

Briefing for the Public Petitions Committee on petition [PE2251](#): Create stronger and more consistent dog control measures in Scotland, lodged by Katie Little

Brief overview of issues raised by the petition

The petition calls for the review and modernisation of the Control of Dogs (Scotland) Act 2010 “to improve public safety, animal welfare and responsible dog ownership”. Specifically, the petition seeks:

1. A full review of the Act.
2. Immediate detention of dogs involved in serious attacks or dog fatalities.
3. Accountability for irresponsible owners following serious dog-on-dog attacks.
4. A national expert panel to assess fatal dog-on-dog attacks and recommend appropriate action against both the dog and owner where necessary, ensuring fair, evidence-based, and consistent outcomes across Scotland.
5. Licensing for owners of large or powerful dogs.
6. Licensing, training and insurance requirements for professional dog walkers.
7. The introduction of limits on the number, combined weight, or overall strength of dogs that any individual may walk at one time, alongside a legal requirement that all dogs remain under safe and effective control.
8. Mandatory third-party liability insurance for all dog owners.

Key legislation

[Control of Dogs \(Scotland\) Act 2010](#)

This gives powers to local authorities to issue dog control notices requiring a person to bring and keep a dog under control that has been out of control. The penalty for failing to comply with a notice is a fine of up to £1,000. It also gives local authorities power to apply for an order for the dog's destruction.

A dog is considered “out of control” if it is not being kept under control effectively and consistently (by whatever means) by the proper person and its behaviour gives rise to alarm or apprehensiveness that is reasonable in the circumstances.

“Apprehensiveness” may be in relation to: the individual's own safety; the safety of some other person; or the safety of an animal other than the dog in question.

The 2010 Act required the production of [statutory guidance](#). See in particular [Part H](#) of this guidance which outlines other relevant legislation.

[Dangerous Dogs Act 1991](#)

This bans certain dog breeds (Pit Bull Terrier and Japanese Tosa on the face of the Act – with Dogo Argentino and Fila Brasileiro later designated in regulations and XL Bullies later designated subject to an exemption scheme).

It also makes it an offence to allow any type of dog to be “dangerously out of control” (and makes it an aggravated offence if the dog attacks a person or assistance dog while dangerously out of control). The maximum penalty is imprisonment of up to 2 years and/or an unlimited fine. The courts may also order the destruction of the dog and/or disqualify the offender from having custody of a dog. The Act also gives police powers to seize dogs that appear to them to be dangerously out of control.

[Civic Government \(Scotland\) Act 1982](#)

Section 49(1) makes it an offence for a person to allow any creature, including a dog, to cause injury or danger to any other person who is in a public place or to give that person reasonable cause for alarm or annoyance. Section 49(2) permits any person to apply for a court order in relation to annoyance caused by an animal in the vicinity of where the person resides.

Previous Scottish Parliament and Scottish Government action

Post-legislative scrutiny of the 2010 Act was undertaken by the Public Audit and Post-legislative Scrutiny Committee in Session 5. Its [July 2019 report](#) includes discussion of various issues raised in the petition and made various recommendations. It stated: “The Committee believes that current dog control law is not fit for its purpose and calls on the Scottish Government to undertake a comprehensive review of all dog control legislation as a matter of urgency”. The Committee's [Legacy Report](#) (March 2021) expressed frustration at the pace of change.

The Scottish Government [responded to the Committee's initial report in September 2019](#) committing to undertake two reviews; the first looking at steps that could be taken to improve the effectiveness of the 2010 Act, and a second wider review to look at the Dangerous Dogs Act 1991 and other dog control legislation. In relation to the first review, the Scottish Government [consulted on various proposals in 2019](#). In relation to the wider review, in 2021, the Scottish Government published a [Discussion Paper on the Criminal Law Dealing with Dangerous Dogs](#), which considered options for increasing effectiveness of the section 3 offence in the 1991 Act (where a dog is considered dangerously out of control).

The Scottish Government published a [Report on a Scottish Government Responsible dog ownership summit](#) with key stakeholders on approaches to dog control and dog welfare in September 2024. The Scottish Government's [response to the current petition](#) states that following this summit:

“The Scottish Government established an Expert Advisory Group to look at the various issues raised at the Summit to help determine what steps can be progressed in the short, medium, and long term. For example, in the short term what positive action can be taken that does not require legislation. Members of the expert advisory group include bodies such as Police Scotland, COSLA, Scottish SPCA, Dogs Trust, the National Dog Warden Association and the Scottish Animal Welfare Commission.”

Two of the specific asks of the petition relate to licensing (one relating to owners of large or powerful dogs and another for professional dog walkers). The Scottish Government’s response to the petition highlights a consultation it undertook in 2023 in relation to the licensing of commercial dog walkers. That [consultation](#) explored several of the issues raised by the petitioner. The [consultation response analysis](#) (published February 2024) highlighted a number of key themes:

- **Animal welfare** – the impact on animal welfare needs to be assessed before any new licensing requirements are introduced.
- **Consistency of standards** – “Any new licensing requirements must be proportionate and consistently applied and enforced”.
- **Enforcement issues** – “there is an identified shortage of veterinarians to assist with enforcement work and undertake inspections” and “Local authority staff are unlikely to have the necessary expertise and knowledge to meaningfully undertake inspections and identify issues”.
- **Local Authority resourcing** – “Significant budgetary pressures on local authorities means that staff are unlikely to be able to enforce any new licensing measures”.

In response to [Parliamentary Question S6O-05092 from November 2025](#), the Minister for Agriculture and Connectivity, Jim Fairlie MSP, stated:

“Although the consultation demonstrated support for licensing, concerns were also expressed about the proportionality and cost of statutory licensing and about the capacity of local authorities to absorb and meaningfully enforce additional licensing requirements when budgets are already stretched. We are therefore assessing whether less onerous and more proportionate approaches, such as registration schemes linked to codes of conduct, could deliver similar outcomes to licensing. In the meantime, our immediate focus is to deliver on the proposal to regulate canine fertility businesses, due to the significant animal welfare concerns that are associated with that sector.”

The Government’s [response to the petition](#) confirms: “while we continue to keep the case for a future licensing scheme under review, we have no immediate plans to regulate the commercial dog walking sector at this time.”

Key Organisations and relevant links

- [Police Scotland](#)

- Local authorities
- [COSLA](#)
- [British Veterinary Association](#)
- [Scottish Society for Prevention of Cruelty to Animals \(SSPCA\)](#)
- [Dogs Trust](#)

Mhairi Gavin
Senior Researcher
28 September 2026

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

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