

Frequently Asked Questions about the Government's announcement to ban the XL Bully

What has the Government proposed?

On Friday 15 September, Prime Minister Rishi Sunak announced that the American Bully XL type dog will be added to the breed types banned in the UK by the end of 2023. This is not currently law, the Government is working to define the breed type and implement the plan by the end of the year.

What does the announcement about the ban mean if I am an owner of an American XL Bully?

We urge current owners of American XL Bullies not to panic. The legislation is not yet in place and so they are not currently banned. The Government has stated that there will be a transition or amnesty period to safely manage the existing population of dogs. This means that when the ban comes into force owners will have to take certain actions in order to comply with new legislation. If owners do that they can apply for a Certificate of Exemption to keep their dogs.

If you own an American XL Bully type dog, you can start preparing by taking certain actions that are expected to be required to apply for an Exemption, when the ban comes in. At this time, it's expected to be required that exempt dogs, must be:

- neutered
- microchipped
- kept on a lead and muzzled at all times when in public
- kept in a secure place so they cannot escape

And owners must:

- have third party liability insurance against your dog injuring other people
- be aged over 16
- show the Certificate of Exemption when asked by a police officer or council dog warden, either at the time or within 5 days
- let the Index of Exempt Dogs know if you change address, or your dog dies

You can find more information about current rules for banned breed types on the [Government's website](#).

What other dogs are banned in the UK?

The Dangerous Dogs Act 1991 has already banned four types of dog in the UK. These are the:

- Pitbull Terrier
- Japanese Tosa
- Dogo Argentino
- Fila Brasileiro

Is the American XL Bully a Kennel Club recognised breed?

The American XL Bully is not a breed recognised by The Kennel Club. Recognising a breed involves an established breed club making a request for recognition and then a process follows which includes, amongst other requirements, the demonstration that a significant proportion of dogs meet an approved breed standard, which describes the look, health and temperament of a dog.

Can I register my American XL Bully with The Kennel Club?

The American XL Bully is not a breed recognised by The Kennel Club, as such it is not possible to register these dogs on our breed register. Crossbreeds and types of dog that are not recognised as a breed, can be registered on our activity register and this currently includes the American XL Bully. When a legal ban is in place it will be necessary to provide a Certificate of Exemption in order to be on the activity register. Please note registration on our activity register will have no bearing on the legal status of your dog and whether it may be determined as a banned type or not.

How will an American XL Bully be classified?

The American XL Bully is not a Kennel Club recognised breed and so there is no clear classification for this type of dog. The Government has announced its intention to convene a range of experts, including from the animal welfare sector, to define the American XL Bully.

Identifying American Bully types is currently extremely difficult, especially when there are several different variants of the American Bully and many other breeds and crossbreeds, which look similar. The Government will develop a breed standard to identify the dogs that will be impacted by the ban.

Will I be able to use DNA to prove my dog is not an American XL Bully?

The Government has yet to confirm the details of the proposed ban on American XL Bully dogs, however, the existing law is assessed on appearance based criteria. We're not aware of the courts using DNA tests to determine whether a dog is a banned type or not. Therefore, we do not expect DNA to be helpful in proving to the courts whether a dog is or is not an American XL Bully for the purposes of the proposed ban.

Will my 'bull' breed dog be caught in this ban?

The Government has yet to define the American XL Bully for the purpose of banning it. The Government will need to establish a 'breed standard' by which the police, and then subsequently the courts, can determine whether an individual dog meets the criteria to be prohibited or not. In the case of pit bull terriers courts must consider whether the dog shares a substantial number of the physical characteristics of a pit bull terrier. In practice, this means that it is possible for crossbreeds and mixed breeds to be legally defined as a pit bull terrier type, regardless of parentage. We expect the same principles will be applied to the proposed American XL Bully ban.

Why does The Kennel Club not believe that breed bans help to protect the public from dangerous dogs?

Banning breeds or specific types of dogs is simply a sticking plaster that sadly does not tackle the root cause of the problem and so tragic dog incidents will continue to occur. We need to learn from the mistakes of history, not repeat them and since the implementation of the Dangerous Dogs Act 1991, which banned four breeds, dog attacks have continued to increase. Breed bans don't work because it doesn't tackle the underlying issues of irresponsible dog breeding and ownership. Any breed of dog can be dangerous in the wrong hands. When a breed becomes popular and has great commercial value, some will come to be bred and owned by the wrong people, who may be looking to make a profit or train them for the purposes of aggression. If you ban a breed you only push the

problem elsewhere, potentially to another breed or type. It doesn't make the public safer. It can also have the dangerous impact of glamourising and adding status to the breed or type amongst the very people in whose hands the dog becomes dangerous and who'll continue to flout the law. The resources required to seize and kennel banned breeds is significant and very many of the breeds, seized for the way they look, are later placed on the Index of Exempted Dogs after being shown by the court to be no danger to the public. Essential resources, which are fundamental to the success of any law tackling this issue, should be focused on the enforcement of dog control legislation, which focuses on action and penalties when dogs show the first signs of issues or aggression.

Is dog licensing the solution to reducing dog incidents?

Dog licensing has been tried and consequently scrapped across Great Britain in the past as it was neither enforceable nor effective. In Northern Ireland and Ireland, where dog licensing has been in operation for many years, figures show that it's extremely expensive to run, running at a deficit of 3 million Euros and compliance rates are only 30 to 40 per cent. Furthermore, it is not effective, with statistics showing that dog attacks occur most frequently in areas of higher deprivation, where compliance with dog licensing regimes is likely to be lower and with dog bite data about postal workers showing to be the second highest in the whole of the UK, despite licensing being in place. Unfortunately, it has been shown to only impact on and penalize the responsible dog owner, whilst the irresponsible continue to flout the law, with further negative implications. For instance, owners who want to avoid paying a tax may also choose to not microchip their dog to avoid identification, which would be a serious backward step for dog welfare.

What does The Kennel Club believe is the solution?

There is woefully inadequate enforcement and resourcing of current legislation, which is meant to tackle problem behaviours and ensure early intervention at the first signs of an issue. We need the Government to update, consolidate and where necessary, replace existing legislation to focus on prevention, regardless of the breed. A properly enforced dog control notice regime should be backed by a national database where information can be shared between all relevant enforcement agencies and problem owners can be traced. There needs to be greater traceability of breeders who are breeding dogs for profit with no concern for their welfare, through a registration and breeder licensing regime and all of this must be combined with much better education on responsible dog ownership