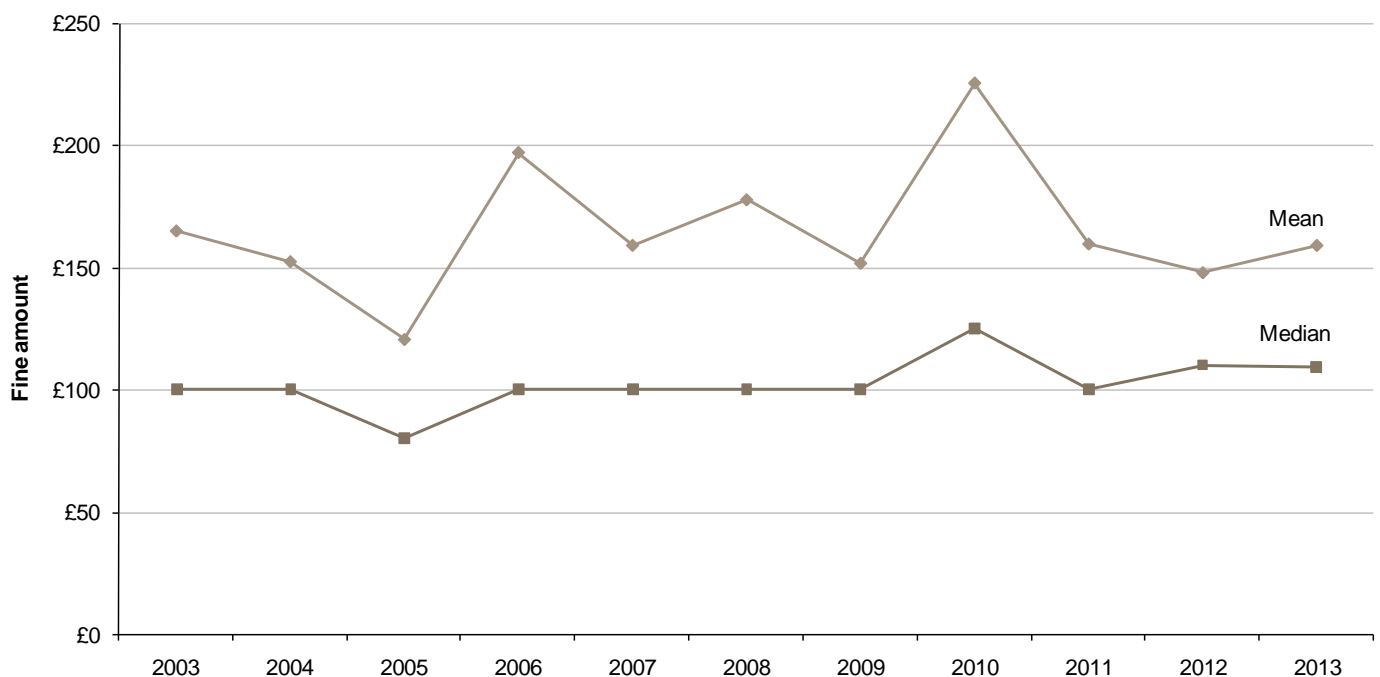
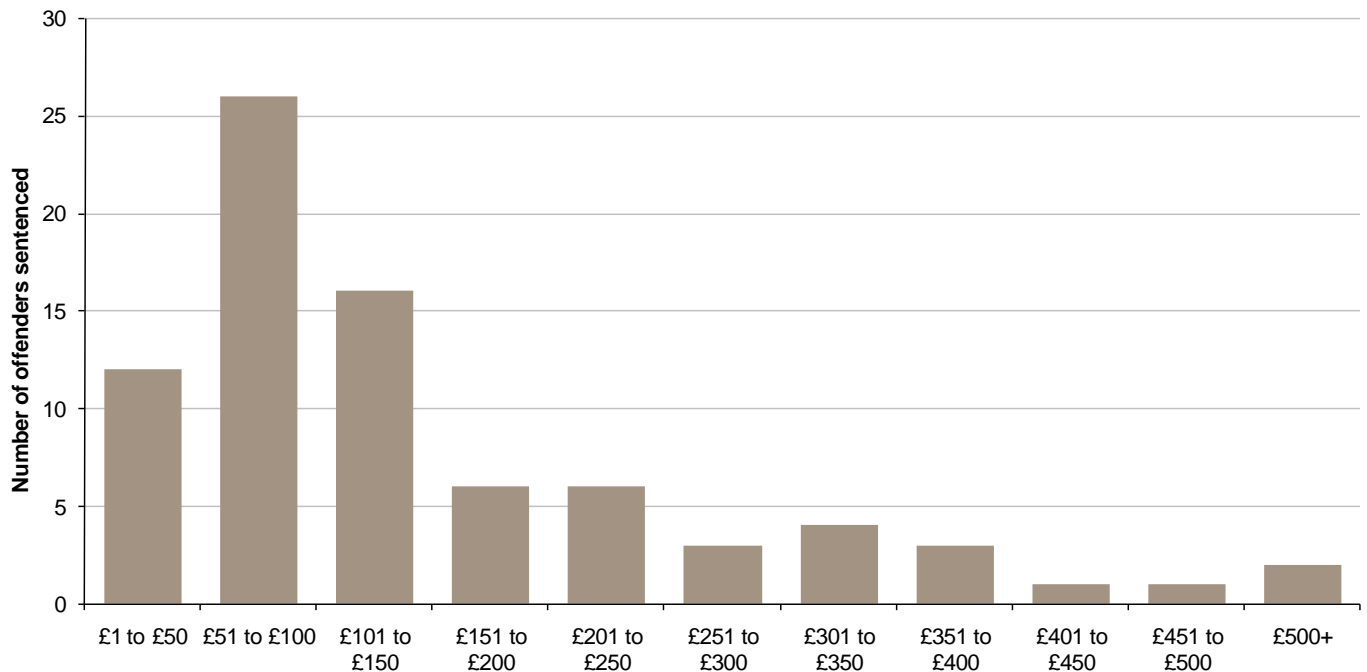


