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Our ref: FOI2023/21599
24 November 2023

Dear ^{Redacted}
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REQUEST FOR INFORMATION: Index of Exempted Dogs

Thank you for your request for information of 3 November 2023 about the Index of Exempted Dogs. We have handled your request under the Freedom of Information Act 2000 (FOIA).

Your information request and our response are set out below.

How many applications were made to the Index of Exempted Dogs in (a) England, (b) Scotland, (c) Wales in each of the last 3 years, by breed.

This information is not held by Defra. We do not hold information on unsuccessful applications so we cannot give the total number of applications made.

How many dogs were placed on the Index of Exempted Dogs in (a) England, (b) Scotland, (c) Wales in each of the last 3 years, by breed.

For 2023 figures, please include data until Nov 1, 2023.

However, we can inform you that the information in relation to dogs that were placed on the Index for the years requested up to 1 November 2023 is broken down as follows:

Dogs added to the index of exempted dogs during 2021

	England	Scotland	Wales
Pit Bull Terrier Type	127	0	Less than 5
Dogo Argentino	5	0	0
Japanese Tosa	0	0	0
Fila Brasileiro	0	0	0

Dogs added to the index of exempted dogs during 2022

	England	Scotland	Wales
Pit Bull Terrier Type	65	0	Less than 5
Dogo Argentino	0	0	0
Japanese Tosa	0	0	Less than 5
Fila Brasileiro	0	0	0

**Dogs added to the index of exempted dogs during 2023
(up to 1st November 2023)**

	England	Scotland	Wales
Pit Bull Terrier Type	54	0	5
Dogo Argentino	0	0	0
Japanese Tosa	0	0	0
Fila Brasileiro	0	0	0

After careful consideration, we have decided that some information is being withheld under sections 40(2) and 40(3A) of the FOIA, which relates to personal information.

Although you have not requested the names of individuals, the information that you have requested is still personal data relating to other individuals who would, or would likely, be identified or identifiable from the release of such information. Where the number of exempted dogs that have been added to the Index is fewer than five, disclosure would, or would likely, lead to either the identification of individuals or persons being able to relate the information to individuals whom they are able to identify.

These sections exempt personal information from disclosure if that information relates to someone other than the applicant, and if disclosure of that information would breach any of the data protection principles in Article 5(1) of the General Data Protection Regulation (GDPR).

We consider that disclosure of this information is likely to breach the first data protection principle, which provides that personal data must be processed lawfully, fairly, and in a transparent manner. Disclosure would not constitute 'fair' processing of the personal data because the staff involved would not reasonably expect their identifiable information to be disclosed in relation to this request for information.

Information disclosed in response to this FOIA request is releasable to the public. In keeping with the spirit and effect of the FOIA and the government's Transparency Agenda, this letter and the information disclosed to you may be placed on [GOV.UK](https://www.gov.uk), together with any related information that will provide a key to its wider context. No information identifying you will be placed on the GOV.UK website.

We attach Annex A, explaining the copyright that applies to the information being released to you, and Annex B giving contact details should you be unhappy with the service you have received.

If you have any queries about this letter, please contact me.

Yours sincerely

Redacted

Information Rights Team
InformationRequests@defra.gov.uk

Annex A

Copyright

The information supplied to you continues to be protected by copyright. You are free to use it for your own purposes, including for private study and non-commercial research, and for any other purpose authorised by an exception in current copyright law. Documents (except photographs or logos) can be also used in the UK without requiring permission for the purposes of news reporting. Any other re-use, for example commercial publication, would require the permission of the copyright holder.

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Annex B

Complaints

If you are unhappy with the service you have received in relation to your request you may make a complaint or appeal against our decision under section 17(7) of the FOIA or under regulation 11 of the EIRs, as applicable, within 40 working days of the date of this letter. Please write to Andrew Mobsby, Head of Information Rights via email at InformationRequests@defra.gov.uk and he will arrange for an internal review of your case. Details of Defra's complaints procedure are on our website.

If you are not content with the outcome of the internal review, section 50 of the FOIA and regulation 18 of the EIRs gives you the right to apply directly to the Information Commissioner's Office (ICO) for a decision. Please note that generally the ICO cannot make a decision unless you have first exhausted Defra's own complaints procedure.

The ICO can be contacted using the following link:

<https://ico.org.uk/make-a-complaint/official-information-concerns-report/official-information-concern/>