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(Redacted)

By email: (Redacted) @ (Redacted)

Our ref: FOI2024/15523  
13 September 2024

Dear (Redacted) ,

**REQUEST FOR INFORMATION: XL Bully dogs and the euthanasia compensation scheme**

Thank you for your request for information of 20 August 2024 about XL Bully dogs and the euthanasia compensation scheme. We have handled your request under the Freedom of Information Act 2000 (FOIA).

Your information request and our response are set out below.

- 1) *From the date September 15, 2023 to current date, please provide the grand total of compensation paid out under the XL Bully dog euthanasia compensation scheme.*

In response to part 1 of your request, we can confirm that the total amount of compensation paid under the XL Bully dog euthanasia scheme from 15 September 2023 to date is £78,900.

- 2) *From the date September 15, 2023 to current date, please provide the total number of claims made to the scheme.*
- 3) *Of the number in 2), please provide the number of claims that were successful.*
- 4) *Of the number in 2), please provide the number of claims that were unsuccessful.*

In response to parts 2,3 and 4 of your request, the total number of applications made to scheme was 429. 406 of which were successful and 23 unsuccessful.

- 5) *From the date September 15, 2023 please provide all correspondence sent or received by Defra to/from the Royal College of Veterinary Surgeons on the topic of euthanasia of XL Bully dogs.*

Defra communicated with the Royal College of Veterinary Surgeons (RCVS) regarding the role of vets in relation to compensation claims for the euthanasia of XL Bully dogs. We sought feedback from RCVS on early drafts of the following documents: the vet guidance for euthanasia; and the veterinary confirmation form for euthanasia (VCE01)

The RCVS is a third party and independent body, furthermore, it was engaging with our department on these matters voluntarily. Therefore, we are withholding these communications with the RCVS under section 41(1) of the FOIA, which relates to information provided in confidence.

## **Section 41(1)**

The exemption under section 41(1) of the FOIA applies to the information being withheld as it was obtained from another body with the expectation of confidentiality. Under these circumstances, we consider that disclosure would constitute an actionable breach of confidence.

There is a strong public interest in maintaining confidentiality as the information was obtained by Defra from the independent body voluntarily, and the emails and paperwork stated that the information would be held 'in confidence'. The confirmation that the communications would be treated 'in confidence' created an expectation of confidentiality which, combined with the necessary quality of confidence of the information, means that Defra has a duty of confidence in relation to the content of the information that relates to this request.

It is considered that breaching the confidence between our department and stakeholders would undermine the trusting relationships that benefit the delivery of future policies; moreover, it is the exchange of ideas in confidence that enables rigorous consideration of which policies may best deliver their aims.

We have concluded that it is not in the public interest to breach the confidence held and to disclose the information. We would consider that such a breach of confidence would be actionable. As such, section 41(1) applies.

*6) From the date of September 15, 2023, please provide any reports, analysis or modelling held, commissioned or maintained by Defra on the numbers of XL Bully dogs being euthanised as a result of the new legislation.*

In response to part 6 of your request, we enclose a copy of the information you requested: Annex C.

Please find attached a digital analysis of euthanasia claims. In addition, please be aware that the compensation scheme had closed for new applications on 15 March. We have continued to process a small number of applications received after this date where part of the application process had already been made within the deadline and further information was needed.

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 us.

Yours sincerely

(Redacted)

**Information Rights Team**

[InformationRequests@defra.gov.uk](mailto:InformationRequests@defra.gov.uk)

## **Annex A**

### **Copyright**

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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 Vanessa Drury, Head of Information Rights, via email at [InformationRequests@defra.gov.uk](mailto:InformationRequests@defra.gov.uk) and they 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/>