

PARLIAMENTARY DEBATES

HOUSE OF COMMONS
OFFICIAL REPORT
GENERAL COMMITTEES

Public Bill Committee

DOGS (PROTECTION OF LIVESTOCK) (AMENDMENT) BILL

Wednesday 24 April 2024

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CLAUSES 1 to 5 agreed to.
SCHEDULE 1 agreed to.
Bill to be reported, without amendment.

No proofs can be supplied. Corrections that Members suggest for the final version of the report should be clearly marked in a copy of the report—not telephoned—and must be received in the Editor’s Room, House of Commons,

not later than

Sunday 28 April 2024

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The Committee consisted of the following Members:

Chair: MRS PAULINE LATHAM

- | | |
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| † Anderson, Lee (<i>Ashfield</i>) (Reform UK) | † Lewell-Buck, Mrs Emma (<i>South Shields</i>) (Lab) |
| † Coffey, Dr Thérèse (<i>Suffolk Coastal</i>) (Con) | Loder, Chris (<i>West Dorset</i>) (Con) |
| † Cox, Sir Geoffrey (<i>Torridge and West Devon</i>) (Con) | † Malthouse, Kit (<i>North West Hampshire</i>) (Con) |
| † Crosbie, Virginia (<i>Ynys Môn</i>) (Con) | † Moore, Robbie (<i>Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs</i>) |
| † Dines, Miss Sarah (<i>Derbyshire Dales</i>) (Con) | † Rees, Christina (<i>Neath</i>) (Lab/Co-op) |
| † Duffield, Rosie (<i>Canterbury</i>) (Lab) | † Saxby, Selaine (<i>North Devon</i>) (Con) |
| Evans, Chris (<i>Islwyn</i>) (Lab/Co-op) | † Zeichner, Daniel (<i>Cambridge</i>) (Lab) |
| † Goodwill, Sir Robert (<i>Scarborough and Whitby</i>) (Con) | Anne-Marie Griffiths, <i>Committee Clerk</i> |
| † Hammond, Stephen (<i>Wimbledon</i>) (Con) | |
| † Lake, Ben (<i>Ceredigion</i>) (PC) | † attended the Committee |

Public Bill Committee

Wednesday 24 April 2024

[MRS PAULINE LATHAM *in the Chair*]

Dogs (Protection of Livestock) (Amendment) Bill

4 pm

The Chair: Before we begin consideration, I have a few preliminary reminders for the Committee. Please switch electronic devices to silent. No food or drink is allowed, apart from the water provided. *Hansard* colleagues will be grateful if Members email their speaking notes to hansardnotes@parliament.uk.

I believe that the House is likely to be voting at 5 pm, and there could be six votes. If we continue to that time, we will be coming back, so it could get very late; Members might like to adapt the length of their speeches accordingly. My selection and grouping list for today's meeting is available online and in the room. One amendment has been tabled. We will have a single debate on all clauses, the amendment and the schedule.

Clause 1

LIVESTOCK WORRYING: SCOPE AND CONSEQUENCES
OF OFFENCE

Question proposed, That the clause stand part of the Bill.

The Chair: With this it will be convenient to discuss the following:

Clauses 2 to 5 stand part.

Amendment 1, in the schedule, page 5, line 29, leave out from “conviction” to end of line 30 and insert—

- “(a) except in a case falling within paragraph (b) below, to a fine not exceeding level 3 on the standard scale,
- (b) in a case where the person in question has previously been convicted of an offence under this Act in respect of the same dog, to a fine not exceeding level 5 on the standard scale.”

The schedule.

Dr Thérèse Coffey (Suffolk Coastal) (Con): It is a pleasure to serve on the Bill Committee with you in the Chair, Mrs Latham. I thank all the right hon. and hon. Members who have agreed to be members of the Committee. There is a variety of Bill Committees—this is my second today—but that just shows people's passion for ensuring that we have good, focused legislation, whether tabled by the Government or tabled, as in this case, by Members across Parliament. This Bill is an attempt to address concerns about the offence of livestock worrying.

The provisions were originally in the Animal Welfare (Kept Animals) Bill. I am conscious that people wonder why that Bill was paused. It started to become a somewhat unwieldy Bill that all sorts of things were being tagged on to that went considerably beyond the original purposes of that Bill. The Government, of which I was at the time a part, therefore decided to pause that Bill, but to come back with a more detailed one. I made that commitment when I was in office, and I am glad that, despite my having left office, the Government are still committed to the provisions of this Bill.