Figure 3.4 shows the distribution of the fine amounts received by offenders in 2013 for offences involving a dog dangerously out of control. Three quarters of fines received were for £200 or less and most (33 per cent) were in the range £51 to £100.

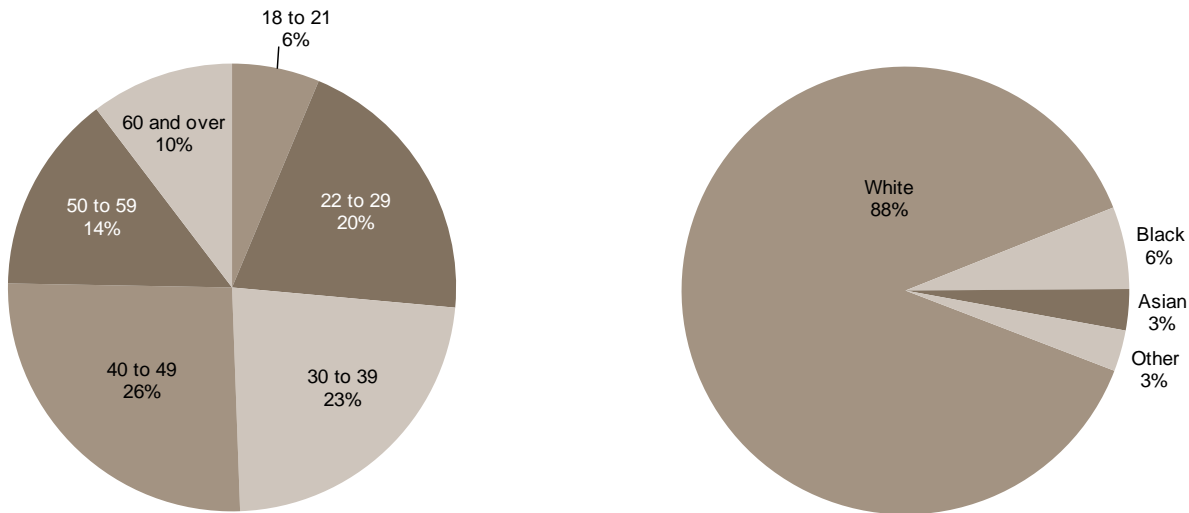
**Figure 3.4: Fine amounts received by adult offenders sentenced for offences involving a dog dangerously out of control, 2013**



