

Research Briefing

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Dogs (Protection of Livestock) (Amendment) Bill 2023-24



Summary

- 1 Background
- 2 Dogs (Protection of Livestock) (Amendment) Bill

Number

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Contents

1	Background	6
1.1	Animal Welfare (Kept Animals) Bill	7
2	Dogs (Protection of Livestock) (Amendment) Bill	9
2.1	The Bill	9
2.2	Second reading	10
2.3	Committee stage	11
2.4	Report Stage	12
2.5	Stakeholder response	12

Summary

The [Dogs \(Protection of Livestock\) \(Amendment\) Bill](#) is a Private Members' [Presentation Bill](#), with government support, introduced by Dr Thérèse Coffey (Con) in the House of Commons on 11 January 2024. [Remaining stages of the bill in the House of Commons](#) are due to take place on 17 May 2024. [Explanatory Notes](#) have been provided by the Department for Environment, Food and Rural Affairs (Defra) alongside the Bill.

Livestock worrying by dogs is currently covered by the [Dogs \(Protection of Livestock\) Act 1953 \(as amended\)](#). The Act makes it an offence to be in charge of a dog that worries livestock on any agricultural land. It defines worrying as:

- (a) attacking livestock, or
- (b) chasing livestock in such a way as may reasonably be expected to cause injury or suffering to the livestock or, in the case of females, abortion, or loss of or diminution in their produce.
- (c) being at large (that is to say not on a lead or otherwise under close control) in a field or enclosure in which there are sheep.

The government published an [Action Plan for Animal Welfare](#) in May 2021. This set out its intention to legislate to extend the scope of livestock worrying legislation. [The Livestock Worrying Police Working Group](#), made up of police forces across England and Wales, had published a report in 2018 which included several recommendations:

- the legal definition of livestock should be extended to include 'modern farming livestock types'.
- that dogs should have to be on a lead in any enclosed livestock areas, and that the locations where an offence could be committed should extend to all areas where livestock could be present, including public roads.
- It recommended powers for police to be able to enter premises to search for a dog, collect samples for evidence and seize dogs to prevent further offences.
- It also highlighted that the dog owner was not present in 58% of all recorded livestock worrying cases.

In June 2021 the government published a [press release](#) announcing that new measures to address livestock worrying were included in the [Animal Welfare](#)

[\(Kept Animals\) Bill](#). The Bill would have repealed the [Dogs \(Protection of Livestock\) Act 1953](#) and set out new, increased powers for the police and a broader scope of livestock species and locations covered under the legislation. The Bill was carried over to the 2022-23 session but eventually withdrawn by the government in May 2023, because of government concerns about ‘scope-creep’.

Rather than replace the existing legislation, as was proposed in the [Animal Welfare \(Kept Animals\) Bill](#), this Bill would amend the existing legislation. According to the [Explanatory Notes](#), the proposals will increase the powers available to police for “gaining evidence and subsequently improve police enforcement”. The Bill would also extend the places covered to include roads and paths. It would expand the scope of livestock covered to include camelids, such as llamas and alpacas. The legislation would extend to England and Wales only.

[Second reading of the Bill](#) took place on 2 February 2024. The Bill was unamended during the [committee stage, which took place on 24 April 2024](#). However, the government did commit to bring forward an amendment to strengthen the financial penalties under the Bill.

1 Background

Livestock worrying by dogs is currently covered by the [Dogs \(Protection of Livestock\) Act 1953 \(as amended\)](#). The Act makes it an offence to be in charge of a dog that worries livestock on any agricultural land. It defines worrying livestock as:

- (a) attacking livestock, or
- (b) chasing livestock in such a way as may reasonably be expected to cause injury or suffering to the livestock or, in the case of females, abortion, or loss of or diminution in their produce.
- (c) being at large (that is to say not on a lead or otherwise under close control) in a field or enclosure in which there are sheep

The government published an [Action Plan for Animal Welfare](#) in May 2021. In which it set out the intention to legislate to broaden the scope of livestock worrying legislation.