On Second Reading, I basically lost my voice—I think I managed less than a minute. I do not intend to speak for very long today, as I know that others are interested in raising specific points, but I want to summarise the Bill, as the notes eloquently do. I also thank officials in the Department for Environment, Food and Rural Affairs for their help in getting to this point.

In essence, the Bill is an attempt at simplification. Clause 1(b) brings camelids within the definition of “livestock”, because animals such as llamas are starting to be farmed considerably more and to be managed in livestock settings. Clause 1(a) brings incidents on roads and paths within the scope of the offence, because as anybody who has ever been to a farm with livestock knows, livestock do not sit in one field all their lives; they are moved around, and we need to ensure that dogs do not worry the livestock as they are moved. That simplifies the situation: it not only makes it clear that dogs should be under the control of their owner or the person walking them, but gives assurances to farmers about what the limits are. Other provisions ensure that offenders will pay the expenses arising from seizing and detaining the dog, rather than those costs falling on the police.

Simply doing some modest extensions is an important element of clause 1. Rather than trying to cover every animal under the sun, as has happened in other jurisdictions, it is ultimately about keeping the Bill in line with what was intended, while ensuring that farmers can still be concerned about the safety of their animals.

Clause 2 basically updates the Dogs (Protection of Livestock) Act 1953 to ensure that seizing a dog is more straightforward. In particular, we are starting to see some phrases about dogs that pose a continuing threat. The clause says:

“(1) A constable may seize a dog if—

they have reasonable grounds to believe that the dog has attacked or worried livestock on agricultural land or on a road or path”.

The reason for doing that is to make it more straightforward for police to grab a suspected dog, in order to stop such behaviour happening and avoid the potential impact on livestock, without having to go to court or wait until an owner is convicted of an offence.

Clause 3 ensures that we can be more up to date about getting evidence—for example, taking dental impressions. A dog bite can often be distinguished by what is happening with their mouth and what has happened to the animal, which is particularly important when an animal has been killed. I am sure the Minister will explain in more detail why we are including both “attacking” and “worrying” in the Bill. Again, to give a simplified view, people should be aware that this is not just about a dog attacking a sheep, a cow, a camelid or a pig; just running around them can cause distress to the animal and severe consequences, such as aborting. It is about those sorts of things as well. There is even a story about how a dog ended up chasing livestock over the edge of a cliff. We need to ensure that not just what people would perceive to be an attack—direct contact with the animal by the dog—but worrying behaviour more generally is addressed.

From discussions with the police, I anticipate that most sampling should be quite straightforward, but a more detailed examination of a dog may be required at

times in order to establish the connection to a specific incident. If it is deemed that that would be quite intrusive, the law requires a veterinary surgeon to be involved to ensure that the dog in question is handled appropriately.

Clause 4 extends powers of entry and search via application to a justice of the peace. There have been too many examples of people saying that they will bring in their dog and then they do not; the dog disappears, never to be seen again. It ends up somewhere else or something else happens to it. The clause basically enables a quick element of justice to be applied in order to ensure that evidence can be seized quickly.

Clause 5 covers the extent, commencement, transitional provision and short title. I am grateful that the Department agreed that we should try to ensure that the Act comes straight into force at the end of three months. There were discussions about England and Wales, and whether this an animal welfare matter, which should be devolved. Actually, this legislation is not specifically about animal welfare. It is keeping in line with the original intent of the 1953 Act. As a consequence, it is to be debated by the UK Parliament and does not require discussion by the Senedd of Wales or Welsh Ministers. I hope that explains why the matter is reserved and why a legislative consent motion is not required.

The schedule is a way of tidying up aspects of the 1953 Act. Paragraph 1(6) amends section 1(4) of the Act and talks about “attacking” or “worrying”, which ensures the Bill covers what it is supposed to.

I tabled amendment 1 because, after looking at the original Act and having discussions with various organisations, I was concerned that it seemed that the penalties would be declining. I want it to be easier to get convictions, but I do not want to reduce the penalties available. I must admit that I drafted the amendment without going to the Department for further legal advice. I know the Minister is minded to accept its sentiment but would like the Government to table a cleaner legal version on Report. I am happy for them to do that.

