

## COMPARATIVE STUDY OF INDONESIAN AND UNITED KINGDOM LAWS ON THE NEGLIGENCE OF PET DOG OWNERS



**Brilian Albar Dwi Suparna<sup>1</sup>, Novea Elysa Wardhani<sup>2</sup>, Fransisco<sup>3</sup>**

<sup>1</sup>Faculty of Hukum, University of Palangkaraya

Email: [brilian222@gmail.com](mailto:brilian222@gmail.com), [noveaelysawardhani@law.upr.ac.id](mailto:noveaelysawardhani@law.upr.ac.id), [fransisco@law.upr.ac.id](mailto:fransisco@law.upr.ac.id)

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### **Abstract.**

*This study aims to analyze and find out the differences and similarities between Articles 1368, 1371 of the Civil Code and the Jurisdiction of The Dangerous Dogs Act, as well as to find out the problems and also efforts to find out the problems. The research method used is comparative descriptive research and the type of research used is the Normative Juridical research type. The results of the study show that there are similarities between the rules related to pet dogs in Indonesia and the United Kingdom in the form of points in Articles 1365, 1368, 1368, 1371 and the Dangerous Dogs Act. These rules show the absolute responsibility that the dog owner or person responsible for the behavior of the pet dog has. When it comes to harm prevention, both emphasize the importance of animal surveillance can be dangerous to others*

**Keywords:** *Comparative Study, Pet Dogs, Section 1368, Section 1371, Jurisdiction of The Dangerous Dogs Act.*

### **A. Introduction**

Legally, humans are social creatures, cannot biology on their own and need other things to live their lives. In their lives, humans will do everything to meet their life needs. A need is a human expectation of an object or service that can provide spiritual needs for physical satisfaction. Human needs themselves are not limited so that in the process of fulfilling the needs of one, sometimes it is mandatory to sacrifice other needs (Saidil & Abubakar, 2018).

In life, humans need other humans, animals and plants. The relationship between humans, animals and plants must be well maintained in order to achieve balance in life. Humans, animals and plants have a sense of interdependence with each other that cannot be separated and have their own roles, especially the relationship between humans and animals. Human life that always interacts with animals requires humans to maintain a harmonious relationship with animals because in that harmony there is a reciprocal correlation that is mutually beneficial for both (Soekanto & Mamudji, 2012).

Pets are living beings that require special attention and good care in their daily lives, and it is their owners who are fully responsible for their care. Of course, the owner must invest time, money and energy to take care of the animal he chooses as a pet. When it comes to farming, we often come across unfortunate situations, such as animals attacking their owners or other people. These attacks are usually caused by the pet owner's negligence or

lack of interest in paying attention to the surroundings and monitoring their pets, and can pose a danger to those around them. Caring for and supporting animals requires a lot of effort to ensure that pets, especially those in complex environments, do not disturb or disturb neighbors or other animals. Care must be taken to ensure that barking and other pet noise does not cause permanent noise pollution. Many times pets attack or injure others due to their owner's negligence towards them (Suparna, 2021).

These attacks carried out by pets are closely related to the negligence of the pet owner himself. For example, feeding too slowly, having cruel habits towards pets, not paying attention to pets, not giving special care to pets, and so on, but in fact all animals have wild traits. Many people enjoy keeping animals such as dogs, cats, hamsters, rabbits, birds, and fish, some even keep reptiles as pets. The main reason people are interested in owning at least one type of animal is because pets can replace humans (as friends or family members).

Moeljatno explained that negligence is a very *geocomplicated* structure, where one side leads to confusion in one's outward actions, and the other side leads to one's inner state. So negligence contains the meaning of error in a broad sense that is not intentional. There is a difference between intentionality and negligence, where in intentionality there is a positive trait, namely the will and consent of the perpetrator to do a prohibited act, and in negligence this positive trait is not found (Moeljatno, 2008).

Pets are animals that humans keep, they need care and attention, their needs need to be met, and they need a decent home. Commonly kept pets are those that people often choose to be friends with, such as cats, rabbits, fish, chickens, birds, horses, and dogs. However, there are some facts that show that even pets can attack and injure humans.

