

**Strategic Planning and Corporate  
Services Group**  
Strategic Support Directorate



Department of  
**Agriculture, Environment  
and Rural Affairs**

An Roinn

**Talmhaíochta, Comhshaoil  
agus Gnóthaí Tuaithe**

Department of

**Fairmin, Environment  
an' Kintra Matthers**

[www.daera-ni.gov.uk](http://www.daera-ni.gov.uk)

Minister's Office  
Clare House  
303 Airport Road West  
Sydenham Intake  
Belfast BT3 9ED  
Telephone: 028 774 45117  
Email: [paul.mcgranaghan@daera-ni.gov.uk](mailto:paul.mcgranaghan@daera-ni.gov.uk)

**FROM: PAUL MCGRANAGHAN  
DAERA DALO**

**DATE: 17 JUNE 2026**

**TO: DR. JANICE THOMPSON  
AERA COMMITTEE CLERK**

**The Dangerous Dogs (Compensation and Exemption Schemes) (Amendment) Order (Northern Ireland) 2026**

**Summary:** The Department of Agriculture, Environment and Rural Affairs intends to make a Statutory Rule (SR), 'The Dangerous Dogs (Compensation and Exemption Schemes) (Amendment) Order (Northern Ireland) 2026' which will remove the exemption condition for prohibited breeds requiring third party public liability insurance.

**Business Area:** Animal Health and Welfare Policy Division.

**Issue:** To brief the AERA Committee on the proposed regulation which will remove the requirement of third-party liability insurance for prohibited breeds.

**Restrictions:** None

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**Action Required:** To note the content of this letter.

**Officials Attending:** N/A

## **Background**

The Department is bringing forward this legislative amendment because as of the 01 July 2026, there will be no third-party liability insurance product available for prohibited breeds. The issue has been brought to the Committees attention previously by the Dogs Trust (**ACP/26/86** refers).

The Department of Agriculture, Environment and Rural Affairs proposes to make the above named Statutory Rule under powers conferred on it by Article 25A (3),(5) and (6) of The Dogs (Northern Ireland) Order 1983<sup>1</sup>.

The Rule will be laid before the Assembly under the negative resolution procedure and will come into operation on 01 July 2026. A copy of the Statutory Rule is attached at **Annex A** and the associated Explanatory Memorandum is at **Annex B**. This SR is not cross-cutting with any other Department and therefore it will not be brought to the Executive for approval.

## **Purpose of legislation/policy background**

The proposed SR will remove the legal requirement to have third-party liability insurance in place for prohibited breeds and introduce an new exemption condition which requires that children under the age of 12 not be left in close proximity to a prohibited breed in a home or private setting without adult supervision.

### *Removal of insurance requirement*

At present, it is illegal to own 'dogs bred for fighting' (commonly referred to as prohibited breeds) which are the Pit Bull Terrier; Japanese Tosa; Dogo Argentino; Fila Braiziliero; and XL Bully, unless there is an Exemption Certificate in place or a magistrate has awarded a Contingent Destruction Order (CDO). Owners of prohibited breeds must comply with exemption conditions associated with the Exemption Certificate or CDO.

The conditions of exemption for a prohibited breed are set out in legislation and include that the dog must be kept at the same address as the owner, except for 30 days in a 12-month period; the owner must obtain third-party liability insurance in respect of the dog; and the dog must be neutered. Exemption conditions for XL Bully dogs also include a requirement that the dog must be microchipped. This mirrors legislation in place in Great Britain (GB).

The Dogs Trust is the only known provider of third-party liability insurance for prohibited breeds through its Companion Club membership. However, it has announced its intention to cease provision of third-party insurance, to take effect from 01 July 2026. Therefore, from this date, there will be no known provider of third-party liability insurance for prohibited breeds.

Following the announcement by the Dogs Trust, the Department of Environment, Food and Rural Affairs (DEFRA) commenced efforts to source an alternative insurance provider, with

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<sup>1</sup> [The Dogs \(Northern Ireland\) Order 1983 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

support from the Scottish Government and DAERA. Unfortunately, no alternative providers have committed to providing the required insurance product.

Retaining a statutory requirement that cannot be complied with in practice would render the legislation unworkable and expose owners to enforcement action despite their inability to meet the requirement. This creates a significant risk of legal challenge, undermines confidence in the regulatory framework, and is inconsistent with principles of fair and good regulation. The amendment is therefore necessary to ensure that legislative requirements remain practical, enforceable, and legally robust.