We need to send a strong message to dog owners right across this country. We have just been in lambing season, and many right hon. and hon. Members have examples of awful attacks in their constituencies. We see on social media—it has been coming up a lot on things such as TikTok—that farmers are really frustrated that people are not in control of their animals, which can have a major impact. People are somewhat in denial about that.

It is suggested anecdotally that quite a lot of the problems are caused by dogs escaping from their homes. Their owners have no clue about it and would be mortified to know that their dog was on the loose. People have the power to shoot dogs that are worrying livestock, but not all of the farmers and one shepherdess from my constituency I met had a shotgun licence, and not all of them wanted to do that; they wanted the owners to be responsible. Hopefully, the deterrent of a potentially unlimited fine will make people more aware of what their best friend—their dog—could be doing to other animals if they are not under good control with good recall. That is why I am keen to ensure the deterrent is sufficiently strong.

I am conscious that I sprung the amendment on the Department at the last minute. I am very grateful to the officials and our Clerk, Anne-Marie Griffiths, for all

the advice they have given along the way in getting us to this stage. I will not go through the ins and outs of the amendment, but I thank the Minister’s private secretary, Tania Wimpenny, who was my private secretary when I was in the Department, with whom I had a good discussion. What she may not have revealed to the Minister among all the excitement is that she is now engaged to be married. I wanted to ensure that that is in *Hansard*. I congratulate her on that.

I hope people realise that this Bill is intended to be straightforward. I know there is a lot of detail in the clauses, but that is often the case when we try to amend other legislation. These modest, sensible changes will be important for our farmers and the animals for which they care. I hope the Bill will get through the Committee today.

Ben Lake (Ceredigion) (PC): Thank you, Mrs Latham, for calling me to contribute to this Bill Committee. I congratulate the right hon. Member for Suffolk Coastal (Dr Coffey) on introducing this Bill and on its reaching Committee. It is a very important Bill that addresses a problem that affects many of my constituents in Ceredigion.

In recent years, I have had to speak to too many farmers who have been victims of dog attacks on their livestock. Suffice it to say, such attacks are devastating, not only for the animals concerned but for the families and the farmers. Many have told me that they dread looking out the window in the evening to see their livestock hurrying about in fear of a repeat attack. It is very important that this Bill has reached this stage, and I congratulate the right hon. Lady on stewarding it this far.

4.15 pm

I am particularly pleased to be here because I remember our debates in Committee on the Animal Welfare (Kept Animals) Bill. The hon. Members for Cambridge and for North Devon, who were also members of that Bill Committee, will remember our debates about whether we should increase the responsibilities of dog owners when they walk their dogs. We discussed how they could keep their dogs under control and on leads. We are not discussing that today, although some might want to return to that debate and strengthen the law in that regard in future.

I very much believe that the amendments to the 1953 Act in today’s Bill—specifically, the enhanced investigatory powers of the police and the clarifications about dog attacks and livestock worrying—are important steps forward, which will address the problems and concerns of many of my constituents. I welcome the increased penalties for those found to have allowed their dogs to attack livestock. Responsible dog owners are one part of the population, but I agree with the right hon. Lady that we need to make sure that those who are not as responsible understand the importance of taking ownership and ensuring that their dogs are safely secured at their properties. The majority of attacks on livestock are still made by dogs that have escaped properties.

I very much support the amendment the right hon. Lady tabled. I heard what she said about not pushing it, but I think its provisions are important.

Christina Rees (Neath) (Lab/Co-op): In my constituency there is a lot of common land, where livestock graze with permission from the trustees of that land. Is that covered by this excellent Bill, on which I congratulate the right hon. Member for Suffolk Coastal? If the hon. Gentleman does not know, I am sure that the right hon. Lady will clarify matters.

Ben Lake: I believe that I am safe in saying—I am grateful to Government Members for their encouragement—that the powers do extend to livestock grazing on common land. That is important because we need to ensure that when such attacks happen, the owners, regardless of the livestock concerned, are assured that police have the powers necessary to fully investigate and hopefully put a stop to any repeat attacks, which often happen in my constituency. It is believed that the same dogs have committed attacks there more than once.

I reiterate my support for the Bill and congratulate the right hon. Member for Suffolk Coastal once again on bringing it forward.

Sir Geoffrey Cox (Torrington and West Devon) (Con): It is a pleasure to serve under your chairmanship, Mrs Latham. I should make a declaration of interest: I own land on which livestock is kept.

