

Citizen Participation and Public Petitions Committee
Wednesday 12 November 2025
17th Meeting, 2025 (Session 6)

PE2087: Pass a law making exercising a dog in a cemetery an offence

Introduction

Petitioner Paul Irvine

Petition summary Calling on the Scottish Parliament to urge the Scottish Government to pass a law making exercising a dog in a cemetery an offence punishable by an on the spot fine for infringement.

Webpage <https://petitions.parliament.scot/petitions/PE2087>

1. [The Committee last considered this petition at its meeting on 19 March 2025.](#) At that meeting, the Committee agreed to write to all local authorities in Scotland.
2. The petition summary is included in **Annexe A** and the Official Report of the Committee's last consideration of this petition is at **Annexe B**.
3. The Committee has received a new written submission from the Scottish Government which is set out in **Annexe C**.
4. [Written submissions received prior to the Committee's last consideration can be found on the petition's webpage.](#)
5. [Further background information about this petition can be found in the SPICe briefing](#) for this petition.
6. [The Scottish Government gave its initial response to the petition on 27 March 2024.](#)
7. Every petition collects signatures while it remains under consideration. At the time of writing, 387 signatures have been received on this petition.

Action

8. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
November 2025

Annexe A: Summary of petition

PE2087: Pass a law making exercising a dog in a cemetery an offence

Petitioner

Paul Irvine

Date Lodged

28 February 2024

Petition summary

Calling on the Scottish Parliament to urge the Scottish Government to pass a law making exercising a dog in a cemetery an offence punishable by an on the spot fine for infringement.

Background information

I am a father who lost his 3-year-old son in 2020. We live opposite where our son is buried and visit his grave at least once a day. Whilst visiting my son's grave, my family have witnessed up to 100 people exercising their dogs daily with dogs being let off-lead or on long leads, resulting in them urinating and defecating on graves, including that of my own son, and damaging teddies left by the public.

I have approached dog walkers to explain my issue. Most of the time I have been met with hostility and even threats of violence.

We witness some dog walkers driving to the cemetery, obviously from another area, just to exercise their dog.

Pre-Covid the Edinburgh Council rule was no dogs apart from assistance dogs.

We feel this is not enough of a deterrent, and a law is needed with an exception for dogs with mourners and assistance dogs.

Annexe B: Extract from Official Report of last consideration of PE2087 on 19 March 2025

The Convener: The last of our continuing petitions this morning is PE2087, lodged by Paul Irvine. The petition calls on the Scottish Parliament to urge the Scottish Government to pass a law making exercising a dog in a cemetery an offence punishable by an on-the-spot fine for infringement. The petition was last considered at our meeting on 29 May 2024, when we agreed to write to COSLA, Police Scotland and the Scottish Government.

The Scottish Government's response states that it is proposing a requirement for

“each burial authority in Scotland to prepare and maintain a management plan which will apply to all the burial grounds for which the burial authority has responsibility ... Burial authorities will not be required to record their decision on dog access within the management plan, but they could choose to set out their position in the plan if they wish. Burial regulations will not create any new rules in relation to dogs. The decision on whether to permit dogs in burial grounds will remain at the discretion of each ... burial authority based on local factors.”

Do colleagues have any suggestions on how we might proceed? I call Mr Golden, who is fresh back from Crufts.

Maurice Golden: That is correct. I was looking out for my next pedigree pooch.
[Laughter.]

The issue is already covered by existing legislation, but there are precedents for the Parliament going beyond what is already covered by legislation. I think that we should follow up—at least once more, or perhaps finally—by writing to local authorities to seek information on each local authority's policy on the presence and behaviour of dogs in cemeteries, the number of complaints received in relation to the behaviour of dogs in cemeteries and whether there is any monitoring of cemetery usage. In many parts of Scotland, for lots of people—dog walkers or otherwise—a cemetery is a place where they can access green space. It would be interesting to find out whether local authorities are looking into that, and it would be interesting to know whether any fines have been issued in relation to breaching the current legislation in cemeteries.

10:30

The Convener: Thank you, Mr Golden. Is the committee content with that suggestion? Do you seek to contribute, Mr Ewing?

Fergus Ewing: Yes, briefly. I agree entirely with Mr Golden. The law exists, but, if it is not enforced, it is just words on a page and the worry is that that might be applicable in this instance. In particularly tragic circumstances, the petitioner buried his three-year-old son in a cemetery just opposite his home and visits the cemetery every day, and he says that hundreds of people visit with dogs and that it is more or less a dog's toilet. That is not appropriate for cemeteries—it is just not. We cannot allow that to happen.

