



Force Disclosure Unit
Police Headquarters
London Road
DEVIZES
Wiltshire
SN10 2DN

Date: 20th May 2024

Ref: FOI 2024/462

Dear,

I write in connection with your request for information dated 26th April 2024 concerning XL Bully dogs.

I am required by the Freedom of Information Act 2000 to handle all requests in a manner that is blind as to the identity and motives of the requestor. Any information released as a response to a request is regarded as being published and therefore in the public domain without caveat.

Your request for information has now been considered and I am not obliged to supply the information you have requested.

You wrote:

In response to the below requests please can you provide individual yearly data for each of the following years:

- April 2019 to April 2020
 - April 2020 to April 2021
 - April 2021 to April 2022
 - April 2022 to April 2023
 - April 2023 to April 2024
1. The number of reports received by the force of XL Bully Type dogs and reports of Banned Breeds.
 2. Times your officers attended reports of XL bully type dogs and Banned Breeds.
 3. The number of times officers removed a dog from a premises under the Dangerous Dogs Act 1991, Criminal Evidence Act 1984 and the Animal Welfare Act 2006 and if the breed was recorded what breed officers recorded the dog as.
 4. The number of interim exemption orders granted by the police for dogs suspected of being XL bully type.
 5. How many XL bully type dogs and banned breeds have been destroyed by the force?
 6. Number of arrests made under the Dangerous Dogs Act and if available the breed of dog.

7. Number of convictions under the Dangerous Dogs Act and if available the breed of dog.

Additionally can you please provide monthly data from April 2023 to April 2024 for the following:

1. The number of dogs seized by the force under Dangerous Dogs Act 1991, Criminal Evidence Act 1984 and the Animal Welfare Act 2006
2. Number of arrests made under the Dangerous Dogs Act and if available the breed of dog.
3. Number of convictions under the Dangerous Dogs Act and if available the breed of dog.

NB: If this request for yearly data is going to be over the FOI cost limit then please provide yearly data for the following three years: April 2019-April 2020 / April 2022-April 2023 / April 2023-April 2024.

Our response:

The information that you are requesting for question 1 of your request is not stored in a way which permits easy retrieval. This is because there is not a specific crime code or offence description specifically for XL Bully type dogs as well as other banned breeds that we can easily search on in order to retrieve the data you require. Therefore, the only way in which we would be able to obtain the number of XL Bully reports and banned dog breed reports, would be to physically trawl through every report made over the time frame requested.

Under the circumstances I am absolutely confident that to locate, retrieve and extract the information you seek would by far exceed the time obligations upon this authority to comply, and in so doing would exceed the fees limits. This is set at £450 calculated at a flat rate of £25 per hour for those work activities comprising of confirming the information is held, locating it, retrieving it and extracting it.

Please note, that if one part of the request engages a Section 12 response, the whole request will engage a Section 12 response. The reason being is due to the fact that locating, retrieving and extracting any further information would only add to the already exceeded time obligations.

Although excess cost removes the forces' obligations under the Freedom of Information Act, as a gesture of goodwill I have supplied information, relative to your request, retrieved or available before it was realised that the fees limit would be exceeded. I trust this is helpful, but it does not affect our legal right to rely on the fees regulations for the remainder of your request. What I am able to provide you are the answers documented below –

In response to the below requests please can you provide individual yearly data for each of the following years:

- April 2019 to April 2020
- April 2020 to April 2021
- April 2021 to April 2022
- April 2022 to April 2023

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- April 2023 to April 2024

2. Times your officers attended reports of XL bully type dogs and Banned Breeds.

April 2019 to April 2020 – 7
April 2020 to April 2021 – 10
April 2021 to April 2022 – 10
April 2022 to April 2023 – 16
April 2023 to April 2024 – 42

3. The number of times officers removed a dog from a premises under the Dangerous Dogs Act 1991, Criminal Evidence Act 1984 and the Animal Welfare Act 2006 and if the breed was recorded what breed officers recorded the dog as.

April 2019 to April 2020 – 15
April 2020 to April 2021 – 26
April 2021 to April 2022 – 23
April 2022 to April 2023 – 29
April 2023 to April 2024 – 20

4. The number of interim exemption orders granted by the police for dogs suspected of being XL bully type.

No information held. With regards to XL Bully types, we do not use the Interim Exemption Scheme. The Interim Exemption Scheme (where the dog is allowed to stay at home prior to Court) we use for the first 4 banned breeds, those being the Pitbull type, Dogo Argentino, Fila Brasileiro and Japanese Tosa. At this time, it has not been sanctioned for use on the newest band breed, the XL Bully.

