



Finlay Carson MSP
Convener
Rural Affairs and Islands
Committee
c/o Clerk to the Committee

Maurice Golden MSP

20 March 2025

Dear Convener

Dog Theft (Scotland) Bill

The Dog Theft (Scotland) Bill, for which I am the Member in charge, has been referred to your committee for Stage 1 scrutiny.

The Non-Government Bills Unit (NGBU) has provided support to me in the preparation and drafting of the Bill. As part of that role, NGBU has carried out an Equalities Impact Assessment (EQIA) for the Bill in order to ensure that best practice has been followed and that the Bill's impact has been appropriately identified and considered.

The EQIA is annexed for the Committee's information.

Yours sincerely

Maurice Golden MSP

ANNEX

Equality Impact Assessment

Dog Theft (Scotland) (Scotland) Bill	
(1) Aims of the Policy	
What is the purpose of the proposed policy?	<p>The Bill's policy objective is to:</p> <ul style="list-style-type: none">• Make dog theft a specific statutory offence with specific penalties. The Bill also allows people who are the victims of dog theft to make a victim statement to the court. Furthermore, it makes the theft of an assistance dog an aggravated offence.
What are the anticipated outcomes of the policy?	<p>The act of stealing a dog has been prosecuted in the same way as the theft of any other item. The Member in charge of the Bill (Maurice Golden MSP) thinks this does not take account of the fact that a dog is a sentient being with a strong emotional connection to its owner. He considers that the theft of a dog causes loss to the owner and to the dog itself.</p> <p>The Member believes that making the theft of a dog a standalone statutory offence recognises the sentient nature of the dog, and the emotional connection to the owner. He also considers that the Bill establishes penalties commensurate with the offence, and believes that allowing the victims of dog theft the opportunity to make victim statements to the court recognises the seriousness of the offence and the impact of the loss of a dog on individuals, families and the dog itself.</p> <p>Making the theft of an assistance dog an aggravated offence recognises that theft of such a dog, who provides a vital service to a vulnerable individual, is an egregious act, and one which receive harsher punishment.</p> <p>As well as this new aggravation, existing aggravations will apply to dog theft. These include: where an offender showed ill-will to a victim based on a characteristic such as race, religion or sexual</p>

	<p>orientation; where the offence is motivated by, or demonstrating, hostility based on the victim's disability or where a vulnerable victim is deliberately targeted due to that vulnerability. An increase in the number of prosecutions and convictions may also result in there being a high number of existing aggravations in respect of dog theft.</p> <p>Finally, the provision in the Bill for victims of dog theft to be able to make a victim statement to the court will have a positive impact on all victims, as it will allow them to tell the court how the crime has affected them physically, financially and emotionally. This could include reference to their protected characteristic and how being a victim of dog theft has particularly affected them as a result of having that characteristic.</p>
<p>Who will be affected by the policy?</p>	<p>The proposal will affect dog owners and their families, and recognises that a dog is a key, and much loved part of the family. The Member also believes that the Bill will have a positive impact on dog welfare. The Pet Theft Taskforce argued that there was evidence that many cases of pet theft affect the welfare of the animal.</p>
<p>(2) What is known about the diverse needs of those who will be affected by the policy</p>	
<p>Gender* reassignment</p>	<p>The Bill will have no direct impact on gender reassignment.</p>
<p>Religion or Belief</p>	<p>The Bill will have no direct impact on religion or belief, other than in respect of the application to the offence of dog theft of the existing aggravation of where an offender showed ill-will to a victim based on a characteristic such as race, religion or sexual orientation,</p>
<p>Age*</p>	<p>Although on the face of it there is no direct impact of the policy on age, the extent to which a person is adversely affected by having their dog (or family dog) stolen may depend on their age. For example, a child or young person who has their first dog stolen may be traumatised for life by the experience. Equally for older person who is perhaps widowed and/or living alone, a dog may be their companion whom they rely on for company and also regular exercise and meeting other dog</p>

	walkers. Nevertheless, those two diverse examples are not to in any way downplay the impact of dog theft on owners who do not fit into either category.
Disability*	People who rely on an assistance dog, whether due to visual or hearing impairment, would be particularly affected in a situation where their assistance dog is stolen.
Race	The Bill will have no direct impact on race other than in respect of the application to the offence of dog theft of the existing aggravation of where an offender showed ill-will to a victim based on a characteristic such as race, religion or sexual orientation,
Sex	The Bill will have no direct impact on sex
Maternity and Pregnancy	The Bill has no direct impact on this area.
Sexual Orientation	The Bill has no direct impact on sexual orientation.
Marriage and Civil Partnership	The Bill has no direct impact on this marriage and civil partnership. The Bill provides that the offence is not committed where a dog is taken by one partner following the breakdown of a relationship where the couple cease to live together.
(3) Is there enough information to help understand the needs and/or experiences of those affected by the policy	
Gender* reassignment	n/a
Religion or Belief	n/a
Age*	Yes.
Disability*	Yes.
Race	n/a
Sexual Orientation	n/a
Sex	n/a
Maternity and Pregnancy	n/a