I think that Mr Golden's suggestion that we should not just let this go is correct, and we should ask for information about whether the law is being enforced. Otherwise, I suspect that the issue will come back again, and people will ask why we did not at least try to find out what local authorities were doing about it.

As I am sure we all know, some cemeteries are particularly large, and I can well imagine that they might be used for dog walking. However, it is not really appropriate to use cemeteries for dog walking, any more than it is appropriate to have dogs in fields with livestock. That is another serious problem that is not properly addressed by the law, even after the passing of the relevant members' bill, because it does not require dogs to be kept on a leash.

I am sorry to be a bit long winded, but I think that we should pursue the issue

The Convener: I take Mr Golden's point. In some urban areas, I imagine that a cemetery is the nearest thing there is to a green space in the local community. It is about the way in which such things are managed or handled. It would be useful for us to find out what local authorities' view of all this is and whether any enforcement is taking place. Mr Choudhury, do you have any thoughts?

Foyso Choudhury: We need to keep in mind that a lot of religious people do not like dogs walking over their graves. We need to start inspecting. Can we ask local councils whether they have enough signs in cemeteries to make it clear that there should not be any dogs?

The Convener: I am also aware that there are some dogs that go and sit by the grave of the person who formerly owned them. They are very sensitive to the reality of these things. I would be interested to hear the response to the request that we are going to make. Does the committee agree to proceed on that basis?

Members *indicated agreement.*

Annexe C: Written submissions

Glasgow City Council written submission, 10 April 2025

PE2087/C: Pass a law making exercising a dog in a cemetery an offence

In reference to the above petition Glasgow City Council, Neighbourhoods, Regeneration & Sustainability, Bereavement Services have responsibility for 26 cemeteries and graveyards across the city in addition to the extensive grounds of two crematoria.

Our current management Cemetery management rules advise that:

‘Only dogs controlled by a lead less than 2 metres long are permitted in the Cemetery.’

Under the provisions of the Dog Fouling (Scotland) Act 2003 a person in charge of a dog must ensure that any dog excrement is picked up and either removed from the Cemetery or deposited in a bin within the Cemetery.’

The vast majority of dog walkers are respectful in their use of the cemeteries though we have recently had to take enforcement action within our cemeteries due to non-compliance with the management rules and issue dog fouling penalty notices. This has also included installing additional signage at all locations advising of dog owner responsibilities as well as their consideration and respect for the cemetery/graveyard they are utilising.

Glasgow City Council, Bereavement Services would welcome the opportunity to participate in any further, national, discussion around the issue of dogs accessing cemeteries including the challenges around enforcement, awareness raising with citizens and the ability for residents to access locations which may be their only area of open space within the vicinity for their exercise and general health and wellbeing.

Glasgow Cemetery Management Rules:

https://www.glasgow.gov.uk/media/3136/Cemetery-Management-Rules/pdf/Cemetery_Management_Rules.pdf?m=1699445015280#:~:text=6.2%20No%20persons%20shall%20enter,as%20agreed%20by%20the%20Council

West Lothian Council written submission, 10 April 2025

PE2087/D: Pass a law making exercising a dog in a cemetery an offence

On behalf of West Lothian Council in response to the Citizen Participation and Public Petitions Committee request for information, the following relates to how the council manages dog presence and behaviour in cemeteries.

- existing policies on the presence and behaviour of dogs in cemeteries

The council has no formal policy related to dogs in cemeteries. However, the council's cemetery management rules ask that the public do not 'Walk any dog

without a lead or on a lead that is longer than 2 meters in length'. In addition, the public can report dog fouling to the council and the council can investigate and utilise enforcement powers. The council can also investigate concerns regarding out of control dogs.

- the number of complaints received regarding the behaviour of dogs in cemeteries

The council has received 27 complaints related to dog behaviour in cemeteries since 1st Jan 2016. These predominantly relate to fouling. These can also relate to dogs disturbing memorial items, aggressive dogs, and the public closing cemetery gates to exercise and train dogs within an enclosed area. The total reported includes enquiries submitted that were not classified as formal complaints but do include the public highlighting negative dog behaviour.

- the number of fines issued for dog fouling in cemeteries

The council has no record of any fine issued for dog fouling in cemeteries.

- whether local cemeteries have any signage regarding the presence and behaviour of dogs

The council post signage asking cemetery users to keep dogs on leads. Where dog fouling has been highlighted as an issue in individual cemeteries, the council may add supplementary signage related to dogs or stencil footpaths with signage reminding users to pick up dog foul.