The law recognizes certain rights, including personal and property rights. The law imposes severe sanctions on those who violate these rights. Especially the party whose rights are violated are obliged to pay compensation. Therefore, actions that harm others give rise to liability. This act is classified as an unlawful act (PMH) according to civil law. Unlawful acts are acts that not only violate the law, but also violate the subjective rights of others, the legal obligations of the perpetrator, and the morals and manners that must be obeyed by the perpetrator. It is in the community. This definition includes a series of unlawful acts committed by the parties involved.

Unlawful acts or torts, which in Dutch are called *onrechtmatige daad* (Fuady, 2014), can be interpreted as actions that violate the subjective rights of others and cause harm to them. In the development of development in this era, there are a lot of unlawful acts, both carried out by individuals, companies, home industries, factories, livestock, and other industries, which result in both material and non-material losses, disturb public peace, and cause social problems.

On the other hand, Unlawful Acts are not only committed by humans or individuals; There are also cases where pets hurt others. This is because animals do not have the ability to think and do not have the same rationality as humans, which is why aggression against pets can result in illness and death. Pet aggressiveness is not something that can be taken lightly (Putri, 2019).

Regarding the country of the United Kingdom itself, it is the country with the highest number of dog bite cases in the world. This is quite a lively discussion on social media. One example of this is the incident that happened to a woman in southern England who died and another woman was injured after being attacked by a dog on January 12, 2023 (date, 2025).

If viewed from the positive legal provisions in Indonesia Based on the case, from an animal attack on a negligent pet owner, but if it correlates with the loss of a neighbor because he is injured by an animal, it can be seen in Article 1365 of the Civil Code (KUH Percivil) which states: "Every act that violates the law and brings harm to another person, obliges the person who caused the loss through his or her fault to compensate for the loss.". In addition, the owner is fully responsible for his pet as outlined in Article 1368 of the Civil Code: "The owner of the animal, or whoever wears it, as long as the animal is in use, is responsible for the losses caused by the animal, whether the animal is under his supervision or the animal is lost or out of his control", and in Article 1371 of the Civil Code which states that: "Causing injury or disability to a person's limbs intentionally or due to lack of care, gives the victim the right not only to demand reimbursement for medical expenses, but also to demand compensation for damages caused by the injury or disability of the body. Also this compensation is assessed according to the position and ability of both parties and according to the circumstances. This last provision generally applies in the case of assessing the loss, issued from a crime against the person of a person."

Article 1368 of the Civil Code stipulates that a person who uses one or more animals, is obliged to be responsible for compensation caused by the animal, not only when the animal is under its supervision, but also when the animal flees or is attacked, gets lost and cannot determine the way to its place of residence. This article requires the owner or user of the animal to strictly supervise his animal. If the animal escapes and causes harm to others, then the cause is considered the negligence of the person who uses the animal, so that he is responsible for the loss.

In the United *Kingdom*, there are regulations that regulate pets, in the form of pet dogs, which are contained in the *Jurisdiction Of The Dangerous Dogs Act*. The regulation is divided into two parts, the first part regulates the danger of pet dogs in public areas that lead to crime. While the second part regulates the breeding of dog breeds. In *the Jurisdiction Of The Dangerous Dogs Act Part 1*, it is stated that

1. *You can get an unlimited fine or be sent to prison for up to 6 months (or both) if your dog is dangerously out of control. You may not be allowed to own a dog in the future and your dog may be destroyed. (Jurisdiction Of The Dangerous Dogs Act )*
2. *If you let your dog injure someone you can be sent to prison for up to 5 years or fined (or both). If you deliberately use your dog to injure someone you could be charged with 'malicious wounding.*
3. *If you allow your dog to kill someone you can be sent to prison for up to 14 years or get an unlimited fine (or both).*
4. *If you allow your dog to injure an assistance dog (for example a guide dog) you can be sent to prison for up to 3 years or fined (or both).*

Based on the above law, there is a difference in legal concepts that discuss pet dogs in Indonesia and the United Kingdom. Considering that this pet dog bite case is quite a familiar case in Indonesia, it would be good if there was an efficient law. This study also assesses the efficiency of the law in Indonesia compared to the law in the United Kingdom in this regard.

