



Department for Environment Food & Rural Affairs

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Rt Hon Sir Robert Goodwill,
Chair, Environment, Food and
Rural Affairs Committee
London
By email

18 January 2024

Dear Robert,

Thank you for your letter to my colleague the Rt Hon Lord Benyon, dated 14 December 2023. I am responding as the Minister responsible for this policy area following my appointment to the Department.

I am very grateful for the support of the Environment, Food and Rural Affairs Committee on the decision to ban the XL Bully breed type and for your continued engagement as we implement the ban. We firmly believe that the ban is needed to ensure the public is adequately protected from the serious attacks and fatalities we have tragically seen from this breed type.

Veterinary capacity, neutering and euthanasia

Ahead of launching the exemption and compensation schemes, my officials engaged closely with the British Veterinary Association, the British Small Animal Veterinary Association and the Royal College of Veterinary Surgeons on veterinary capacity and on the neutering and euthanasia requirements. We did this in recognition of the sector's expertise and importance.

We know that neutering at a very young age is not advisable. This is why there is an extended neutering deadline for young XL Bully dogs. The vast majority of puppies born ahead of the ban on breeding and sale will be at least 12 months old when they need to be presented for neutering. Neutering is a population control measure that is necessary to protect the public and will also serve to prevent owners from committing an offence (as breeding from XL Bully type dogs became a criminal offence from 31 December 2023).

The evidence from implementing this ban is that extremely low numbers of dog owners are choosing to euthanise their dog. Currently we have received around 100 claims for compensation. Clearly this does not give rise to capacity concerns in relation to euthanasia.

Owners who choose to keep their XL Bully dogs have until the end of January to apply for a Certificate of Exemption. As part of their application they must inform Defra of the age of the dog and whether or not it has been neutered. This means that we will shortly have data on all of the registered XL Bully type dogs in England and Wales. We will then be able to carry out an assessment of the number of dogs that remain to be neutered, the age of these dogs and their geographical

distribution, and assess the impacts that this may have on veterinary capacity. While we will continue to engage with the sector on this subject, we do not currently anticipate any capacity issues.

Guidance for owners and awareness of new requirements

You are right that our approach to implementing this ban means that it is up to owners to identify whether they think their dog may be in scope of the ban. In adopting this approach, we took seriously the responsibility of helping owners decide whether the ban applied to them or not so that they could comply with the various requirements.

We have helped owners understand the new requirements and the steps they need to take to successfully apply for a Certificate of Exemption before the ban comes into force in a number of ways. The Chief Veterinary Officer has conducted numerous national and regional broadcast media interviews with wide reaching radio and television channels to reiterate these messages to a large audience, and we have also reached owners through proactive print and online press coverage, social media posts and an online advertising campaign. We have provided guidance and photographs and also produced a (short) step-by-step guide for owners to help them decide whether their dog is in scope of the ban and whether they should apply for a Certificate of Exemption. Our guidance highlights that the ban does not apply to dogs that are clearly not XL Bully dogs and are clearly identifiable as another breed.

Having already issued 19,000 Certificates of Exemption it is clear that dog owners are engaging with the new rules, reaching decisions about their applicability and acting accordingly.

We know that for some owners it is difficult to be sure whether or not their dog is covered by the ban. This is something we have reflected in all the work set out above. At the same time, we think it is right to advise owners to follow the requirements (on leads and muzzles, for example) and to register their dog on a precautionary basis.

Capability and capacity of enforcement authorities

We are working closely with the police to ensure that Dog Legislation Officers have the knowledge and skills they need to be able to consistently apply the conformation standard for the XL Bully breed type which will enable them to effectively enforce the ban. Training sessions for Dog Legislation Officers in England and Wales have been scheduled throughout January. Defra has provided the funding for these sessions. We remain in close contact with the National Police Chiefs' Council dangerous dogs working group and will keep any longer-term impacts of the ban on police capacity and capability under review.

As we mentioned during the recent evidence session with your Committee, after the ban comes into force there will be a process for owners to apply to have their Certificate of Exemption withdrawn. We are currently developing this process in close collaboration with the police and will announce further details of how this will work in due course.

We are also working closely with Local Authority representatives and the Local Government Association to assess any resulting impacts of the ban on local authorities. This includes conducting a new burdens assessment to assess the need for additional Local Authority funding and resources.

Data collection and responsible dog ownership more widely

Whilst we are currently focused on taking quick and decisive action to protect the public by extending Section 1 of the Dangerous Dogs Act 1991 to the XL Bully breed type, we are still committed to the Responsible Dog Ownership taskforce and delivering its final report soon.

We have been working hard with the police, local authorities and animal welfare groups to help prevent dog attacks across all breeds by encouraging responsible dog ownership to ensure dog control issues are addressed before they escalate and to make sure the law is effectively applied.

As part of this work, we are also considering the role of education and training (for both dogs and their owners) in reducing the risk of dog attacks, as well as how we can improve data collection and recording of dog control incidents as you mention.

Correction relating to October 2023 Efra Committee Session

I would also like to take this opportunity to note that during the discussion on XL Bullies at the EFRA Committee session on Tuesday 24th October 2023, the former Secretary of State incorrectly attributed the Department's population estimates regarding the size of the XL Bully dog population in the UK to the Blue Cross. They have since been in contact with the Department to clarify that they estimate the XL Bully dog population to be significantly higher than the Department's estimates.

I would also like to clarify that the powers enabling the government to add breed types to Section 1 of the Dangerous Dogs Act 1991 are exercisable by statutory instrument subject to annulment (negative SI).

Thank you once again for your letter and for your ongoing support on this important issue.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'K Douglas-Miller', with a long horizontal flourish extending to the right.

LORD DOUGLAS-MILLER