I congratulate my right hon. Friend the Member for Suffolk Coastal on doing an enormous service for livestock farming and those engaged in it not only through this valuable Bill but during her service as Secretary of State. Throughout her time in office, she took valuable steps towards enhancing the livelihoods of those whom I represent in my constituency. Her work is being carried on by the current Secretary of State.

I shall address just one or two elements of the Bill not in a critical spirit but in, I hope, a constructive one. I hope we can give some subsequent attention to my first concern about the Bill—the Minister may be able to help me by answering some of my questions or by reflecting on changes that could be introduced in subsequent stages—which is that at the moment several pieces of legislation could apply to the mischief at which this Bill is aimed. We have the Dogs (Protection of Livestock) Act 1953, which this measure amends, but we also have the Dangerous Dogs Act 1991. Section 3 of the 1991 Act makes it an offence to be the owner of a dog that is dangerously out of control, and the guidelines that the Crown Prosecution Service published on that offence suggest that a dog that is causing serious injury to other animals, including livestock, is potentially evincing evidence of being dangerously out of control.

We have, then, the offence in section 3 and the offences under the 1953 Act. What we do not have is coherence in the guidelines for prosecution and enforcement between when the Dangerous Dogs Act can be used and when the offence is of attacks on, or worrying, livestock. Having served as a Law Officer, I think there may well be a case for the re-publication of new guidelines on enforcement and prosecution, but the reason why I draw attention to the matter is that, even with the changes that my right hon. Friend the Member for Suffolk Coastal is introducing to the penalty provisions, it seems to me that they are extraordinarily light for the top end of this type of offending. An offence with a £1,000 maximum fine will generally be visited not with

the maximum by a magistrates court but by a fine potentially of just a few hundred pounds—in other words, the cost of perhaps a few parking tickets—yet the impact, suffering and mischief that attacks by dogs on livestock cause to farmers and farming families are severe, and wholly out of proportion to a fine of a few hundred pounds.

My right hon. Friend will know—because I have discussed it with her—that just a few weeks ago the Dawe family, who are neighbours and constituents of mine, were subjected to an extraordinary overnight attack in which no fewer than 27 lambing ewes and lambs were killed—their faces ripped off and their bellies torn open. Many of them had to be put down when, in the morning light, that appalling scene of carnage was discovered. The irresponsibility of an owner who allows their dogs to roam free and to cause damage of that appalling character is not reflected by a fine of a few hundred pounds. Now, you may say to me, Mrs Latham, that perhaps in those circumstances an offence under section 3 of the Dangerous Dogs Act should be considered, and I would agree, but what we need is a coherent set of guidelines that sets out when the various offences in the hierarchy that exists should be considered by both police and the Crown Prosecution Service.

The second point that I wish to make is an allied point. It is astonishing that neither the Dangerous Dogs Act nor, certainly, the 1953 Act permits the court to disqualify an owner from owning a dog. I strongly submit to the Minister, for future consideration, perhaps in this Bill, that this offence ought to be added to section 34 of the Animal Welfare Act 2006, which lists the offences that gives to a court the power to disqualify a person from dog ownership. It may be that there is a lacuna, and under the Dangerous Dogs Act the normal remedy in those circumstances would be the destruction of the animal, but if the court decides that the animal should not be destroyed, surely some attention should be given to whether an owner with a dog so dangerously out of control—or even a dog that worries livestock, whether once or repeatedly—should not be allowed to own a dog until further order.

The two points that I recommend to the Minister, then—it may be that those assisting him can say that my fairly preliminary inspection of the laws in this field is wrong, and I can be reassured—are twofold. First, we need coherent guidance as to the way police investigate and prosecution prosecute, as to the balance to be struck and the considerations to be thought through, and as to the application of either a section 3 Dangerous Dogs Act offence or an offence of worrying sheep or attacking livestock, of the kind my right hon. Friend is dealing with. Secondly, we need to consider whether the offences, even those she is amending, are sufficient for this purpose. A repeat offender will be fined under level 5. That is an unlimited fine and that is good, but the repeated worrying of sheep or worrying of any livestock is not, many would say, sufficiently visited with adequate punishment by a fine alone. I commend that approach to the Minister, and if I am wrong about that or the policy of the Government is not to adopt it, we need at least to consider when section 3 should be used.