Based on the above explanation, this is what attracted the author's attention to discuss it by pouring it into the form of writing a scientific paper Thesis. After the completion of the research, the author was then interested in studying and reviewing with the title: "Comparative Study of Indonesian and United Kingdom Laws on the Negligence of Pet Dog Owners".

## B. Literature

### Law of Comparison

There are various foreign terms associated with comparative law, such as "*Comparative Law*", "*Comparative Jurisprudence*", "*Foreign law*", "*Droit Compare*", "*Rechtscomparing*" and "*Rectsvergleichung*" or "*Vergleichende Rechlehre*". The definition of comparative law can be thought of as an attempt to examine the law, by comparing the equations used and the differences in the law. Rudolf B. Schlesinger said that the right to comparison is a research method to learn more about a particular legal material. Gutteridge says it is not a comparison of law other than a method, that is, it is a comparative method that can be used in all areas of law (Constitutional Law, Criminal Law, Civil Law) (Shodiq, 2023).

### Law of Alliance

The term Perikatan comes from the Dutch *verbintenis*. Terminologically, *verbintenis* comes from the word "*verbinden*" which means to bind. Thus *verbintenis* refers to the existence of a bond or relationship. Subekti in his book *Principles of Civil Law* argues that an agreement is a legal relationship between two people or two parties, where one party has the right to demand something from the other party who is obliged to fulfill the demand (Subekti, 2002).

### Unlawful Acts

For this term "unlawful act", in Dutch it is called the term "*onrechmatige daad*" or in English it is called the term "*tort*". The word *tort* itself simply means "wrong". However, especially in the field of law, the word *tort* develops in such a way that it means a civil fault that does not originate from a breach of contract. So it is similar to the definition of unlawful acts (*onrechmatige daad*) in the Dutch legal system or other Continental European countries.

### Compensation for Unlawful Acts

The result of unlawful acts is a loss for the victim. Losses must be borne by the person charged to compensate for such losses. The old law governing civil damages has long been known in legal history. In the Civil Code, Article 1365 regulates related to unlawful acts (*onrechtmatige daad*) which describes every act that violates the law and also brings losses to others, so the person who causes the loss is obliged to replace the loss.

### **Compensation Regulatory System by Civil Code**

The Civil Code, which is the mecca of civil law in Indonesia, includes the mecca of law related to unlawful acts, regulating losses and compensation in connection with unlawful acts with the following two approaches:

1. General Indemnity
2. Special Indemnity

In this case, general damages mean damages that apply in all cases, both in default and in terms of other obligations, including unlawful acts. The provisions regarding general damages of the Civil Code are regulated in the fourth part of the third book, from Article 1243 to Article 1252.

### **C. Methods**

The nature of this research is a Comparative Descriptive Research (Soekanto, 2007), a study describing in detail, systematically, and comprehensively the "Comparative Study of Indonesian and United Kingdom Laws on the Negligence of Pet Dog Owners". In writing this Thesis, the author uses the Normative Juridical type of research (Mahmud, 2017). This legal research is conducted by examining literature materials or secondary data as the basic material to be researched by comparing the principles and norms of law and regulations related to the Comparative Study of Indonesian and United Kingdom Laws on the Negligence of Pet Dog Owners.

The approach taken by the author is a Statute *Approach* by examining all laws and regulations in relation to the legal questions being investigated. Furthermore, the approach used by the author is the comparative approach (*Comparative Approach*), which conducts a comparative study of the law conducted on and aims to obtain comparative information with specific objectives. Then the *analytical descriptive* approach, by analyzing the data found in the analytical approach is associated with applicable laws and regulations to support the empirical legal approach (Yusuf, 2022).