### Demographics

In 2013, the majority of offenders sentenced for offences involving a dog dangerously out of control were male (57 per cent). Almost half of offenders sentenced (49 per cent) were between the ages of 30 and 49. In just over two fifths of cases, the offender's perceived ethnicity was either not recorded or not known; therefore the proportions presented may not reflect the demographics of the full population and should be treated with caution. For those offenders whose perceived ethnicity was known and recorded, 88 per cent were perceived to be of White origin by the police officer dealing with their case, and 12 per cent were perceived to be of Black, Asian or other backgrounds. Figure 3.5 shows the age characteristics and perceived ethnicity of adults sentenced for these offences in 2013.

**Figure 3.5: Age demographics and perceived ethnicity<sup>8</sup> of adults sentenced for offences involving a dog dangerously out of control, 2013**



#### 4 Possession of a prohibited dog

In 2013, approximately 200 adult offenders were sentenced for offences involving the possession of a prohibited dog. Most of these cases (97 per cent) were specifically for possessing a prohibited dog. The remainder covered offences relating to the breeding, selling, exchanging or advertising of prohibited dogs.

Figure 4.1 shows how the number of adults sentenced for these offences has changed over the last decade. Between 2003 and 2006 these offences accounted for fewer than 20 sentences each year, before trending upwards to reach 300 offences in 2012, then decreasing to 200 offences in 2013.

<sup>8</sup> This chart excludes cases where the perceived ethnicity was unknown or not recorded.

**Figure 4.1: Number of adult offenders sentenced for offences involving possession of a prohibited dog, by possession type, 2003-2013**