Public protection remains central to the overall policy approach. Owners of prohibited breeds are legally required to have their dog on a lead and muzzled when in public. Complying with this requirement would significantly reduce the chance of one of these dogs attacking and causing serious harm.

The main risk associated with removing the insurance requirement is that victims of dog attacks would not have guaranteed access to compensation through an insurance policy. However, victims retain the right to pursue civil compensation from the dog owner or the person in charge of the dog at the time of the incident. This applies to all breeds, irrespective of whether insurance is in place.

### *Child safety condition*

Research across all breeds shows that younger children are more vulnerable to serious injury from dog attacks, particularly in domestic settings. Since 2008, there have been a total of 12 fatal dog attacks in a domestic setting across the UK where the dog was a prohibited type under Dangerous Dogs legislation. Eight fatal attacks involved children of the ages up to 10 years of age: 6 months, 9 months, 11 months, 17 months, 4, 5 and two children aged 10. There are no known recorded fatalities for children between 11 and 18 by a banned breed within the home within this data set. Six fatalities in the home related to adults.

In addition to the statistics gathered by Defra, wider research supports this pattern, showing that children under 12 are overrepresented in dog bite injuries (across all breeds, not limited to prohibited types), most often occurring in the home and involving familiar dogs.<sup>2</sup> It is accepted that younger children are less able to recognise risk cues in dog behaviour<sup>3 4</sup>and, due to their size and behaviour, are more vulnerable to severe injuries.. Research indicates that children who are bitten by dogs are most commonly injured to the head and neck areas.<sup>5</sup> <sup>6</sup>Developmentally, age 12 marks a transition to greater independence; therefore, requiring supervision below this age is proportionate and aligns with safeguarding norms.

The SR is necessary to ensure that owners of prohibited breeds are not being legally compelled to comply with a condition that cannot be fulfilled; it is also intended to enhance protection for children in a domestic setting.

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<sup>2</sup> [Dogs and children: living happily together | Dogs Trust](#)

<sup>3</sup> [Aldridge & Rose \(2019\) – Young children’s interpretation of dogs’ emotions \(Anthrozoös\).](#)

<sup>4</sup> [Interpretation of dog behaviour by children and young adults - University of Edinburgh Research Explorer](#)

<sup>5</sup> [An Epidemiological Analysis of Pediatric Dog Bite Injuries Over a Decade - PubMed](#)

<sup>6</sup> [Study of children bitten by dogs](#)

## Previous Engagement with the Committee

As noted above, the Committee received correspondence from the Dogs Trust regarding their decision to discontinue the provision of third-party liability insurance within their Companion Club membership scheme from 01 July 2026. Subsequently, the Committee wrote to the Minister of Agriculture, Environment & Rural Affairs requesting information on the alternative arrangements being put in place to address the implications arising from this decision. The response advised that officials were continuing to explore potential solutions in close cooperation with colleagues in England, Scotland and Wales and that it was important that all jurisdictions align in response to the developments (**ACP/26/86** refers).

## Financial Implications

The proposed Statutory Rule has limited financial implications and represents the most proportionate and deliverable approach. It would result in a one-off cost to councils to reissue exemption certificates, estimated at £100 to £800, with a best estimate of £600, while delivering direct savings to owners through the removal of the annual insurance cost, estimated at around £16,000 in year one overall. Although victims would need to rely on civil action rather than compulsory insurance to seek compensation, this option avoids the potentially significant enforcement, kennelling and legal costs that would arise if an unworkable insurance requirement were retained.

## Consultation

Article 54 of the 1983 Order enables the Department to make an order under Article 25A (dogs bred for fighting), to provide compensation and exemption schemes for keepers of dogs added to the list of restricted breeds. Legislation made under Article 25A does not require public consultation and is subject to negative resolution procedure in the Assembly.

## Position in GB/ROI

Defra has laid its Statutory Instrument (SI) on 09 June 2026 to remove the requirement for third-party insurance, with this requirement ceasing to apply from 01 July 2026. In addition to removing the insurance requirement, Defra is introducing a new child safety provision, which will come into force on 01 November 2026. This SI will extend to England and Wales.

The Scottish Government has also taken steps to remove the insurance requirement; however, the child safety measure has not been included within the scope of its Statutory Scottish Instrument (SSI) laid on 11 June 2026. Scotland has indicated its intention to introduce equivalent child safety provisions through a further SSI in Autumn 2026.

The requirement to hold third-party insurance for XL Bully dogs was not included in legislation in the Republic of Ireland, as there were no known providers offering this product.