Finally, we need to consider the question of disqualification and whether or not this offence should be added to the list of offences under the Animal

Welfare Act that make an owner eligible for disqualification. The court, of course, would have discretion; all the usual balancing factors that are relevant under that Act would apply. Where there is a fairly minor case of worrying, one would not expect a disqualification, but in a really grave case—such as that of the Dawe family, whom I have the privilege of representing—a court may take a thoroughly different view.

With that—I say again that this is meant not in a critical spirit but in a constructive one—I congratulate my right hon. Friend again. This is an extraordinarily valuable set of provisions that has been widely welcomed and I hope that we can consider tightening them further in the Bill's journey through the House.

Kit Malthouse (North West Hampshire) (Con): Like my right hon. and learned Friend the Member for Torridge and West Devon, I am pleased to appear under your wise guidance, Mrs Latham, as we look at this vital and important legislation. I represent 200 square miles of rolling Hampshire downland, much of it dotted with sheep. Like my right hon. and learned Friend, we have seen our share of horrible incidents over the past few years; the legislation is therefore extremely welcome for me and my constituents—and I declare an interest as a dog owner.

I, too, have some small matters of detail that I want to raise for possible consideration on Report, in the spirit of trying constructively to improve the Bill. I will go through them, if I may. The first is about territorial extent. I am not as legally proficient as my right hon. and learned Friend, but I want to ensure that areas of Crown land are covered, not least royal parks, which often have their own legislation to cover what happens within them. Members will remember the famous case of Fenton chasing deer across Richmond Park—happily, in that case there was a prosecution and a conditional discharge for six months. We need to look at that. In particular, we need to think about the foreshore. There are parts of this country where sheep graze the foreshore, eating seaweed and whatever. It produces delightful slightly salty and sweet lamb, but the foreshore is a part of our landmass that has its own legal status and largely, I think I am right in saying, belongs to the Crown. It would be interesting to see how we can make sure that the legislation applies there.

The second issue that I want to raise is the retention of dogs by the police. When I was at City Hall, in a previous life, I started a campaign to drive out the plethora of dangerous dogs in London and improve the legislation. We got amendments then, but one thing that deterred the police from detaining dangerous dogs was the cost of holding them. Often, a dog would be detained, the trial would be awaited, the dog would be held—sometimes for months—the owner would not show up to the trial and the dog would be destroyed, but the police would be left with the cost. I understand that in this case there is a seven-day limit and I wonder whether we could consider that for amendment on Report.

In my honest opinion, owners will partially pay. They will get to seven days, plead that they cannot afford it and partially pay some of the costs to try to avoid their dog being put down. A game will be played. There needs to be firmer provision: either that, at seven days, partial payment is not good enough and the constable may dispose of the dog, or that an owner can agree

immediately upon seizure of the dog that the dog may be disposed of. At the moment I cannot see in the Bill the possibility that, if my dog kills 27 sheep and is seized, I can say to the police there and then, “I don't want the dog back. Do what you will with it,” at no cost to me.

4.30 pm

The third area for possible future amendment is the types of livestock that are covered by the legislation. I understand that the Bill will add camelids. My right hon. Friend the Member for Suffolk Coastal said that she did not want to cover every animal, but I am conscious that other animals, such as ostriches, may be part of the UK's agricultural mix in the future. I wonder whether it would be sensible for us to future-proof the Bill by amending it to allow animals to be added by regulation rather than by primary legislation. Who knows what we will be eating in 10 or 15 years' time?

Finally, I agree with my right hon. and learned Friend the Member for Torridge and West Devon that there is an issue with repeat offences and that fines need to be very significant. However, once a dog gets a taste for worrying livestock, it is quite difficult to train it out of it. It requires a lot of dedication and time. The owner has to be convinced of the seriousness of the problem. Sometimes professional help is required. I think we should consider the possibility of a “three strikes and you're out” rule, so that if someone's dog worries livestock three times to the extent that they fall foul of the legislation, a destruction order is made for the dog. In such cases, where the person is pretty obviously not putting effort into stopping their dog or training it out of the habit, and it is a danger to livestock in the area where they live and possibly also a danger to human beings, there really ought to be a “three strikes and you're out” rule.

The four things I have mentioned would all add to a greater sense of discipline and rigour around the ownership of dogs, particularly in the countryside, and I hope they can be looked at on Report. I suggest them in the spirit of working with my right hon. Friend the Member for Suffolk Coastal to try to make the Bill as strong as possible. The Bill is extremely welcome. I know that many of my constituents will cheer her to the rafters for the work she has done both as Secretary of State and in bringing forward the Bill, and I look forward to its receiving Royal Assent.