### **D. Results And Discussion**

#### **Implementation of Differences and Similarities of Articles 1368, 1371 of the Civil Code with the Jurisdiction Of The Dangerous Dogs Act**

Indonesia has mentioned the rules regarding losses caused by pets in article 1368 which reads *"the owner of an animal, or whoever wears it, is, as long as the animal is used, responsible for the losses incurred by the animal, whether the animal is under his supervision, or lost or detached from his supervision"*. In addition, it is also contained in article 1371 of the Civil Code, namely *"Causing injury or disability to a person's limbs intentionally or due to lack of care, gives the victim the right not only to demand reimbursement for medical expenses, but also to demand compensation for damages caused by the injury or disability of the body. Also this compensation is assessed according to the position and ability of both parties and according to the circumstances. This last provision generally applies in the case of assessing the loss, issued from a crime against the person of a person."*

The above article explains that the pet owner is fully responsible for the losses suffered by a person or the victim, whether intentional or accidental or negligence as long as the pet is still under the supervision of the pet owner and it is the owner's responsibility to bear the losses

suffered by the victim, such as medical expenses, compensation for damages that cause injury or disability.

The United Kingdom regulates the laws regarding pet dogs through the *Jurisdiction Of The Dangerous Dogs Act*. *The Jurisdiction Of The Dangerous Dogs Act* is the jurisdiction that regulates dogs that are considered dangerous in England and Wales. Jurisdiction is the authority that the state has to implement the provisions of national law of a sovereign country and this is part of the implementation of sovereignty in the jurisdiction of the state on its territorial boundaries inherent in each sovereign country (Santoso, 2018).

Article 3 of the *Dangerous Dogs Act* contains:

1. If a dog is dangerously out of control in a public place
  - a. the owner; and
  - b. if different, the person for the time being in charge of the dog, is guilty of an offence, or, if the dog while so out of control injures any person, an aggravated offence, under this subsection.
2. In proceedings for an offence under subsection (1) above against a person who is the owner of a dog but was not at the material time in charge of it, it shall be a defence for the accused to prove that the dog was at the material time in the charge of a person whom he reasonably believed to be a fit and proper person to be in charge of it.
3. If the owner or, if different, the person for the time being in charge of a dog allows it to enter a place which is not a public place but where it is not permitted to be and while it is there—
  - a. it injures any person; or
  - b. there are grounds for reasonable apprehension that it will do so, he is guilty of an offence, or, if the dog injures any person, an aggravated offence, under this subsection.
4. A person guilty of an offence under subsection (1) or (3) above other than an aggravated offence is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both; and a person guilty of an aggravated offence under either of those subsections is liable—
  - a. on summary conviction, to imprisonment for a term not
  - b. exceeding six months or a fine not exceeding the statutory
  - c. maximum or both;
  - d. on conviction on indictment, to imprisonment for a term not exceeding two years or a fine or both.
5. It is hereby declared for the avoidance of doubt that an order under section 2 of the Dogs Act 1871 (order on complaint that dog is dangerous and not kept under proper control)—
  - a. may be made whether or not the dog is shown to have injured any person; and
  - b. may specify the measures to be taken for keeping the dog under proper control, whether by muzzling, keeping on a lead, excluding it from specified places or otherwise.

6. If it appears to a court on a complaint under section 2 of the said Act of 1871 that the dog to which the complaint relates is a male and would be less dangerous if neutered the court may under that section make an order requiring it to be neutered.
7. The reference in section 1(3) of the Dangerous Dogs Act 1989 (penalties) to failing to comply with an order under section 2 of the said Act of 1871 to keep a dog under proper control shall include a reference to failing to comply with any other order made under that section; but no order shall be made under that section by virtue of subsection (6) above where the matters complained of arose before the coming into force of that subsection.

The above article explains that the owner of the pet dog or the person responsible for the dog is responsible for the actions of the pet dog that are out of control and injure others. In addition, it is also stated that the owner of the dog or the person responsible for the dog can be subject to criminal penalties and fines. It applies to the actions of pet dogs in public places and public spaces and is classified as a serious violation of the law.

Based on the theory of strict liability that applies to the perpetrator of an unlawful act, even if the person involved in the execution of his act has an element of fault or not, in this case the perpetrator can be held liable, even if, in committing the act, he did not intentionally do so and there is no element of negligence, carelessness or impropriety. Therefore, the owner of the pet dog is absolutely responsible for the unlawful act, namely negligence in keeping the pet dog. Therefore, absolute liability is often referred to as no-fault liability. A person can not only be held responsible for the actions of others, but also for the state of goods or animals, so the responsibility of pets lies with their owners. This includes the case of pet dog bites which is the absolute responsibility of the dog owner.

