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## Woman 'whimpered' with fear after dog attacked, court told

12:16 - 15-July-2008

A FORMER magistrate and his wife have appealed against their conviction for allowing their dog to escape and attack their neighbour.

Michael and Maureen Gard, both 66, were found guilty of allowing their black Sharpei dog Majik to be out of control and bite their neighbour Margaret Cordey at her home in Rowhorne Road, Nadderwater, near Exeter.

As their appeal started at Exeter Crown Court yesterday, Judge John Neligan heard there was hostility between the neighbours, with each couple repeatedly making complaints about the other to the police.

Prosecutor Tom Bradnock said Majik bit Mrs Cordey's bottom, then, as she span around, stood on its hind legs and pinned her to the garage wall before biting her arm on March 17, 2006, at about 7am.

She needed treatment at the Royal Devon & Exeter Hospital, while a GP at St Thomas Health Centre said she had a puncture wound to her bottom and a large bruise on her arm.

"It frightened me to death," she said, describing the dog attacking her after the Gards shouted to her that it was running loose. "I was petrified."

Her daughter Sarah told the court she was awoken by her mother's screams and found her "whimpering" with fear.

Mrs Cordey's husband Brian, giving evidence, said he arrived in his lorry, with staff from his firm Ace Scaffolding.

"I drove in and Mrs Gard was wrestling with her dog on the floor (to control it) and Margaret shouted: 'The dog's bit me'," he said.

The dog had bitten Mrs Cordey the year before, although the court heard that was not a criminal offence. In a trial last year, the Gards were acquitted of letting Majik chase the other couple's horse.

The Gards yesterday told the court that they had tried to retrieve their dog but Mrs Cordey refused to let them on her land. They did not see any attack.

Michael Gard said the dog was his responsibility, not his wife's, and must have escaped through a gate he thought was shut.

The pair claimed Mr Cordey ran after them, wielding a scaffolding pole in their faces when he arrived on the scene.

Maureen Gard tearfully told the court she fell because she was trying to escape Mr Cordey, fearing his wrath, rather than struggling to control her dog.

"Brian was shouting abuse," she said. "He'd got a pole facing straight into my face. He swore, 'I'll get you and that dog'."

Her husband said there had been disputes with Mr Cordey about the shared driveway, the water supply and Majik, who had now been rehomed.

The Gards had both been convicted of an offence under the Dangerous Dogs Act, involving allowing their pet to enter a private place and injuring a person. They had been ordered to pay £100 compensation and £250 costs each. No order was made involving the dog. The appeal continues.



Michael and Maureen Gard