Daniel Zeichner (Cambridge) (Lab): It is a pleasure to serve with you in the Chair, Mrs Latham. I am grateful to the right hon. Member for Suffolk Coastal for inviting me to be on the Bill Committee; I very much hope she does not come to regret it. I am interested in the Bill both in a practical sense—we all want to see livestock properly protected—and as someone who is, as the hon. Member for Ceredigion pointed out, a veteran of the kept animals Bill. I will come back to that in a minute, because some of the issues that have been raised were addressed in that Bill.

I will not delay the Committee by discussing the harm that is done. I echo the points that have been made. The harm was certainly raised by the shadow Secretary of State, my hon. Friend the Member for Croydon North (Steve Reed), on Second Reading, when he detailed a number of cases in offering the Opposition's full support for the Bill, which I echo.

[Daniel Zeichner]

It will not come as any surprise to the right hon. Member for Suffolk Coastal that I make the point again that we were discussing the kept animals Bill some two and a half years ago. I was delighted that she gave me the first explanation that I have heard for its withdrawal, but I am not convinced by it. That Bill was an extraordinary collection of things in the first place, and the only additions that I recall being made were some amendments—unhelpful ones, I suspect, from the Government’s point of view—from Conservative Back Benchers. It was withdrawn, and we have not had the relevant protections for two and a half years, due to political management issues in the Conservative party. Leaving that aside, there were important points in that Bill, some of which have been brought forward in private Members’ Bills, although that is a chancy way of doing things.

I was fortunate to find the bundle of papers from that period in my office earlier. I am glad that I did because, as the right hon. and learned Member for Torridge and West Devon and the right hon. Member for North West Hampshire said, the original kept animals Bill was a very different piece of legislation. It was much more comprehensive and introduced the notion of control orders and disqualification orders, which I think would very much address the points that have been raised. I am not clear why a different approach has been taken with this Bill.

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

More could have been done for those reasons, but, having said all that, I am grateful to the right hon. Member for Suffolk Coastal for promoting this Bill. We support it and I wish it well as it progresses through the House, but it would be good to strengthen it on Report, if possible.

The Parliamentary Under-Secretary of State for Environment, Food and Rural Affairs (Robbie Moore): It is a pleasure to serve under your chairmanship, Mrs Latham. I thank my right hon. Friend the Member for Suffolk Coastal for promoting this incredibly important Bill. From the contributions we have heard in this debate, we know just how impactful it could be on constituents who have unfortunately experienced livestock worrying or livestock attacking.

I also thank right hon. and hon. Members for trying to improve the Bill as it moves through the House. “Our Action Plan for Animal Welfare”, published in 2021, set out our plans, aims and ambitions across animal welfare.

It set out the commitments that we are focused on pursuing to deliver a better life for animals in this country and abroad. The Bill supports our commitments to ensure that new powers are available to the police so that they can respond efficiently and proactively to the worrying and attacking of livestock by dogs.

The Bill’s purpose is to amend the Dogs (Protection of Livestock) Act 1953. It will strengthen police powers and extend the location and species that are within scope of that Act. As we have heard, livestock worrying and attacks on livestock can have awful impacts. The behaviour of dogs that chase, attack or cause distress to livestock can result in injury or death. Our own family farm—I refer Members to my declaration of interest—has experienced sheep worrying and sheep attacking, so I know from experience how detrimental it can be not only to the financial measures of a business but to health and wellbeing. We must also consider the impact of the inability to protect one’s own livestock. Livestock can also suffer wider tragic impacts as a result of livestock worrying, including abortion. Such impacts go beyond animals and their welfare. As I have said, they will also have a direct impact on farmers and lead to financial loss.

My right hon. Friend the Member for Suffolk Coastal raised a case relating to the difference between attacking and worrying. Paragraph 1 of the schedule updates the terminology used in the 1953 Act and addresses that specifically. Attacking livestock is dealt with separately from worrying livestock, to recognise the violent nature of such offences.