Marriage and Civil Partnership	Yes
If not, what other information is required	n/a
(4) What does the information given say about how the policy might impact positively and negatively on different groups	
Gender* reassignment	n/a
Religion or Belief	Not applicable, except insofar as the application to dog theft of an existing aggravation where an offender showed ill-will to a victim based on a characteristic such as race, religion or sexual orientation. An increase in the number of prosecutions for theft of a dog may lead to an increase in the number of aggravations, thereby having a positive impact on this group.
Age*	<p>It is hoped that the Bill will have a positive impact on older people and on children and young people. The Member recognises that the dogs are much loved and valued members of the family. As mentioned in section 2, for a child who has their first family dog stolen, or an elderly person living alone who has their companion stolen the trauma is compounded. By creating a specific statutory offence of dog theft with penalties commensurate with the nature of the offence, the Bill will provide a deterrence to anyone thinking of stealing a dog, and reduce the incidence of dog theft. This ought to provide a level of assurance to dog owners, and reduce the likelihood of a vulnerable elderly person, or a young person, having to endure the trauma of having their much loved pet taken from them.</p> <p>The Member therefore considers that the Bill will have a particularly positive impact on the lives of elderly people and children and young people.</p>
Disability*	<p>It is hoped that the Bill would have a positive impact on disabled people.</p> <p>The Bill provides for an aggravation for the theft of an assistance dog. This means that the sentence for stealing such a dog can be higher, thereby providing a significant deterrent to anyone thinking</p>

	<p>of committing such an offence. As such the Member considers that the Bill has a positive impact on disabled people. Furthermore, the provision to allow victims of dog theft to make a victim statement to the court about the physical, emotional and financial impact of the theft of their dog on them affords people who need the support of an assistance dog to perform daily tasks to highlight the impact that the theft of their assistance dog has had on them. This provision would have a positive impact on disabled people more generally, as it would allow them to tell the court of the impact that the theft of their dog has had on them, and this may well be related to their disability. For example someone who has had a particular disability for a significant period of time may have drawn comfort over a number of years from the companionship they have with their dog. Furthermore, even in situations where the dog is not an assistance dog, where a person who is disabled and who has had their dog for a long time may have come to rely on the support that their dog provides. Being able to make a victim statement setting out the impact on them of having their loyal companion stolen is a positive effect of the Bill.</p> <p>Furthermore, where the offence is motivated by, or demonstrating, hostility based on the victim's disability or where a vulnerable victim is deliberately targeted due to that vulnerability, an existing aggravation may apply so the sentence may be longer in such a scenario. An increase in the number of prosecutions for theft of a dog may lead to an increase in the number of aggravations, thereby having a positive impact on this group</p> <p>The Member therefore considers that the Bill would have an overwhelmingly positive impact on disabled people who require the support of assistance dogs to live their daily lives.</p>
Race	<p>Not applicable, except insofar as the application to dog theft of an existing aggravation where an offender showed ill-will to a victim based on a characteristic such as race, religion or sexual orientation. An increase in the number of prosecutions for theft of a dog may lead to an increase in the number of aggravations, thereby having a positive impact on this group.</p>

Sex	N/A
Maternity and Pregnancy	N/A
Sexual Orientation	Not applicable, except insofar as the application to dog theft of an existing aggravation where an offender showed ill-will to a victim based on a characteristic such as race, religion or sexual orientation. An increase in the number of prosecutions for theft of a dog may lead to an increase in the number of aggravations, thereby having a positive impact on this group.
Marriage and Civil Partnership	As mentioned in section 2, the Bill makes provision to ensure that the offence of dog theft is not committed in a situation where one partner keeps a dog following a domestic dispute. Although included here for information, the provision is expected to have a neutral impact on people who are in marriages and civil partnerships.
Completed by the Non-Government Bills Unit: 18 March 2025	

*Although not a protected characteristic, carers should be given specific consideration in this category (e.g. the potential impact on those who care for older people).

Member's Comment on NGBU's Equalities Impact Assessment

Evidence gaps identified

None

Member's comment:

Adverse impacts identified

N/A

Member's comment:

Completed by Maurice Golden MSP 20 March 2025