5. How many XL bully type dogs and banned breeds have been destroyed by the force?

April 2019 to April 2020 – 1
April 2020 to April 2021 – 2
April 2021 to April 2022 – 2
April 2022 to April 2023 – 3
April 2023 to April 2024 – 3

6. Number of arrests made under the Dangerous Dogs Act and if available the breed of dog.

Arrest Year/Month & Offence Wording	Breeding of fighting dogs - Dangerous Dogs Act 1991 (recordable)	Owner / person in charge of a dog dangerously out of control - no injury	Owner / person in charge of dog dangerously out of control causing injury	Owner / person in charge of dog dangerously out of control causing injury to assistance dog	Owner / person in charge of dog dangerously out of control in a public place - no injury	Owner / person in charge of dog dangerously out of control causing injury	Grand Total
2020							
Mar	0	1	1	0	0	0	2
Aug	0	0	1	0	0	0	1
2021							
Mar	0	0	1	0	0	0	1
2022							
May	0	0	1	0	0	0	1
2023							
Jan	0	0	0	0	0	1	1
Oct	0	0	0	1	0	0	1
2024							
Jan	0	0	0	0	1	0	1
Mar	1	0	0	0	0	0	1
Grand Total	1	1	4	1	1	1	9

7. Number of convictions under the Dangerous Dogs Act and if available the breed of dog.

No information held – we do not hold conviction data. I would suggest that you approach the Crown Prosecution Service for this information.

Additionally can you please provide monthly data from April 2023 to April 2024 for the following:

1. The number of dogs seized by the force under Dangerous Dogs Act 1991, Criminal Evidence Act 1984 and the Animal Welfare Act 2006

	Dangerous Dogs Act 1991	Criminal Evidence Act 1984	Animal Welfare Act 2006
Apr-23	1	3	
May-23	2	1	
Jun-23		2	
Jul-23		3	1
Aug-23	1	2	
Sep-23		1	2
Oct-23		2	
Nov-23		2	
Dec-23			
Jan-24	2	1	2
Feb-24	5	1	
Mar-24	4		
Apr-24	8	3	

2. Number of arrests made under the Dangerous Dogs Act and if available the breed of dog.

Please refer to question 6.

3. Number of convictions under the Dangerous Dogs Act and if available the breed of dog.

No information held – we do not hold conviction data. I would suggest that you approach the Crown Prosecution Service for this information.

NB: If this request for yearly data is going to be over the FOI cost limit then please provide yearly data for the following three years: April 2019-April 2020 / April 2022-April 2023 / April 2023-April 2024.

Ordinarily under our Section 16 duty to provide advice and assistance, we would advise you how to refine your request in respect of question 1 to a more manageable level. However, due to the difficulties outlined above, I cannot see how this can be achieved in this particular case.

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Section 17 of the Freedom of Information Act 2000 requires the Wiltshire Police, when refusing to provide such information (because the information is exempt) to provide you the applicant with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

The exemption applicable to the information requested is:

Section 12 – Exemption where cost of compliance exceeds appropriate limit

(1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.

In accordance with Section 17 of the Act, this letter represents a Refusal Notice for this particular request.

I am satisfied that all the relevant information has been passed to me and been considered in the light of your request within the time constraints applicable under the legislation.

Wiltshire Police would like to thank you for the interest that you have shown in the Force.

Yours sincerely,

Force Disclosure Decision Maker

Wiltshire Police offers a re-examination of your case under its review procedure.



Force Disclosure Unit

Wiltshire Police HQ, London Road, Devizes, Wiltshire SN10 2DN

Freedom of Information Request Appeals Procedure

1. Who Can Ask for a Review

Any person who has requested information from Wiltshire Police, which has been dealt with under the Freedom of Information Act, is entitled to complain and request an internal review, if they are dissatisfied with the response they received.

2. How to Request a Review

Requests for review of a Freedom of Information request must be made in writing to the:

Force Disclosure Unit
Wiltshire Police Headquarters,
London Road, Devizes,
Wiltshire,
SN10 2DN

Email at disclosure@wiltshire.police.uk.

The reference number, date of the request and details of why the review is being requested must be included. Requests for review should be brought to the attention of the Force Disclosure Unit within 20 working days of the Force's response to the original FOI request.

3. Review Procedure

Receipt of a request for review will be acknowledged in writing to include confirmation of the reasons for the review. The review will be conducted by another Decision Maker, who is independent from the original Decision Maker. The Force Disclosure Unit will set a target date for a response. The response will be made as soon as is practicable with the intention to complete the review within twenty working days. In more complex cases the review may take up to 40 working days.

The Independent Decision Maker will conduct a review of the handling of the request for information and of decisions taken, including decisions taken about where the public interest lies in respect of exempt information where applicable. The review enables a re-evaluation of the case, taking into account the matters raised by the complaint.

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4. Conclusion of the Appeal

On completion of the review the Independent Decision Maker will reply to the complainant with the result of the review. If the complainant is still dissatisfied following the review, they should contact the Information Commissioner to make an appeal. The Information Commissioner can be contacted via the following details:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF
Tel: 01625 545 700
Fax: 01625 524 510
Email: mail@ico.gsi.gov.uk