East Lothian Council written submission, 14 April 2025

PE2087/E: Pass a law making exercising a dog in a cemetery an offence

I am writing on behalf of East Lothian Council in response to the correspondence dated 4th April 2025 requesting information on the management of dog presence and behaviour in cemeteries. Please see below the Council's feedback on the points raised.

1. Existing policies on the presence and behaviour of dogs in cemeteries.

The Land Reform (Scotland) Act 2003 establishes a statutory right of responsible access to most land and inland water in Scotland, including open spaces and cemeteries. While the Act grants general access rights, specific rules and regulations can apply to cemeteries. The East Lothian Council Burial regulations under point 16 states that dogs except those specifically designated as assistance should not be taken into a burial ground.

2. The number of complaints received regarding the behaviour of dogs in cemeteries.

The Council does not record complaints in the detail required to explicitly extract the number relating to behaviour of dogs in cemeteries.

3. The number of fines issued for dog fouling in cemeteries.

There have been no fines issues for dog fouling in cemeteries since 1/1/22. As East Lothian Council cemeteries are not staffed at all operational times, enforcement of the local burial regulations is challenging to implement.

4. Whether local cemeteries have any signage regarding the presence and behaviour of dogs.

Information relating to the local burial regulations point 16 is displayed in some but not all cemeteries. The presence of signage requires to be reviewed locally and would be renewed subject to any updated national legislation passed.

I trust that the information contained within this letter will support the Committee's review of the petition.

East Ayrshire Council written submission, 17 April 2025

PE2087/F: Pass a law making exercising a dog in a cemetery an offence

I am writing in response to the committee's request for information on the above petition to East Ayrshire Council on 4 April 2025. Please find below in respect of the particular areas of information sought:

- **Existing policies on the presence and behaviour of dogs in cemeteries;** East Ayrshire Council Bereavement Services, publishes and follows [East Ayrshire Council Information and Management Rules for Cemeteries](#). The document contains rules and frequently asked questions, including that dogs must be kept under proper control by either keeping the dog on a short lead or under close control. This booklet is available online and a paper copy is issued to lair right owners after a burial. The Council's Greener Communities Service maintains cemeteries and churchyards and conducts burials, working on a peripatetic basis. Where employees working in the cemetery witness dog fouling or a dog being out of control per the management rules, they will approach the dog owner to advise of the legal position. Given the peripatetic nature of the staff resource, it is not common for employees to encounter this behaviour.
- **the number of complaints received regarding the behaviour of dogs in cemeteries;** the Council's Environmental Crime Team has received two complaints about related matters, both of which are recent. As indicated Greener Communities are approached on site and also have received some requests for service by phone and email, rather than being in receipt of complaints. Recent discussions with local Muslim community representatives, which I note was an area of discussion at Committee have been in a similar vein, with representatives wanting action to prevent dogs walking over their

graves. The Council has advised that additional signage will be considered, subject to resources for this being available.

- **the number of fines issued for dog fouling in cemeteries;** East Ayrshire Environmental Enforcement Officers have not issued any fines recently regarding dog fouling in cemeteries. These officers also work on a peripatetic basis, attending to widespread dog fouling reports across all of East Ayrshire. Our evidence is that the presence of Enforcement Officers or Greener Communities staff within the cemeteries results in adjusted behaviour by dog owners for the time that they are on site. Offences then take place while cemeteries are unsupervised. These services are looking at how to improve joint targeted interventions.
- **whether local cemeteries have any signage regarding the presence and behaviour of dogs;** The signage position varies, across our 45 cemeteries and churchyards, from no signage to relevant content on the information sign at the entrance to the site. This is currently under review to consider type of signage, appropriate wording, number of signs, locations etc and how this signage can be used to link with appropriate reporting systems, with installation being subject to financial and staff resource availability.

I hope the information supplied is helpful to the committee.

Stirling Council written submission, 23 April 2025

PE2087/G: Pass a law making exercising a dog in a cemetery an offence

Only assistance dogs are allowed within our cemeteries, this is part of the current Management Rules.

We have received a number of complaints from members of the public concerned about dog fouling in a cemetery environment, the most recent one related to Strathblane Cemetery.

We have signage up in a limited number of our cemeteries informing visitors that only assistance dogs are allowed but this is very difficult to monitor/police as we have 60 burial grounds across our area.

The intention is to continue to erect signage on an ongoing basis. The main issue is if the public choose to ignore the signage, there is very little we can do.

We had signage up in one of our busiest cemeteries (St Thomas) and also in an outlying cemetery but the signage was actually removed by persons unknown in both cemeteries within a week of it being put in place, we have now installed more secure signage but we cannot guarantee this will not be removed as well, this obviously comes at an unnecessary cost to the service.

