

# Citizen Participation and Public Petitions Committee

2nd Meeting, 2022 (Session 6), Wednesday 2  
February 2022

PE1892: Introduce a law that makes attacks  
by one dog on another dog a crime

## Note by the Clerk

**Lodged** 19 August 2021

**Petitioner** Evelyn Baginski

**Petition  
summary** Calling on the Scottish Parliament to urge the Scottish Government to make attacks by one dog on another dog a crime and subject to a penalty requiring the owner to pay a fine and reimburse any expenses related to the incident.

**Webpage** <https://petitions.parliament.scot/petitions/PE1892>

## Introduction

1. The Committee last considered this petition at its meeting on [3 November 2021](#). At that meeting, the Committee agreed to write to the Scottish Government and the British Veterinary Association.
2. A summary of past consideration of the petition and responses to information requests are provided for the Committee's consideration.

## Background

3. During its consideration of this petition, the Committee received 4 written submissions.
4. The initial Scottish Government response outlined existing legislation and recent consultations relevant to this petition, including points such as—

- People and assistance dogs are protected under the Dangerous Dogs Act 1991;
  - Under the 1991 Act, an attack on another dog could be considered dangerous if the test for the offence is met, including reasonable apprehension that it will injure a person or an assistance dog;
  - One response to the consultation on the 1991 Act review highlighted that it did not raise the issue of whether legislation should be extended to cover attacks on another dog.
5. The petitioner's initial submission suggested financial penalties to provide compensation to dog owners who have lost a dog as a result of an attack by another dog. This compensation could cover veterinary fees and funeral expenses.

## Scottish Government submission

6. At its last consideration of this petition, the Committee agreed to write to the Scottish Government to ask whether consideration has been given to extending the dangerously out of control offence to cover attacks on non-assistance dogs.
7. In response, the Scottish Government outlines the rationale for the amendment to include assistance dogs in the 1991 Act, stating that 'if an assistance dog is attacked, the assisted person may suffer a significant reduction in freedom through either temporary loss of a dog whilst it recovers or permanent retirement and the resultant wait for a replacement dog,' noting that 'reforms were therefore undertaken to make an attack on an assistance dog an aggravated offence'.
8. The submission goes on to note that, in taking forward the Scottish Government's commitment to review the 1991 Act, 'consideration will be given to the conduct captured by the existing dangerously out of control offence and whether it should be adjusted.'
9. The Scottish Government states that a working group will be formed to progress this work in the coming months.

## Polmont Veterinary Clinic submission

10. The Committee received a submission from the Polmont Veterinary Clinic which provides information on injuries and costs associated with dog attacks on other dogs, based on details from neighbouring clinics.
11. The information provided shows the following –

- 2018 - £3,635, 11 incidents
- 2019 - £7,582, 17 incidents
- 2020 - £3,953, 14 incidents
- 2021 - £8,692, 19 incidents

## Action

The Committee is invited to consider what action it wishes to take.

### **Clerk to the Committee**

## Annexe

The following submissions are circulated in connection with consideration of the petition at this meeting –

- [PE1892/C - Polmont Veterinary Clinic submission of 25 November 2021](#)
- [PE1892/D: Scottish Government submission of 2 December 2021](#)

The Scottish Parliament launched a new website at the end of Session 5.

All written submissions received on the petition can be viewed on the [petition webpage](#).