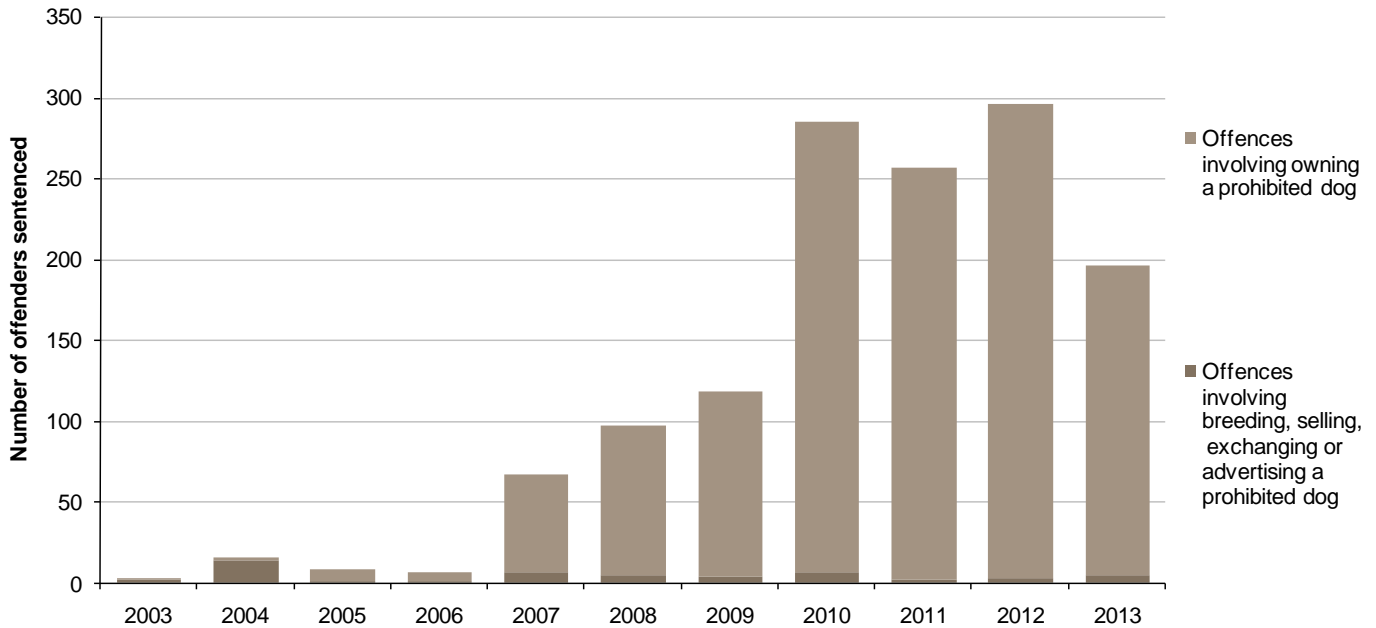
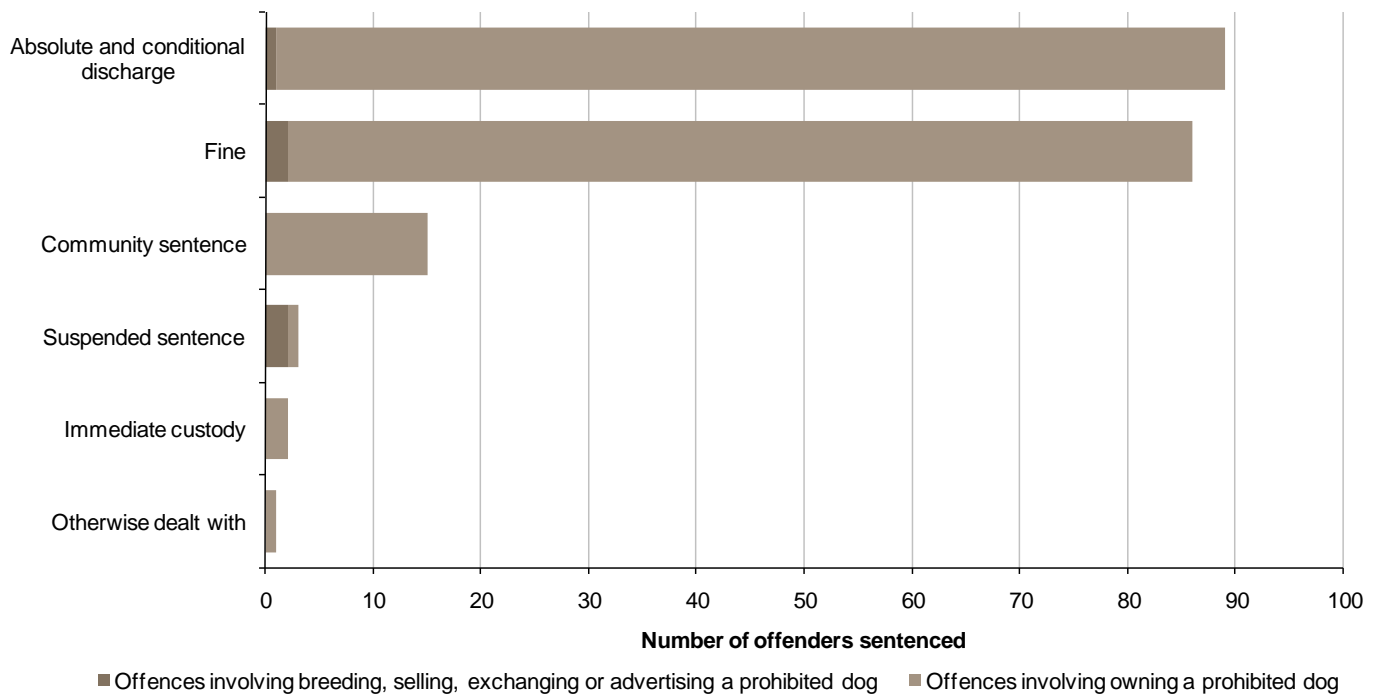