Statistics from the National Farmers Union Mutual Insurance Society show that UK farm animals worth an estimated £2.4 million were severely injured or killed by dogs in 2023. That was up by nearly 30% compared with the previous year, which demonstrates why the Bill is so important. In addition, a survey carried out by the National Sheep Association found that 70% of farmers had experienced sheep worrying incidents in the past 12 months. Some 95% of the 305 sheep farmers surveyed said that they experienced up to 10 cases of sheep worrying every year.

The Bill will improve police powers and enable them to respond to livestock worrying incidents more effectively by extending powers of seizure and modifying entry powers. It also introduces new powers to take samples and impressions from livestock and the suspected dogs. That should facilitate investigations by making it easier for the police to collect evidence, which, in turn, should improve the rate of successful prosecutions and hopefully reduce the risk of further incidents.

The Bill extends the scope of the 1953 Act by broadening the locations where the offence may take place to include roads or paths. As Committee members have mentioned, it is important to move livestock from one field to another but attacks can happen when that transition is taking place. The Bill addresses the point of roads and paths being considered.

The Bill also amends the wording of the offence of livestock worrying to create separate offences for attacks on livestock and the worrying of livestock, in recognition that both attacking and worrying livestock are serious and devastating. I am particularly pleased that the Bill will also extend the species protected by the Act to include camelids, such as llamas and alpacas. I note the point of my right hon. Friend the Member for North

West Hampshire, however, about other species that could be included, such as ostriches, should things change in future and should farming practices include other species. There may be a wish for that to be considered on Report.

I turn to the amendment tabled by my right hon. Friend the Member for Suffolk Coastal. Other Committee members referred to it and expressed support for higher levels of fines for the offence of livestock worrying. The current maximum fine that may be imposed in any case is a level 3 fine not exceeding £1,000. I understand that my right hon. Friend is keen to amend that fine to provide the courts with the appropriate flexibility to impose a higher fine where that is warranted. We as a Government agree that increasing the fine will serve as an additional deterrent to help to reduce the likelihood of future livestock worrying.

As drafted, however, the amendment is out of step with the current fine guidance as it refers to level 5 fines, when the practice since 2015 has been to provide for unlimited fines rather than level 5 fines. It also includes a tiered approach to take account of reoffending, which the courts can already supply under the Sentencing Council guidelines on aggravating and mitigating factors. As my right hon. Friend referenced, my officials will work with her as the Bill progresses to Report stage, before it comes back to the House, 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.

I am aware of the support for animal welfare in this country and the interest that the matter continues to receive. The strength of feeling has been apparent again from the discussions that we have heard. I will make a couple of additional points. On common land, the definition of agricultural land in the 1953 Act does not expressly reference common land but it does include land used for grazing, and therefore common land could be in scope of the Bill. Ultimately, it remains a matter for the courts to decide if the land in question is in scope in any particular case, but our interpretation is that common land could be determined by the courts to be in scope as grazing land.

On the shadow Minister's point about dogs being kept on leads, the Bill does not cover that and, from our experience, there is good reason for that. The Bill deals with having control of dogs, but as Committee members may know, it is not right in every circumstance to have signage that specifically relates to keeping dogs on leads. I am aware of circumstances in Yorkshire where signage has stipulated that dogs must be kept on leads, but then someone might keep a dog on a lead and take it into a field full of cattle. If there are young calves, there will, of course, be mother cows that will want to protect their calves. If the dog owner keeps their dog on a lead and does not let go, there is a risk that the owner will also be put at risk if a mother and calf become separated and the mother wants to take down the dog. It is therefore not right in every circumstance.

That is why dogs being kept on leads does not fall in the scope of the Bill and has not been progressed at this stage. Of course, I would always refer people to the countryside code, which deals with the challenges that have been raised. The Bill builds on the Government's ambitious programme of animal welfare reforms, and we are very pleased to support it.

4.45 pm

Sir Geoffrey Cox: On disqualification, will the Minister go back to the Department and say to his officials that we ought to look at whether committing an offence under the 1953 Act should make someone eligible for disqualification from dog ownership? It would be a simple amendment that could be introduced in this private Member's Bill, and I sense that there is widespread support for the proposal. If there is a good reason not to do it, the Committee and the House should of course listen to that, but I noticed that he was not going to deal with it—I hope he will forgive me; I may have been premature.

