

Scottish Government submission of 12 March 2024

PE2083/A: Review the rules to ensure that no dog becomes more dangerous as a result of breed specific regulations

The Scottish Government notes that the petition calls on the Scottish Parliament to 'urge the Scottish Government to review [The Dangerous Dogs \(Designated Types\) \(Scotland\) Order 2024](#) and ensure that breed specific regulations do not restrict responsible dog owners from undertaking exercise and training routines which support the dog's welfare and reduce the risk of their dog becoming dangerous'.

As the Committee will now be aware, the Minister for Victims and Community Safety, Siobhian Brown MSP, appeared before the Criminal Justice Committee on 21 February 2024 to give evidence on this Order. During that Committee meeting a Motion from Christine Grahame MSP to annul the Order was voted against unanimously 8-0.

The Dangerous Dogs (Designated Types) (Scotland) Order 2024 subsequently came into force on 23 February 2024.

The decision to introduce new safeguards in relation to XL Bully dogs was not one taken lightly. The Committee will wish to be aware that the Scottish Government is taking a two-stage approach to introducing the new safeguards.

For the first stage of the new rules and with The Dangerous Dogs (Designated Types) (Scotland) Order 2024 now in force, it is now an offence under Scots law for a person in Scotland to:

- have an XL Bully in public without a lead and muzzle
- breed or breed from an XL Bully dog
- sell an XL Bully dog
- abandon an XL Bully dog or let it stray
- give away an XL Bully dog

The Scottish Government understands the concerns expressed by dog owners about the impact that the new controls may have on their dogs.

The Scottish Government takes animal welfare very seriously and is committed to the highest possible welfare standards. There is however a balance to be struck between protecting animal welfare and protecting public safety.

The new safeguard requirements that are now in force are designed to protect the public and aim to prevent and reduce the risk of incidents/attacks by XL Bully dogs from happening.

Allowing the owner of an XL Bully to exercise their dog in a public place while off lead and without a muzzle would be counterproductive to the aim of the Order, and would create too great a risk to the public. As such, the Scottish Government cannot support such a proposition.

The Committee will wish to be aware that helpful and practical support and guidance has been published on the Mygov.scot website to ensure owners are made aware of how to comply with the new safeguards on XL Bully dogs: [XL Bully dogs in Scotland - mygov.scot](https://mygov.scot/xl-bully-dogs-in-scotland)

The Committee will also wish to be aware that the second stage of the new rules will mean that from 1 August 2024, it will be an offence to own a XL Bully dog without an exemption. Owners of an XL Bully dog will need to apply for an exemption on or before 31 July 2024 to be able to continue owning their dog.

The details of the exemption scheme such as the start date for application, requirements to receive an exemption and also arrangements for compensation for any XL Bully dog owners not wishing to retain their dogs, will be published on the Mygov.scot website in due course.

Yours sincerely

Criminal Law, Practice and Licensing Unit