The National Sheep Association (NSA), a membership organisation representing UK sheep producers, undertakes research and runs campaigns to raise awareness of the problem of sheep worrying. [Annual surveys](#) have been conducted by the NSA since 2013. The [latest survey, published in February 2023](#), had 305 respondents and included the following findings:

- The majority of respondents (70%) had at least one sheep worrying incident in the last 12 months.
- In almost 70% of cases involved a single dog injuring or killing multiple sheep.
- Only 14% of respondents were alerted by the offending dog owner, with the majority left to discover the evidence or alerted by someone else.
- The majority of cases occurred on private land.¹

[The Livestock Worrying Police Working Group](#), made up of police forces across England and Wales, published a report in in 2018 which included several recommendations:

¹ NSA, [Survey Results](#) [accessed 31 January 2024]

- the legal definition of livestock should be extended to include ‘modern farming livestock types’.
- that dogs should have to be on a lead in any enclosed livestock areas, and that the locations where an offence could be committed should extend to all areas where livestock could be present, including public roads.
- It recommended powers for police to be able to enter premises to search for a dog, collect samples for evidence and seize dogs to prevent further offences.
- It also highlighted that the dog owner was not present in 58% of all recorded livestock worrying cases.²

The Kennel Club’s [livestock worrying campaign](#) also highlights that the majority of livestock worrying incidents occur when a dog is unaccompanied. The Kennel Club also points out that despite the number of dog walkers visiting the countryside being highest in the summer months (and thus coinciding with the highest levels of sheep grazing outside) there appears to be no associated rise in attacks.³

The [Action Plan](#) summarised the government’s intended approach to amending the legislation:

We are aware that dog attacks on livestock are a serious and growing concern to rural communities, police forces and farmers. Livestock worrying can cause much emotional distress, to all who see the aftermath and can be economically catastrophic to the livelihoods of our farmers. To address this, we will legislate to ensure that new powers are available to the police so they can respond to the most serious incidents of livestock worrying.⁴

1.1

Animal Welfare (Kept Animals) Bill

In June 2021 the government published a [press release](#) announcing that new measures to address livestock worrying were included in the [Animal Welfare \(Kept Animals\) Bill](#).⁵

Part 2 of the [Animal Welfare \(Kept Animals\) Bill](#) covered ‘dogs attacking or worrying livestock’. The Bill would have repealed the [Dogs \(Protection of Livestock\) Act 1953](#) and set out new, increased powers for the police and a broader scope of livestock species and locations covered under the

² North Yorkshire Police, [Livestock Worrying Police Working Group Final report](#), February 2018

³ The Kennel Club, [Livestock worrying](#)

⁴ Defra, [Action Plan for Animal Welfare](#), 12 May 2021

⁵ Defra, [Crackdown on livestock worrying in England and Wales](#), 8 June 2021

legislation. A [Government press release](#) published on 8 June 2021 summarised the key changes proposed in the Bill:

Improved powers will enable the police to respond to livestock worrying incidents more effectively - making it easier for them to collect evidence and, in the most serious cases, seize and detain dogs to reduce the risk of further incidents. The measures include:

- Increasing the scope of livestock species and locations covered by the law, such as llamas, emus, enclosed deer, and donkeys. New locations will include roads and paths as long as the livestock have not strayed into a road.
- Increasing powers for the police to seize dogs after particularly serious incidents, if there is a reason to believe that dog might pose an ongoing risk to livestock. Currently, the police can only seize a dog for the purpose of identifying the owner, and it has to be returned to the owner once they have been identified.
- A new power to take samples from livestock and dogs suspected of an offence, which will help the police investigate these crimes. At present, most cases of livestock worrying don't end up in prosecution due to a lack of evidence.
- Modifying powers of entry, meaning that police can enter a premises to identify and/or seize a dog or any items they believe to be evidence of an offence. Making dog control, disqualification and destruction orders available to the courts upon a conviction for the offence.⁶

The Bill was carried over to the 2022-23 session but eventually withdrawn by the government in May 2023 when Mark Spencer, the Secretary of State for Environment, Food and Rural Affairs, announced that the [Bill would not continue any further](#). Instead, the government would take forward measures in the Kept Animals Bill individually as single-issue bills during the remainder of the current Parliament. The Secretary of State referred to concerns about “scope-creep” for the Bill, including that the Labour Party would attempt to widen the scope of the Bill. The statement also set out the areas the government would be taking forward, including measures to tackle livestock worrying.⁷

⁶ Defra, [Crackdown on livestock worrying in England and Wales](#), 8 June 2021

⁷ Defra, [Animal Welfare Statement](#), 25 May 2023

2 Dogs (Protection of Livestock) (Amendment) Bill

The [Dogs \(Protection of Livestock\) \(Amendment\) Bill](#) is a Private Members' [Presentation Bill](#), with government support, introduced by Dr Thérèse Coffey (Con) in the House of Commons on 11 January 2024. [Second Reading of the Bill](#) is due on 2 February 2024. [Explanatory Notes](#) have been provided by the Department for Environment, Food and Rural Affairs (Defra) alongside the Bill. The Bill extends to England and Wales only.