Passing a Law prohibiting dog exercising would be a step in the right direction, but the public would have to be aware of that law and would have to abide by it or authorities would require to be allocated additional resource to allow enforcement to be undertaken.

As far as I am aware, no fines have been issued regarding dog fouling in cemeteries.

Midlothian Council written submission, 29 April 2025

PE2087/H: Pass a law making exercising a dog in a cemetery an offence

Existing policies on the presence and behaviour of dogs in cemeteries.

- At this time there is no policy in place specifically for the behaviour of dogs within our cemeteries. If we (Greenspace) feel there is an issue within a cemetery, we would contact our dog warden from EH to make them aware of ongoing issues. Unfortunately, staff within our cemetery team do not hold powers to issue fines etc.

The number of complaints received regarding the behaviour of dogs in cemeteries

- 1 received via MSP Beattie

The number of fines issued for dog fouling in cemeteries

- A search of our records indicates there have been zero fines issued in cemeteries in the last 5 years

whether local cemeteries have any signage regarding the presence and behaviour of dogs.

- We are currently at this time preparing signage for to be put in place at all our cemeteries regarding dogs (fouling) vehicles access etc.

Clackmannanshire Council written submission, 29 April 2025

PE2087/I: Pass a law making exercising a dog in a cemetery an offence

From our perspective we allow dogs, but they must be on a lead. I personally do not believe we would be able to prevent people bringing their dogs, we could not police this.

Cemetery Management rules state: Except for Guide Dogs or working Assistance Dogs, all dogs entering cemetery grounds must be kept on a leash and under proper control.

Land Services Team Leader

West Dunbartonshire Council written submission, 1 May 2025

PE2087/J: Pass a law making exercising a dog in a cemetery an offence

I refer to your email of 4 April 2025 requesting information on behalf of the Citizen Participation and Public Petitions Committee regarding the presence and behaviour of dogs in cemeteries.

I can advise as follows:

- **Existing Policies:** The following rules are extracted from the West Dunbartonshire Council ("the Council") Rules and Regulations for the management of cemeteries:

Dogs to be Under Control

a) A person shall not allow any dog belonging to them or in their charge to enter or remain in any cemetery unless such dog is led by a leash and kept under proper and effective control. No person shall allow any dog belonging to them to foul any part of the cemetery.

b) The Director or their representative is authorised to remove from the cemetery any person who contravenes the provision of this regulation.

- **Complaints:** On average, we receive 15 complaints per year regarding the behaviour of dogs in cemeteries.
- **Fines/Invoices:** To date, there have been no fines or invoices issued by the Council for dog fouling in cemeteries.
- **Signage:** Signage exists advising that dogs should be kept on a lead in our cemeteries.

Please let me know if you need any further information or clarification on these points.

Comhairle nan Eilean Siar written submission, 2 May 2025

PE2087/K: Pass a law making exercising a dog in a cemetery an offence

I refer to your email seeking information on the management of dog presence and behaviour in cemeteries. Your question topics and responses are detailed below.

1. Existing policies on the presence and behaviour of dogs in cemeteries

The Comhairle's Cemetery Management Rules state that
"No dogs shall be admitted with the exception of guide dogs".

It is recognised that some people continue to visit cemeteries with dogs and we only usually follow up if complaints are made or there is issues with fouling.

These rules do not cover the numerous private cemeteries in the islands.

2. The number of complaints received regarding the behaviour of dogs in cemeteries

Past records are limited due to a recent cyber-attack but there were two complaints in 2024/25.

3. **The number of fines issued for dog fouling in cemeteries 0.**
4. **Whether local cemeteries have any signage regarding the presence and behaviour of dogs.**

The Comhairle have no centralised records of this but cemeteries, which have had issues, have dog fouling signage outside the cemetery and Comhairle owned cemeteries with noticeboards may have guidance notes displayed.

Dundee City Council written submission, 5 May 2025

PE2087/L: Pass a law making exercising a dog in a cemetery an offence

Please see link to our management rules for cemeteries which covers dogs. These are displayed in notice boards within cemeteries, so signage is not required.

[cemeteries_poster_finla_adopted.pdf](#)

Also, I am unaware of any recent complaints about dogs in cemeteries or fines issued.

East Dunbartonshire Council written submission, 5 May 2025

PE2087/M: Pass a law making exercising a dog in a cemetery an offence

I note your request on behalf of the Citizen Participation and Public Petitions Committee in respect of the petition PE2087: Pass a law making exercising a dog in a cemetery an offence.