Robbie Moore: I thank my right hon. and learned Friend for his intervention. I was just about to talk about the implications of the experience of the Dawe family in his constituency, which was a horrendous scenario where 27 ewes and lambs were attacked—I assume there will have been multiple scenarios where disqualification would quite rightly have applied. While disqualification is not covered by the Bill, it is something that I will consider with officials for the next stage. There may be reasons why that is not in scope of the Bill, but I am absolutely willing to take that away and consider it with officials, as it has been rightly referenced by my right hon. and learned Friend.

Sir Robert Goodwill (Scarborough and Whitby) (Con): I thank the Minister for giving way. We have talked a lot about fines and penalties, but could he advise me whether the court has the power to direct compensation to be paid to the farmers? In many of these cases, the value of livestock is much greater than any fine that can be levied. Of course, the farmer does not get access to the fine money, but they may well need compensation for their business to continue to be viable.

Robbie Moore: My right hon. Friend makes an excellent point. He is quite right that the Bill does not deal with that circumstance. Courts will be given the ability through sentencing guidelines to take into account unlimited fines through an amendment that will be introduced on Report, which the Government have committed to; it would therefore be up to the courts to implement that. He is right to reference the fact that the money from such fines will not then be distributed to the farmer, and it will therefore be up to the farmer who has been impacted negatively by sheep worrying or a sheep attack to seek compensation through civil means rather than through the courts. It is therefore outside the scope of the Bill.

As I said, the Government are wholly in support of the Bill and we will be considering further amendments that will be introduced on Report. The measures are vital in tackling livestock worrying and will greatly strengthen the existing legislation to decrease incidents of livestock worrying. I thank my right hon. Friend the Member for Suffolk Coastal for bringing forward the Bill.

Dr Coffey: I thank all right hon. and hon. Members who have contributed. With a former Attorney General, my right hon. and learned Friend the Member for Torridge and West Devon, present, I am conscious that the devil will be in the detail on aspects of law. It is my understanding that disqualification from ownership should

[Dr Coffey]

be possible, certainly in England. It is technically an issue of animal welfare, which is devolved, so there is added complication there. However, I am happy to explore this further with the Minister and my right hon. and learned Friend to ensure that it is still possible to achieve the outcome that he seeks, whether through this legislation or otherwise.

Sir Geoffrey Cox: The Dangerous Dogs Act does permit disqualification, so although the Animal Welfare Act considers the welfare of an animal, the Dangerous Dogs Act aims at a different mischief. There seems to be no reason why livestock worrying offences should not be included under the same principle as the Dangerous Dogs Act.

Dr Coffey: I commit to my right hon. and learned Friend to go away and work with the Minister and officials on the details of that particular issue. It was my understanding that there were other legal powers available for the outcomes that he seeks, but if that is not the case—he has expressed some concern about the level of detail—we should look to rectify that in future.

Daniel Zeichner: The fact that disqualification was brought forward in the kept animals Bill suggests that this Bill was the appropriate place for it.

Dr Coffey: The then Farming Minister did give an explanation when the kept animals Bill was paused. That Bill covered many issues, which have already been covered in private Members' Bills and Government Bills in a number of different ways. Those issues have been broken up to try to ensure that the Bills are passed without all the extra things that people had been talking

about. This is nothing to do with party political management; I remind the Committee that at one point in the kept animals Bill, we were starting to consider how to hold a chicken—quite far off topic from its original purpose. This Bill tries to simplify matters. I recognise that the hon. Member for Cambridge may have a different perspective on that, but I will stick to what I believe to be the case.

In response to my right hon. Friend the Member for North West Hampshire, as has been said, the Bill extends to agricultural land, which is perceived to have its natural meaning. It is not intended to cover the Fenton situation, although what happened there was unfortunate. We have to bear in mind that quite a lot of what we are dealing with is negligence by owners, rather than criminal intent. We are not getting into the situation of deliberately releasing animals to attack other animals. At the moment, I do not think it would cover a foreshore, but I do not have the precise legal definition. It basically covers bare land that would be used for agriculture. That is pretty comprehensive and certainly should cover the common land that the hon. Member for Neath referred to.

I am mindful of the questions that have been raised today, some of which, as I hope Committee members recognise, will be taken away to see whether further strengthening is needed. I am happy to meet Committee members, but I will also write to let them know about some of the questions that have been raised.

Question put and agreed to.

Clause 1 accordingly ordered to stand part of the Bill.

Clauses 2 to 5 ordered to stand part of the Bill.

Schedule 1 agreed to.

Bill to be reported, without amendment.

4.53 pm

Committee rose.