Figure 4.2 shows the sentence outcomes received by offenders in 2013, ordered from top to bottom by least severe to most severe in terms of sentence severity, followed by 'Otherwise dealt with'. The most common sentence outcomes for offences involving owning a prohibited dog were discharge and a fine, which respectively accounted for 46 per cent and 44 per cent of all adults sentenced for these offences. For other offences relating to possession of a prohibited dog, the most common sentence outcomes were suspended sentence and a fine, which each comprised 40 per cent of all outcomes in 2013. These proportions should, however, be treated with caution, due to the low volume of these offences.

**Figure 4.2: Sentence outcomes received by adult offenders sentenced for offences involving possession of a prohibited dog, by possession type, 2013**



Of all fines imposed in 2013 for offences involving the possession of a prohibited dog, the mean fine amount was £146, and the median fine amount was £100. Between 2007 and 2009, the mean and median followed a similar pattern; increasing in 2008 before decreasing in 2009. Since 2009 both have remained relatively stable. Figure 4.3 shows the average fine amounts received by offenders in the period 2007 to 2013. Figures prior to 2007 have been excluded due to the very low volume of adults sentenced for these offences.



**Figure 4.3: Average fine amounts received by adult offenders sentenced for offences involving possession of a prohibited dog, 2007-2013**