The rules governing the responsibilities of pet dog owners in Indonesia have similarities and differences with the rules regarding pet dogs in the United Kingdom. The similarities and differences will be analyzed in this section:

#### **Legal similarities about pet dogs in Indonesia with the United Kingdom.**

The United Kingdom applies rules in the form of imposing full liability on pet dog owners who attack or injure people. This is in accordance with the *Dangerous Dog Act 1987* article 33D which reads: "*If a dog attacks or chases any person, or any animal or bird owned by or in the charge of another person, whether or not any injury is caused, every person liable for the control of the dog commits an offence.*"

The point above indirectly explains that a pet dog owner who is still considered guilty when his pet chases or injures another party whether the party is injured or not. In Indonesia, there is also an article that states similar things regarding the responsibility of pet dog owners. In article 1365 of the Civil Code, it is stated that: "Every act that violates the law and brings harm to another person, obliges the person who caused the loss due to his fault to replace the loss". This also means that the owner of the dog is fully responsible for the damage caused by the pet dog, in addition to that it is also strengthened in article 1368 of the Civil Code which reads: "The owner of the animal, or whoever wears it, as long as the animal is in use, is responsible for the damage caused by the animal, whether the animal is under his

supervision or the animal is lost or out of his supervision", and in article 1371 of the Civil Code which contains: "Causing injury or disability to a person's limbs intentionally or due to lack of care, gives the victim the right not only to demand reimbursement for medical expenses, but also to demand compensation for damages caused by the injury or disability of the body. Also, this compensation is assessed according to the position and ability of both parties and according to the circumstances".

Based on the explanation above, it is true that there are similarities between the rules related to pet dogs in Indonesia and the United Kingdom, namely in the form of points contained in Civil Code articles 1365, 1368, 1371 and *the Dangerous Dogs Act*. Both rules reveal an absolute responsibility that the pet dog owner has or who is responsible for the behavior of the pet dog. In addition, basically the purpose of the two rules is the same, which is to protect the community from the dangers caused by animals (dogs). In terms of pet dog owners' responsibilities, both emphasize that pet owners are responsible for any losses or harm caused by pets. In terms of harm prevention, both emphasized the importance of monitoring animals that can harm others.

#### **Legal differences regarding pet dogs in Indonesia and the United Kingdom.**

Indonesia includes rules regarding pet dogs in several articles contained in the Civil Code and the Criminal Code, precisely articles 1368 and 1371 of the Civil Code, as well as article 490 of the Criminal Code. Article 490 of the Criminal Code reads as follows:

"Threatened with imprisonment for a maximum of six days, or a maximum fine of three hundred rupiah:

1. any person who incites an animal against a person or against an animal being ridden, or mounted in front of a carriage or vehicle, or carrying a load;
2. whoever fails to prevent an animal under his care, if the animal strikes a person or animal that is being ridden, or is mounted in front of a carriage or vehicle, or is carrying a load;
3. whoever does not take sufficient care of the wild beasts under his care, so as not to cause harm;
4. Whoever keeps a dangerous wild animal without reporting it to the police or any other officer appointed for it, or does not obey the regulations given by such officer in regard to it."

Based on the explanation of the above articles, the author concludes that if there is intentionality in the losses caused by pet dogs, it can be classified as a criminal law. This is in accordance with points a to d which describe the form of actions of pet dog owners where these actions are intentional actions. The case of pet dogs that harm people can also be categorized as civil law either intentionally or unintentionally. This is based on the content of article 1368 which contains "..... *either the animal is under his watch or the animal is lost or out of his control.*" and article 1371 which contains "*The cause of injury or defect of a limb intentionally or due to lack of care....*".