## Compliance with Section 24 of the Northern Ireland Act 1998

The Regulations do not have any human rights implications, nor are they incompatible with the Northern Ireland Protocol to the EU withdrawal agreement. The Regulations are therefore deemed to comply with the requirements of section 24 of the Northern Ireland Act 1998.

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## **Consideration by the Executive**

Executive agreement is not required for this Statutory Rule as it is not “cross-cutting” and all matters within it are within the responsibility and control of the Minister of Agriculture, Environment & Rural Affairs.

## **Equality Impact**

In accordance with its duty under section 75 of the Northern Ireland Act 1998, and the DAERA Equality Scheme, the equality implications of the Statutory Rule have been assessed. It is the Department’s assessment that the proposed amendments have no significant adverse equality implications overall. The removal of the third-party liability insurance requirement will apply equally to all owners of prohibited breeds and is necessary because such insurance will no longer be available. The new child safety condition is evidence-based and intended to reduce the risk of serious harm to children under 12 in domestic settings.

## **Regulatory Impact**

The proposed Statutory Rule maintains a proportionate and workable regulatory framework following the withdrawal of the only available third-party liability insurance for prohibited dogs. By removing an insurance requirement that will become impossible to meet from 1 July 2026, it avoids widespread non-compliance, enforcement challenges, and associated animal welfare and reputational risks, while providing greater legal clarity and certainty for owners. The amendment introduces a targeted child safety measure to reduce the risk of harm to children under 12, alongside delivering savings to affected owners and reducing administrative burdens on councils, with only limited one-off implementation costs.

The approach supports regulatory effectiveness without distorting competition or encouraging the development of costly, niche insurance products offering poor value and limited choice. It has no impact on external trade or cross-border activity, as it relates solely to domestic dog control legislation. Overall, the amendment represents a practical and enforceable solution that enhances public safety while removing ineffective and unenforceable requirements.

## **Rural Needs Impact**

The Department considers that Rural Needs implications for this policy area are deemed to have been fully assessed during the implementation of the Dangerous Dogs (Designated Types) Order (Northern Ireland) 2024 and the Dangerous Dogs (Compensation and Exemption schemes) Order (Northern Ireland) 2024.

## **Data Protection Impact**

The proposed amendment does not involve any new administrative actions for government, councils or owners that involve the processing of personal or sensitive data. Accordingly, there are no Data Protection implications arising.

## **Child Rights Impact**

Although the proposed Statutory Rule engages children indirectly through the introduction of a new exemption condition for those under 12, the measure is protective in nature and intended

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to reduce the risk of serious harm in domestic settings. No significant adverse direct or indirect impacts on children's rights have been identified. Accordingly, a full Child Rights Impact Assessment is not considered necessary.

### **Proposed timing of consideration of the SL1**

Officials have, over an extended period, been proactively engaging with counterparts across other UK jurisdictions to establish a consistent and coordinated approach. However, despite efforts, it has not been possible to source an alternative insurance provider.

As a result, and given the limited time now remaining before the Dogs Trust insurance withdrawal date, it is no longer possible to meet the minimum 4-week scrutiny timeframe.

The amendment needs to be in place by 01 July 2026, when there will no longer be a third-party insurance product available for restricted breeds. Should the Department not make this deadline, the legislation as it stands will become defective and place owners in a position where they are required to comply with a condition that is impossible to meet. In order to ensure that the necessary legislative measures are in place in a timely manner, the Department must now proceed to implement the SR as a matter of urgency. We therefore request the Committee's agreement to conduct its scrutiny within a reduced timeframe due to the limited time now available in which to progress the SR.

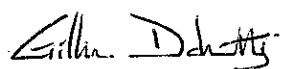
### **Proposed Operational Date**

It is proposed that the rule will come into operation on a phased basis, with the removal of the insurance requirement taking effect from 01 July 2026 and the introduction of the new exemption condition taking effect from 01 November 2026.

The draft of the proposed Statutory Rule and Explanatory Memorandum are attached, and you will wish to bring this matter to the attention of the Committee for Agriculture, Environment and Rural Affairs.

This SL1 is being copied to the Human Rights Commission and the Equality Commission.

Yours sincerely,



PP

**Paul McGranaghan**  
**Departmental Assembly Liaison Officer**

**cc: Human Rights Commission**  
**Equality Commission**

**Annex A -** Draft SR 'The Dangerous Dogs (Compensation and Exemption Schemes) (Amendment) Order (Northern Ireland) 2026'.

**Annex B -** Explanatory Memorandum 'The Dangerous Dogs (Compensation and Exemption Schemes) (Amendment) Order (Northern Ireland) 2026'.

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