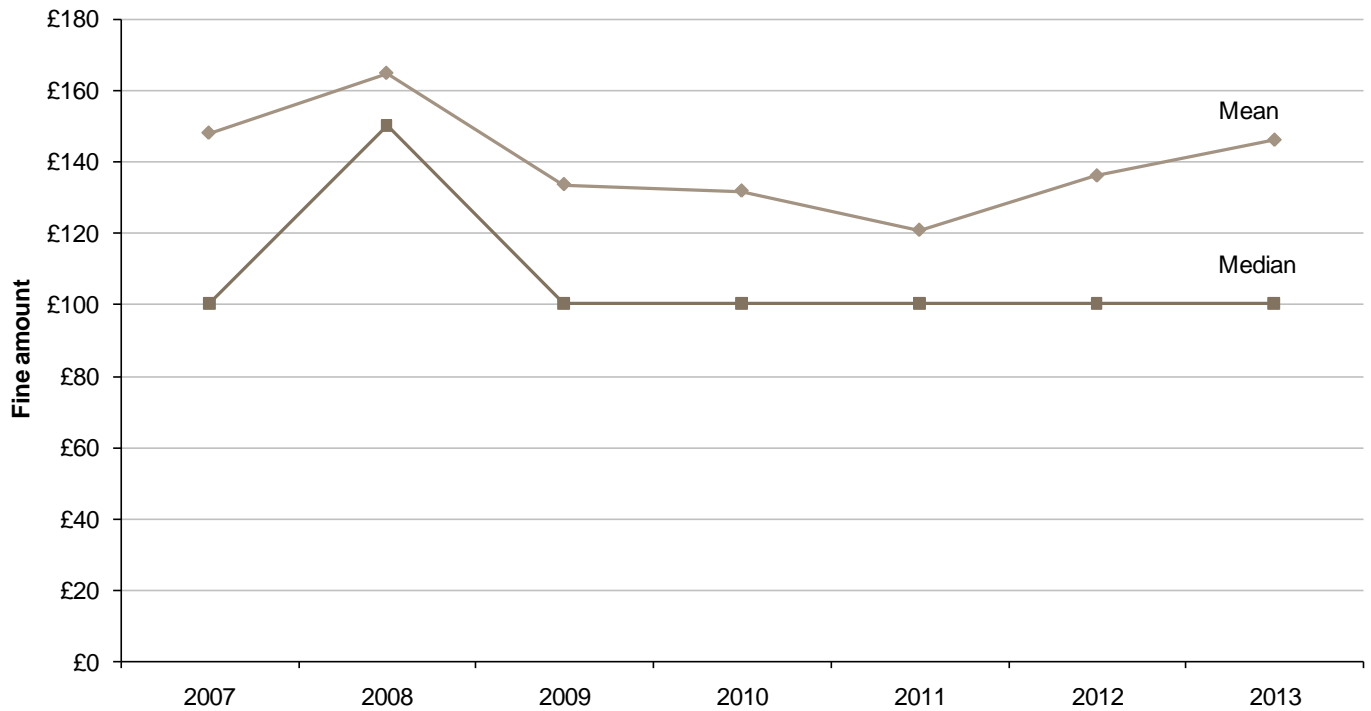
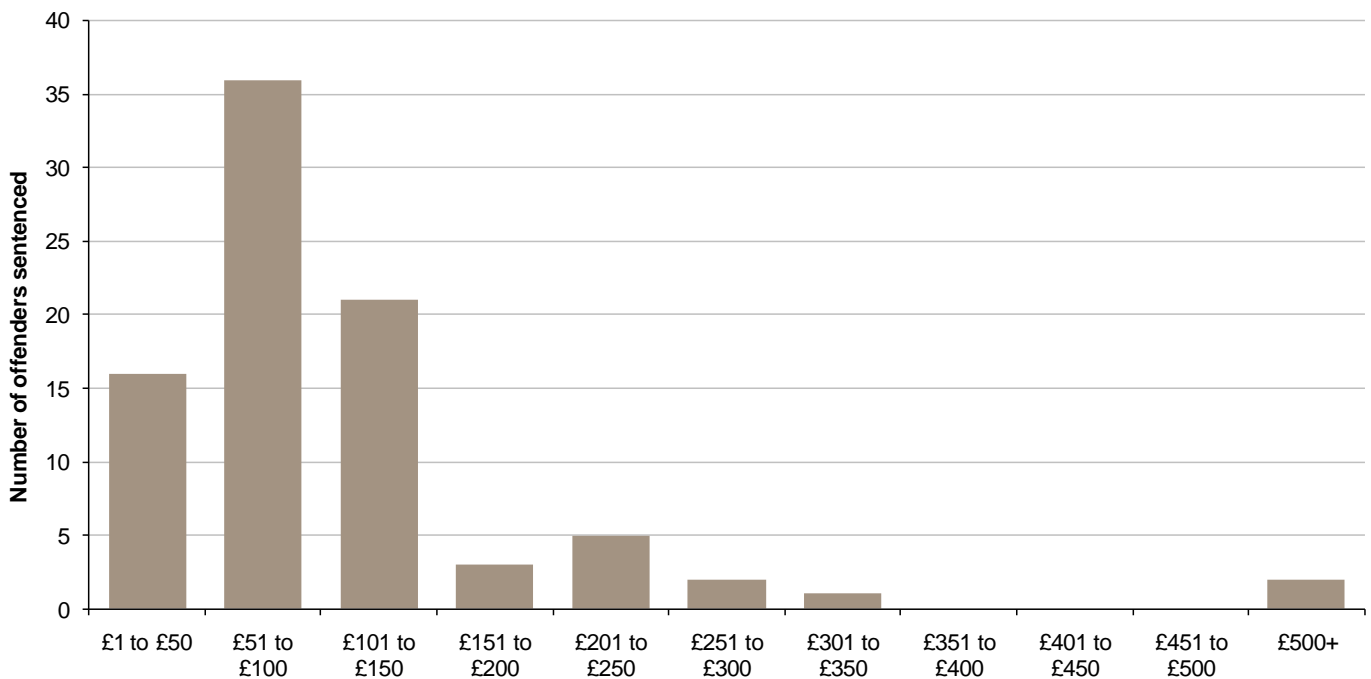


Figure 4.4 presents a breakdown of the fine amounts received by adult offenders sentenced for these offences in 2013. Over four fifths of adults (85 per cent) sentenced to a fine in 2013 were required to pay an amount of £150 or less.