I can advise the following on behalf of East Dunbartonshire Council in relation to the points raised.

1. existing policies on the presence and behaviour of dogs in cemeteries
 - a. Please find the link to the [Bereavement services - East Dunbartonshire Council webpage](#) which contains the current Cemetery Management Rules with a specific note that dogs should not be exercised within the confines of the Cemetery. However, it is very difficult to enforce this as cemeteries are open to visitors and several are managed and maintained remotely. I would add that the old No Dogs allowed signs were replaced a couple of years ago with the attached following a change in the Access Scotland Code.
 - b. The Cemetery Management Rules are currently being reviewed with the proposal to allow dogs within the cemetery if they remain on a lead and under control so the rule will match the sign attached.
2. the number of complaints received regarding the behaviour of dogs in cemeteries

- a. Following a search of the East Dunbartonshire Council Complaints Database going back five years using a keyword search there is one complaint logged pertaining to dogs in a cemetery.
3. the number of fines issued for dog fouling in cemeteries
 - a. Regrettably, I am unable to provide this information.
4. whether local cemeteries have any signage regarding the presence and behaviour of dogs
 - a. I can confirm that there are signs in place to highlight that dogs should be kept on a lead whilst within the cemeteries, but again it is difficult to enforce this if dog walkers choose to ignore them due to the remote nature of some of the cemeteries.

I trust this information is of assistance.

Aberdeenshire Council written submission, 6 May 2025

PE2087/N: Pass a law making exercising a dog in a cemetery an offence

Aberdeenshire Council Cemetery Rules state the following :

“Dogs must be on a lead at all times. Any dog fouling must be removed immediately and disposed of in a bin.”

This signage is displayed in the cemetery notice boards of all our cemeteries. All our cemeteries have litter bins for mixed waste and it is acceptable to put dog fouling in these.

We have low incidence of complaints regarding dogs in cemeteries. We have received one formal complaint in the period 1 January 2020 to 10 April 2025.

We agree that cemeteries should not be treated as exercise areas. By only permitting dogs on leads, we acknowledge, as does the Petitioner that people have great emotional attachment to their dogs and often the dog is taken to the cemetery to visit the resting place of their human family member as this can give comfort to the deceased's friends and relatives.

South Lanarkshire Council written submission, 3 June 2025

PE2087/O: Pass a law making exercising a dog in a cemetery an offence

Issues with dog exercising/walking in cemeteries is a problem which seems to have increased in the last few years. There have been many complaints from visitors to cemeteries regarding dog fouling, dogs being allowed to run over lairs and aggressive behaviour from person/s in charge of dogs when challenged. This

aggressive behaviour has been experienced by members of the public as well as Council staff.

Signage in cemeteries clearly state that all dogs must be on lead and under control. We have additional signs which informs of the potential fines faced for not clearing any fouling. Extract of the management rules relating to animals in cemeteries are at the entrance to each cemetery. Council staff will engage with people when in the cemetery where the rules are not being followed. However as stated above this can lead to Council staff being subjected to unacceptable behaviour.

Whilst it is understandably an emotive subject and is distressing and upsetting for the bereaved and visitors experiencing such behaviour within a cemetery it is unclear how a law to prevent dogs being taken into a cemetery would work, the difficulties faced and consideration needs to be given to the following:

- How would enforcement be managed? Enforcement would require additional staffing and funding resources that the Council does not have.
- The vast majority of cemeteries are unmanned on a day-to-day basis so raises the additional resourcing that would be required.
- Additional workload of Police Scotland
- Would mourners with dogs only be allowed to attend a funeral service or would they be allowed when visiting a loved one
- A law could potentially have the opposite effect desired with challenges made when someone does not adhere to the law and situations turn more physical than verbal

This is a potentially divisive issue as if someone wants to exercise their dog in a cemetery, they can see it as their right and sometimes simply do not understand why anyone would have a problem. Cemeteries are and should be open spaces for someone to reflect and contemplate. Many people visit cemeteries where they have no-one buried but enjoy the feeling of tranquillity a cemetery can bring them and may enjoy doing so with their dog and still maintain the rules of a cemetery. Certainly, there needs to be more discussion and investigation of this issue and what reasonable, effective and sustainable actions that can be taken on a country wide basis to prevent dogs from being allowed in a cemetery and new legislation banning dogs may not be the best way forward. An alternative may be a campaign led by the Scottish Parliament which raises the profile of the issue and makes the exercising of dogs in a cemetery culturally unacceptable with the public awareness and input a strong factor for a successful outcome.