Meanwhile, the United Kingdom does not categorize cases into criminal or civil, but both are equally included in the criminal realm, either intentionally or unintentionally. This is



strengthened by article 4 of the *Dangerous Dogs Act* which reads: "A person guilty of an offence under subsection (1) or (3) above other than an aggravated offence is liable on summary conviction to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both; and a person guilty of an aggravated offence under either of those subsections is liable..." with the translation: "A person guilty of an offence under paragraph (I) or (3) above in addition to a serious offence shall be liable to imprisonment for a term not exceeding six months or a fine not exceeding level 5 on the standard scale or both; and a person guilty of a gross misdemeanor under any of those subsections is liable...".

Based on the *Dangerous Dogs Act* article 4 above, it is stated that if there is a case of a pet dog injuring another person, then the owner of the pet dog or the person responsible for the dog can be subject to a criminal penalty of imprisonment for a maximum period of six months or pay a fine with a maximum standard scale of 5, can also get both punishments.

The next difference lies in the existence of additional sanctions. As far as the author's observation goes, the author does not find any additional sanctions imposed or written in Indonesian rules. Unlike what is contained in the rules in the United Kingdom. It is mentioned in the *Dangerous Dogs Act* section 4 of the Destruction and Disqualification Order section 1 which reads: "... (a) may order the destruction of any dog in respect of which the offence was committed and shall do so in the case of an offence under section 1 or an aggravated offence under section 3(1) or (3) above; and (b) may order the offender to be disqualified, for such period as the court thinks fit, for having custody of a dog."

In addition, there is a difference in terms of law enforcement initiatives, which in Indonesia for cases of assaulting pets (dogs) are included in the category of civil complaints, which are crimes that can only be handled if the unfortunate party files a complaint. This means that investigators cannot begin with the process of investigating criminal offenses and complaint cases without complaints from the victim. Complaints are often related to violations of individual rights known only to the victim. Meanwhile, in the United Kingdom or the United Kingdom, these cases are included in the category of ordinary crimes, which are types of criminal acts that can be processed directly by law enforcement officials, without requiring complaints from the aggrieved party. In other words, ordinary criminal prosecution can be carried out even if the victim does not report the incident.

The Civil Code also does not provide specific coverage of pets, so the pet in question includes all animals, for example horses, cows, and others. Meanwhile, in the *Dangerous Dogs Act*, the coverage of pets is quite specific, namely only dogs and there are certain types that are prohibited. Then, there is another difference, namely in the main purpose of the rule where the Civil Code aims to compensate victims of losses caused by pets (dogs), while the *Dangerous Dogs Act* has the main purpose of preventing attacks and dangers from pet dogs before they occur.

### **Problems from the comparison of Articles 1368, 1371 of the Civil Code with *the Jurisdiction Of The Dangerous Dogs Act***

As is known in the comparison between Article 490 of the Criminal Code, Articles 1368, 1371 of the Civil Code and *the Jurisdiction Of The Dangerous Dogs Act*, apart from the interpretation of the substance of the criminal act, on the other hand these differences and similarities can make a legal problem in comparison.

A comparison between the punishment received in Indonesia and the United Kingdom states that the penalty is a maximum of six days or a fine of three hundred thousand rupiah, while in the United Kingdom the maximum sentence is imprisonment for six months or a fine or both. This indirectly shows that Indonesia is implementing lighter sanctions. Of course, this can cause a problem, considering that the losses caused by pet dogs are quite small. So that there is a discrepancy between the losses caused and the punishment received by the pet dog owner.

Furthermore, regarding the comparison between the additional sanctions applied in the United Kingdom and Indonesia. Namely the revocation of dog ownership licenses, that in the United Kingdom there are additional sanctions for revoking dog ownership licenses, while in Indonesia there are no sanctions in the form of revocation of dog ownership licenses. Of course, this can also cause a problem as the previous point. This shows the seriousness of the United Kingdom in enforcing laws related to pet dogs. The next point is not much different, namely regarding the destruction of pet dogs in its additional sanctions. The United Kingdom can apply this as one of the additional forms of sanctions implemented. This can be done if there is a serious violation caused by the pet dog. Meanwhile, in Indonesia, there are no additional sanctions such as the destruction of pet dogs.