**Figure 4.4: Fine amounts received by adult offenders sentenced for offences involving possession of a prohibited dog, 2013**

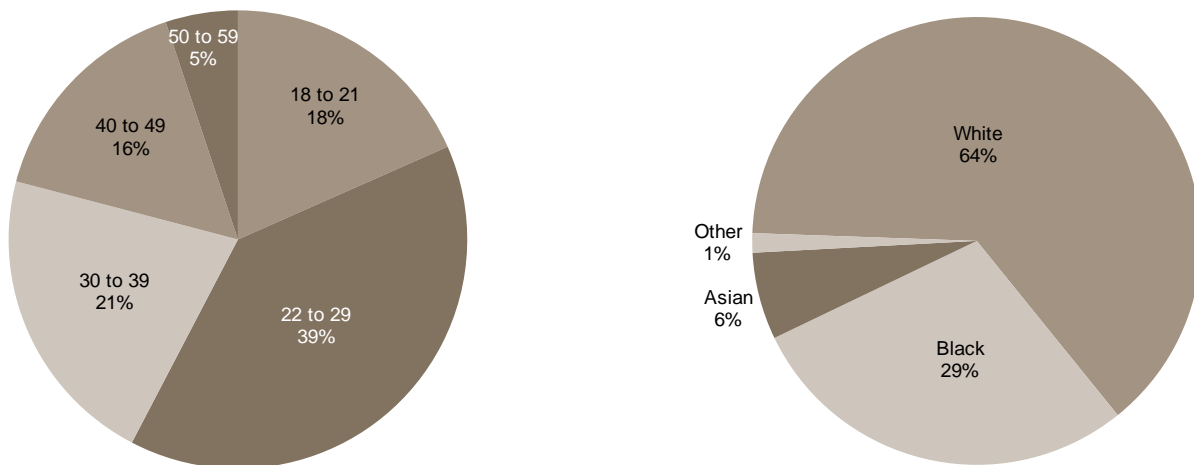


## Demographics

In 2013, 72 per cent of adult offenders who were sentenced for offences involving possession of a prohibited dog were male. Offenders sentenced for offences of this kind were more likely to be of a younger age group, with 18 per cent of sentences in 2013 involving an adult between the ages of 18 and 21 and 39 per cent involving an adult between the ages of 22 and 29.

In 27 per cent of cases, the offender's perceived ethnicity was either not recorded or not known. As in previous sections, due to the high proportion where perceived ethnicity was not known, proportions presented may not reflect the demographics of the full population, and should be treated with caution. For offenders whose perceived ethnicity was known and recorded, 64 per cent were perceived to be of a White background by the police officer dealing with their case, and 36 per cent were perceived to be of Black, Asian or other origin. Figure 4.5 shows the age characteristics and perceived ethnicity of adults sentenced for these offences in 2013.

**Figure 4.5: Age demographics and perceived ethnicity<sup>9</sup> of adults sentenced for offences involving possession of a prohibited dog, 2013**



<sup>9</sup> This chart excludes cases where the perceived ethnicity was unknown or not recorded.

## Further information

### Notes on the data

#### Volumes of sentences

The data presented in this bulletin only include cases where the dangerous dog offence was the principal offence committed. Where an offender commits multiple offences on a single occasion, the offence which received the most severe sentence is taken to be the principal offence. Although the offender will receive a sentence for each of the offences that they are convicted of, it is only the sentence for the principal offence that is presented in this bulletin. This way of presenting the data is consistent with the Ministry of Justice publication, Criminal Justice Statistics.

#### Sentence Outcomes

The outcomes presented are the final sentence outcomes, after taking into account all factors of the case, including whether a guilty plea was made. This contrasts with the sentencing ranges presented at step 2 of the draft guideline, which are the recommended sentence lengths before taking into account certain factors, such as whether a reduction is appropriate for a guilty plea. Therefore, the sentence outcomes shown in the data are not directly comparable to the ranges provided in the draft guideline.

