

## **Travel with Assistance Dogs post-Brexit transitional arrangements – Briefing paper (July 2020)**

This briefing paper is provided by The Mobility and Access Committee for Scotland. We are a Scottish Government Ministerial Advisory body.

This paper is written as part of our brief to give Scottish Ministers advice on aspects of policy affecting the travel needs of disabled people; and to work closely with the Scottish Government and ensure the Committee's work programme complements the work being undertaken by the Disabled Persons Transport Advisory Committee (DPTAC) and Inclusive Mobility and Advisory Committee (IMTAC), the Scotland Office of the Equality and Human Rights Commission and other organisations and voluntary and statutory agencies.

### **Background**

The paper provides a summary of potential barriers to travel for assistance dog owners<sup>1</sup> living in the UK and Ireland resulting from Brexit and in particular the ending of current transitional arrangements in December 2020. It reflects our understanding of the information available to us at the end of May 2020 and the concerns raised with us by many assistance dog owners.

### **Current position**

Under the post Brexit transitional arrangements currently in place assistance dog owners from the United Kingdom (UK) can still travel under the existing Pet Passport arrangements as set out in EU Regulation 507/2013.

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<sup>1</sup> The same restrictions and barriers will apply to pet owners of cats, dogs and ferrets.

Post transition there are three potential options for continued arrangements between the UK and European Union (EU). These are:

- The UK can apply for Part 1 Listing with the EU that largely replicates current arrangements
- The UK can apply for Part 2 Listing with the EU which will involve some additional restrictions on assistance dog owners including requirements to report to a Travellers Point of Entry (TPE) and a new form of pet passport or equivalent new documentation
- In the event of no future deal between the UK and EU, the UK will be treated as an unlisted Third Country which places prohibitive additional restrictions on assistance dog owners including one off blood tests and tape worm treatments before every journey (including both outbound and return legs of journeys)

Under the terms of the Withdrawal Agreement, in the event of No Deal between the UK and EU, the Northern Ireland Protocol will be enacted and arrangements should be put in place to ensure existing arrangements are maintained for people living in Northern Ireland travelling to the Republic of Ireland and then on to the rest of the EU.

As part of current negotiations with the EU the UK has requested Part 1 Listing. As of mid-May 2020 we understand there has been no agreement on a way forward and given the timescales involved officials are now preparing for implementing the NI Protocol and the UK / EU future relationships operating under Third Country listing.

## **Implications of Third Country or Part 2 listing**

The implications for assistance dog owners across the whole UK vary and precise details remain unclear. However, both Third Country and Part 2 listing will place restrictions of assistance dog owners and if not dealt with all owners in the UK will be severely disadvantaged

For assistance dog owners in Northern Ireland the NI Protocol should mean that direct travel between the RoI and then the wider EU will remain similar to current arrangements, although how this will work in practice still remains unclear. However, people living in Northern Ireland are likely face additional restrictions travelling to and from Great Britain, including being restricted to a limited number of Travellers Points of Entry (in essence a small number of airports and ferry ports). These restrictions will also apply to assistance dog owners resident in RoI, travelling to and from Great Britain.

For assistance dog owners in the rest of the UK the implications of Third Country listing are significantly worse. People living in Great Britain will not only face prohibitive restrictions travelling to and from mainland Europe, they will also face similar restrictions travelling to and from both Northern Ireland and the Republic of Ireland.

At this stage it is unclear what documentation will be required by assistance dog owners living in Northern Ireland and other parts of UK to travel.

## **Conclusion**

MACS and the equivalent groups in Northern Ireland and England jointly are extremely concerned that all assistance dog owners are in danger of being collateral damage in the changes introduced because of Brexit. In the result of a No Deal between the UK and EU or a deal which involves Part 2 listing, assistance dog owners will face restrictions in freedom of movement not only between the UK and the EU but also between different regions of the UK itself. Restrictions will also apply to assistance dog owners from the Republic of Ireland travelling to and from Great Britain.

MACS views the prospect of travel restrictions on assistance dog owners from the UK and Ireland as completely unacceptable. Not only does it run counter to common travel arrangements that will continue to be enjoyed by all other residents of the UK and Ireland, it is also a clear breach of the rights and freedoms set out in the articles of the UN Convention on the Rights of People with Disabilities (UNCRPD). Both the UK and RoI are signatories to the Convention.

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