Considering that *the Dangerous Dogs Act* specifically mentions the type of pet, namely dogs, this is different from Indonesia which does not have a special law that explicitly regulates the types of dangerous pets (especially dogs). The handling of animal attack cases only depends on the interpretation of the Civil Code, which is very general and open. This limits the effectiveness of community protection. In other words, Indonesia does not have a special regulation that regulates this so that the absence of special regulations in Indonesia will more or less affect the community.

### **Efforts to Overcome Problems from the Comparison of Articles 1368, 1371 of the Civil Code with *the Jurisdiction of the Dangerous Dogs Act***

Based on the previous description, there are three problems raised by the author, namely: *first*, Indonesia does not have a special law that regulates pet dogs. *Second*, sanctions are applied in Indonesia so that they do not cause a deterrent. *Third*, there are no additional sanctions such as the revocation of dog ownership or the destruction of pet dogs in Indonesia. So the author offers efforts to overcome the problems of the comparison of the two rules, namely:

## Establishment of National Special Regulations

### a) The Urgency of Special Regulations

Indonesia does not have laws and regulations that specifically regulate dangerous animals. Therefore, special regulations (*lex specialis*) equivalent to the *Dangerous Dogs Act are urgently needed*. This regulation can be in the form of a law or government regulation (PP) that contains special rules regarding:

1. Types of animals that are categorized as dangerous.
2. Requirements for the maintenance of the animal.
3. Owner's legal responsibilities and obligations.
4. Reporting, supervision, and sanction procedures.

### b) Contents of Recommended Regulations

The regulations that the author recommends should contain:

1. A list of dangerous dog breeds/animals that is updated regularly.
2. Obligation to register animals by the owner to the relevant agency.
3. Certain prohibitions on certain types of animals if proven to be harmful.
4. Strict sanctions are in the form of administrative, civil, and even criminal fines if there is an attack on humans.
5. Procedures for the destruction or control of animals that endanger the community,
6. Making SOPs (*Standard Operating Procedures*) for the authorities in handling this case, from investigation to prosecution.

The author hopes that this can be a reference so that dog maintenance in Indonesia is more regular considering that it causes many losses, in addition to increasing the sense of responsibility of pet dog owners for the actions of their pet dogs and their care.

### c) Inter-Institutional Collaboration

To increase the effectiveness and contribution of the government, the authors recommend that the preparation of regulations should involve:

1. Ministry of Agriculture (through the Directorate General of Livestock and Animal Health),
2. Ministry of Law and Human Rights,
3. Police and law enforcement officials, including training of officers on procedures for handling dangerous animal cases,
4. Academics and practitioners of law and animal health.

The above point is intended by the author to involve the government to create more regular regulations in terms of supporting the welfare of the community, in addition, with effective regulations, it also increases the deterrent effect for dog owners who commit harmful acts. Also, with these more regular regulations, the author hopes to reduce or minimize the number of cases caused by pet dogs.

This is in line with Soerjono Soekanto's theory of legal protection, where legal protection is an effort to fulfill the rights of witnesses and victims to give them a sense of security (Soekanto, 2000). So that the existence of regulations as described by the author also increases the sense of security both for victims who have suffered losses, namely in the

form of compensation that will be received according to regulations and for ordinary people who feel safer so as not to become victims of harmful pet dogs.

J.P. Fitzgerald also added that legal protection occurs due to involvement and adjustment in various interests in society (Raharjo, 2000). In accordance with the author's statement that collaboration or cooperation of various parties will further support the welfare of the community, one of which is in terms of the safety of pet dogs.

## E. Conclusion

The conclusion of the results of this study is that there are similarities between the rules related to pet dogs in Indonesia and the United Kingdom in the form of points in Civil Code Articles 1365, 1368, 1368, 1371 and *the Dangerous Dogs Act*. These rules indicate the absolute responsibility that the dog owner or person responsible for the behavior of the pet dog has. In addition, basically, the purpose of the two rules is the same, namely the protection of society from harm caused by animals (dogs). Regarding the responsibility of dog owners, both emphasize that the animal owner is responsible for any loss or harm caused by the pet.

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