Where historic fine amounts are described, nominal amounts are shown. No attempt has been made to adjust for the price level (inflation).

#### Offender Gender and Ethnicity

Where the ethnicity of sentenced adults is described, the ethnicity as perceived by the police officer dealing with the case is used. Perceived ethnicity is the most comprehensive data source available on ethnicity; therefore it is used in preference to any other source of ethnicity data. However, for dangerous dog offences, there are a high proportion of cases where the perceived ethnicity was not known or not recorded. The ethnicity data should therefore be read with caution. The proportions reflected amongst those for whom data was provided may not reflect the demographics of the full population sentenced.

#### General Conventions

The following conventions have been applied to the data:

- Actual numbers of sentences have been rounded to the nearest 100, when more than 1,000 offenders were sentenced, and to the nearest 10 when less than 1,000 offenders were sentenced.
- Percentages derived from the data have been provided in the narrative and displayed on charts to the nearest whole percentage, except when the nearest whole percentage is zero. In some instances, this may mean that percentages shown, for example in pie charts, do not add up to 100 per cent.
- Where the nearest whole per cent is zero, the convention '<0.5' has been used.
- Where totals have been provided, these have been calculated using unrounded data and then rounded.

## Data Sources and Quality

The source of data for this bulletin is the Court Proceedings Database. This is supplied to the Sentencing Council by the Ministry of Justice who obtain it from a variety of administrative data systems compiled by courts and police forces.

Every effort is made by the Ministry of Justice and the Sentencing Council to ensure that the figures presented in this publication are accurate and complete. Although care is taken in collating and analysing the returns used to compile these figures, the data are of necessity subject to the inaccuracies inherent in any large-scale recording system. Consequently, although numbers in the accompanying tables available online and charts are shown to the last digit in order to provide a comprehensive record of the information collected, they are not necessarily accurate to the last digit shown. The figures in the text have been rounded to the nearest 100, or 10, as described in the section on general conventions.

Further details of the processes by which the Ministry of Justice validate the records in the Court Proceedings Database can be found within the guide to their Criminal Justice Statistics publication which can be downloaded via the link:

<https://www.gov.uk/government/collections/criminal-justice-statistics>

## Background information

The Ministry of Justice publishes a quarterly statistical publication, Criminal Justice Statistics, which includes a section focusing on sentencing data at national level. This section breaks down the data by offence group and by demographic factors such as age, gender and ethnicity. The full publication can be accessed via the Ministry of Justice website at:

<https://www.gov.uk/government/collections/criminal-justice-statistics-quarterly>

Detailed sentencing data from the Ministry of Justice's Court Proceedings Database can be accessed via the Open Justice website at:

<http://open.justice.gov.uk/sentencing/>

This website allows the data to be viewed by offence category, local police force area and sentencing court. The offence categories used on this website are consistent with those used by the Ministry of Justice in their Criminal Justice Statistics publication, which is at a higher aggregate level than that used in this bulletin.

Further information on general sentencing practice in England and Wales can be found on the Council's website at:

<http://www.sentencingcouncil.org.uk/about-sentencing/>

Alternatively, you may wish to visit the sentencing area on the Direct.gov website, which can be accessed at:

<http://sentencing.cjonline.gov.uk/>

## Uses Made of the Data

Data provided in the Council's range of analysis and research bulletins are used to inform public debate of the Council's work. In particular, this bulletin aims to provide the public with the key data that the Council has used to help formulate the draft guideline on dangerous dog offences.

### Contact Points for Further Information

We would be very pleased to hear your views on our analysis and research bulletins. If you have any feedback or comments, please send them to:

[research@sentencingcouncil.gsi.gov.uk](mailto:research@sentencingcouncil.gsi.gov.uk)

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Further information on the Sentencing Council and their work can be found at:

<http://www.sentencingcouncil.org.uk/>