2.1 The Bill

Rather than replace the existing legislation, as was proposed in the [Animal Welfare \(Kept Animals\) Bill](#), this Bill would amend the existing legislation with a similar aim. According to the [Explanatory Notes](#) the proposals will increase the powers available to police for “gaining evidence and subsequently improve police enforcement”. The Bill would also extend the places covered to include roads and paths, and expand the scope of livestock covered to include camelids, such as llamas and alpacas.

Clause 1 of the Bill sets out amendments to the [Dogs \(Protection of Livestock\) Act 1953](#) that would:

- (a) bring incidents on roads and paths within the scope of the offence in section 1 of that Act;
- (b) bring camelids within the definition of “livestock” that applies for the purposes of that offence;
- (c) exempt a dog owner from liability for that offence where the dog is in the charge of another person without the owner’s consent;
- (d) clarify the penalty that applies where a person is convicted of that offence;
- (e) allow for a court to order an offender to pay expenses associated with seizing and detaining a dog;
- (f) update the terminology used in that Act so that attacking livestock is dealt with separately from worrying livestock.⁸

⁸ [Dogs \(Protection of Livestock\) \(Amendment\) Bill](#) 2023-22; the detail of the amendments are set out in the Schedule of the Bill.

In the case of (d) above the maximum penalty is set as a fine not exceeding level 3 (currently £1000).

Clause 2 of the Bill provides powers for police to seize and detain a dog if they have “reasonable grounds to believe that the dog has attacked or worried livestock” and “nobody present where the dog is found admits to being the dog’s owner or in charge of it”. A dog may also be detained if there are reasonable grounds to believe “there is a risk that the dog could attack or worry livestock again”.

Clause 3 of the Bill would provide powers for the police to take samples or impressions from a dog or livestock to provide evidence of an attack, and to detain a dog to do so. The explanatory notes set out why this could be necessary:

As livestock attacks take place in rural areas, there is a lack of CCTV coverage and eyewitnesses, and limited house to house enquiry or Crime Scene Investigation (CSI) opportunities. Therefore, information derived from a sample or impressions to link a dog to an incident could be a key enabling factor to increase the rate of successful prosecutions.⁹

Clause 4 of the Bill would enable a justice of the peace to issue a warrant authorising the entry and search of premises for the purposes set out in clauses 2 and 3.

Clause 5 covers the extent (England and Wales) and the commencement of the Bill (three months after it receives Royal Assent). It also states the powers set out in Clause 2 (seizure and detention of dogs,) Clause 3 (collection of samples and impressions) and 4 (powers of entry) will be available in connection with any worrying or attacking of livestock which took place before the Bill comes into force.

2.2

Second reading

[Second reading of the Bill](#) took place on 2 February 2024. Dr Thérèse Coffey introduced the Bill by briefly summarising its main points:

The Bill provides for the inclusion of attacks as well as worrying as offences. It extends the area covered beyond the land to a road or path, in order to address attacks where livestock are moved to different parts of the farm. It provides the powers of entry and search through warrant and allows dogs to be detained to avoid further attacks while an owner is awaiting trial for such an offence. It allows for more modern ways to gather evidence from a dog, including taking dental impressions and other relevant samples, and updates the fines that can be imposed. The Bill will include camelids—alpacas and llamas—in the definition of livestock for the purposes of the 1953 Act.¹⁰

⁹ Dogs (Protection of Livestock) (Amendment) Bill, [Explanatory Notes](#), 29 January 2029

¹⁰ [HC Deb 2 February 2024 c1156](#)

Robbie Moore, Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs, welcomed the Bill saying it built “on the Government’s ambitious programme of animal welfare reforms, and we are pleased to support it”.¹¹ He concluded:

We have engaged extensively on all these measures with key stakeholders, including the livestock and farming sector, animal welfare, police and veterinary sectors. These measures are vital in tackling the issue of livestock worrying and will greatly strengthen the existing legislation to decrease instances of livestock worrying and attacking.¹²

2.3 Committee stage

[Committee stage of the Bill](#) took place on 24 April 2024. The Bill was unamended during committee stage. There was [one amendment debated](#), tabled by Dr Thérèse Coffey, on increasing the fines for those previously convicted of an offence under the legislation. It was not put to a vote.

