

Minister for Victims and Community Safety  
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Chòimhearsnachd  
Siobhian Brown MSP  
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Mr Douglas-Miller  
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E-mail: [PS.Lord.Douglas-Miller@defra.gov.uk](mailto:PS.Lord.Douglas-Miller@defra.gov.uk)

8 March 2024

Dear Mr Douglas-Miller

I am writing to provide you with an update on the action being taken by the Scottish Government in relation to new safeguards on XL Bully dogs, and to highlight an issue that I would like to be considered in relation to the exemption regime and cross border movement of XL Bully dogs within the nations of the United Kingdom.

As you will recall from my letter dated 9 February 2024 and following the approach of the UK Government, the Scottish Government is taking a two-stage approach for the new safeguards for XL Bully dogs in Scotland.

The first stage of the new rules, as set out in [The Dangerous Dogs \(Designated Types\) \(Scotland\) Order 2024](#), came into force on 23 February 2024. While it remains legal to own an XL Bully dog in Scotland, owners must now ensure their dogs are muzzled and on a lead when in a public place. Breeding, selling, gifting or exchanging XL Bully dogs is also prohibited.

The second stage of the new rules, as set out in [The Dangerous Dogs \(Compensation and Exemption Schemes\) \(Scotland\) Order 2024](#), will mean XL Bully dog owners can seek an exemption between 1 April to 31 July 2024. From 1 August 2024, it will be an offence to own a XL Bully dog in Scotland without an exemption/having applied for an exemption not yet determined.

We are considering the position in relation to any cross border movement of XL Bully dogs. During engagement between DEFRA officials and representatives from devolved administrations, the Scottish Government raised an issue regarding the validity of exemption certificates, when an owner of an XL Bully dog who lives in Scotland then moves to England or Wales and vice versa.

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As you know both exemption schemes for XL Bully dogs will operate independently of each other as they relate to the law of the country in which the owner resides. So a person living in England or Wales is subject to the UK Government scheme while a person living in Scotland is subject to the Scottish scheme.

I consider it is important to ensure law abiding citizens and dog owners who have complied with all requirements to legally retain their dogs as a consequence of the new safeguards are not unduly affected by the exemption regime rules when they wish to move from Scotland to England and Wales or vice versa.

We are keen to work with you and your officials to look at collectively addressing this issue in a consistent and fair way, and avoid a situation where the owner would be required to dispose of their dog or run the risk of being criminalised for the offence of possessing an XL Bully dog without an exemption. This clearly will be a relevant issue for anyone considering moving between countries while they own an XL Bully dog subject to any exemption.

It would be helpful to understand the UK Government's position on this matter. I would be happy to meet with you to discuss this matter further and possible solutions. If such a meeting would be helpful, please contact my Private Office by e-mail at: [MinisterVCS@gov.scot](mailto:MinisterVCS@gov.scot) to confirm arrangements.

I look forward to your response.



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9 February 2024

Dear Robbie

Thank you for your letter of 14 December 2023 in relation to XL Bully dogs, and the restrictions that are now in force in England and Wales.

As you will recall from your letter, the UK Government was unable to confirm that an owner of an XL Bully dog who lives in England and Wales who comes to Scotland would be breaching English and Welsh law by selling their XL Bully dog in this manner.

As a result and in a decision not made lightly, the Scottish Government considers it necessary to introduce similar safeguards in Scotland to address growing public safety and animal welfare concerns.

I am therefore writing to inform you about the two-stage approach the Scottish Government is taking in relation to XL Bully dogs for the new safeguards we are introducing in Scotland.

The Dangerous Dogs (Designated Types) (Scotland) Order was made by the Scottish Ministers under powers in section 1 of the Dangerous Dogs Act 1991 on 31 January 2024. The Order is due to come into force on Friday 23 February 2024.

This first stage of new rules on XL Bully dogs means owners of XL Bully dogs in Scotland must, from that date, ensure their dogs are muzzled and on a lead when in a public place. Selling, gifting or exchanging XL Bully dogs will also be prohibited.

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, as well as arrangements for compensation for any XL Bully dog owners not wishing to retain their dogs, will be included in further secondary legislation which I intend to lay in the coming weeks.

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Looking ahead, I know that Scottish Government officials have welcomed the regular weekly engagement with DEFRA and representatives from the other devolved administrations to discuss the XL Bully issue. We look forward to that engagement continuing.

I hope this update is helpful.



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20 May 2024

Dear Robbie

Thank you for your letter of 1 May in relation to the XL Bully dog safeguards scheme.

I welcome the helpful offer to discuss the opportunity to look at the mutual recognition of exemption certificates across the United Kingdom. As you know the exemption scheme within the nations of the UK for XL Bully dogs operate independently of each other as they relate to the law of the country in which the owner resides.

It is important to highlight that the Scottish Government is receiving queries from owners and stakeholders who are seeking clarity as to the validity of exemption certificates and highlighting concerns regarding the inability for owners of XL Bully dogs to travel legally with their XL Bully dog between different countries within the United Kingdom.

Whilst I note your view that consideration of this issue can wait, the Scottish Government's view is that we should not wait until the all administrations have fully implemented their restrictions and that policy discussions on cross border movement of XL Bully dogs should take place as soon as possible so that agreement can be reached for a system of mutual recognition of exemption certificates.

Such a system would allow individuals with exemption certificates in one part of the UK to be able to take their dog with them when either travelling in or moving to another part of the UK. The Scottish Government are dealing with requests where owners of XL Bully dogs have acquired a certificate of exemption for their XL Bully dog from the Scottish Government, but are now planning to move from Scotland to England and Wales. They are faced with a position where they cannot legally do so in terms of their possession of an XL Bully dog even though they have an exemption.

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I must re-iterate my view that I consider it is important to ensure law abiding citizens and dog owners who have complied with all requirements to legally retain their dogs as a consequence of the new safeguards are not unduly affected by the exemption regime rules when they wish to travel to or move from Scotland to England and Wales or vice versa.

Building on the good working relationship between officials in this area, I consider that there is a mutual benefit of continued engagement going forward to consider the impact of the restrictions and develop a policy approach of mutual recognition of exemptions to allow for XL Bully dog owners to travel in or move to one nation in the UK from another with their dog.

It would be helpful to receive your view on the UK Government's position on the opportunity to meet in the near future in order to consider the cross border movement issue. I would be happy to meet with you to discuss this matter further and possible solutions. If such a meeting would be helpful, please contact my Private Office by e-mail at: [MinisterforVCS@gov.scot](mailto:MinisterforVCS@gov.scot) to confirm arrangements.

I look forward to your response.

Yours sincerely,



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