Speaking during the debate the Minister Robbie Moore [accepted the proposal](#), but had concerns about how it was drafted. He said “my officials will work [...] so we can table a revised amendment that will deliver on the desired intent to increase the fines that courts can issue to unlimited, and to act as a deterrent”.¹³

He also clarified that [the legislation would apply to common land](#) because 1953 Act “does include land used for grazing, and therefore common land could be in scope of the Bill”.

Shadow Environment Minister, Daniel Zeichner (Lab), expressed concerns that the provisions included in the Bill were not as detailed as those that were put forward as part of the Animal Welfare (Kept Animals) Bill. [That Bill was withdrawn by the Government](#) in May 2023. He said:

The kept animals Bill would have effectively replaced the 1953 Act, but this Bill amends it and is quite different as a consequence. That includes the lack of a debate such as the one we had then—I am sure Members will remember it—about not just the control orders and disqualification orders but the very definition of “worrying livestock” in the 1953 Act. That led to a lengthy and complicated discussion about whether people should be expected to keep their dog on a lead when close to livestock. I am not sure why that has not been reintroduced, either. The then Minister, the right hon. and learned Member for Banbury (Victoria Prentis), declined our amendments, but we were strongly of the view that that would send a very strong message to people that if they are close to livestock, their dog should be on a lead. I

¹¹ [HC Deb 2 February 2024 c1163](#)

¹² [HC Deb 2 February 2024 c1164](#)

¹³ [PBC Deb 24 April 2024 c11](#)

would like us to return to that discussion, if possible, and consider including that provision in this Bill.¹⁴

The Minister responded by referring to potential risks to dog owners when having a dog on a lead in the presence of cattle, stating that a lead was “therefore not right every circumstance”.¹⁵

During the debate Sir Geoffrey Cox (Con) raised the issue of [how the legislation would interact with the Dangerous Dogs Act 1999](#), which makes it in offence to have a dog dangerously out of control in a public or private place.¹⁶

2.4 Report Stage

Report stage of the Bill will take place on 17 May 2024. As of 14 May, there was one amendment tabled for the debate.

[The amendment \(PDF\)](#), tabled by Dr Thérèse Coffey, would allow for an unlimited fine to be imposed on a person convicted of the livestock worrying offence.

2.5 Stakeholder response

Responding to the publication of the Bill, the National Farmers’ Union (NFU) welcomed the proposals for new police powers, calling them a significant deterrent:

NFU Livestock Board chair Richard Findlay said the NFU is “grateful” for the new proposals and that “farmers recognise the importance of good animal welfare and livestock worrying and dog attacks causes stress and anguish for farmers seeing their animals suffering, in addition to the significant financial impact”.

“For many years, we have been working with government and police leaders to agree the proposed legislation giving police more powers to investigate dog attacks on livestock.

“We want people to enjoy the countryside and welcome members of the public being able to see where their food is produced, but dog owners must do this responsibly. No matter how in control dog owners think they are, they

¹⁴ [PBC Deb 24 April 2024 c10](#)

¹⁵ [PBC Deb 24 April 2024 c13](#)

¹⁶ [PBC Deb 24 April 2024 c7](#)

should always remain alert and dogs should always be kept on a lead around livestock,” he said.¹⁷

In October 2023, the Farmers’ Union of Wales (FUW) called for livestock worrying legislation to be included in the King’s Speech, stating that “that dog attacks on livestock in Wales and England continue to represent a significant financial, emotional and welfare issue for hard-working farming families”.¹⁸

¹⁷ NFU, [New proposals hope to give police greater powers to tackle livestock worrying](#), 22 December 2023

¹⁸ FUW, [Include changed livestock worrying legislation in King’s speech - FUW urges](#), 16 October 2023

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