

Call for Evidence

The Rural Economy and Connectivity Committee would like to hear your views on the Dogs (Protection of Livestock) (Amendment) (Scotland) Bill.

The Bill amends the existing law on what is called “livestock worrying”, which is where a dog chases, attacks or kills farmed animals.

Emma Harper MSP introduced this Member's Bill on 14 May 2020. The Bill and the accompanying documents can be found [here](#).

The Bill

The Bill seeks to strengthen and update the law on livestock worrying. It does this, in the main, by amending the Dogs (Protection of Livestock) Act 1953.

The [Policy Memorandum](#) to the Bill states that:

“Reducing the number of such incidents will reduce the cost and stress they cause to farmers, while also improving animal welfare. To this end, the Bill increases penalties and provides additional powers for the investigation and enforcement of the existing offence of livestock worrying.”

The Bill consists of 5 main proposals:

1 – Increasing the penalties for the offence. The maximum penalty is increased to imprisonment for up to six months, a fine at level 5 on the standard scale (currently set at £5,000) or both (this is an increase from a fine at level 3, currently £1,000). It also allows the court to make an order disqualifying convicted persons, for such period as the court sees fit, from owning or keeping a dog, or preventing them for taking dogs onto agricultural land on which livestock is present.

2 - Increased Police (and inspector) powers. The Bill creates the following new powers for the police and any inspectors:

- Power to seize a dog from land, for the purpose of identifying the dog's owner;
- Power to seize a dog from land, for the purpose of gathering evidence;
- Power to enter premises to seize a dog, with or without a warrant;
- Power to take a dog to a vet, where a dog has been seized for the purpose of gathering evidence.

3 – Powers to authorise inspecting bodies and appoint inspectors. The Bill adds a new power enabling the Scottish Government Ministers to authorise by regulations, bodies other than the police as "inspecting bodies". These inspectors can investigate and enforce the offence, as they would have the same powers as the police.

4 – Extending the definition of ‘livestock’. The Bill extends the definition of “livestock” in the 1953 Act to reflect a more up-to-date list of the species which are now farmed in Scotland. The Bill also creates a power for Scottish Ministers, by regulations, to further amend that definition. In addition to cattle, sheep, goats, swine, horses and poultry, the expanded definition includes camelids (e.g. llamas, alpacas), ostriches, farmed deer, buffalo, and enclosed game birds (e.g. young pheasants, before they are released into open countryside).

5 – Re-naming the offence in terms of either ‘attacking’ or ‘worrying’ livestock.

How to respond

The Committee welcomes your views on any issue relating to the Bill. This could include views on any of the following areas or questions:

1. What is your experience of livestock worrying? What is the scale of the issue?
2. Does legislation need strengthening in this area? If so – does the Bill do this? Is the Bill the best way to do this?
3. What are your views on the increased penalties the Bill creates for livestock worrying?
4. Would the proposals to disqualify convicted persons from owning or keeping a dog or taking a dog onto certain types of land, assist in the aim of reducing the number of livestock worrying instances?
5. What is your opinion on extending the types of livestock and type of agricultural land covered by livestock worrying, as described by the Bill?
6. What are your views on the powers allowing Scottish Ministers to appoint inspectors, other than police, to investigate and enforce livestock worrying offences?
7. Do you have any comments on the expanded powers for police and inspectors to seize dogs, to enter premises and to take a dog to the vet?
8. Does the Bill adequately balance the rights of dog owners and the rights of livestock farmers?
9. Is there anything else that should be included or excluded from the Bill?

You can give your view on some or all of these questions. Please feel free to provide your views on any other aspects of the Bill or any other relevant information.

How to submit your views

Before making a submission, please read our [Privacy Notice on Submitting your views to a Committee](#). Please send your views no later than **Friday 28 August 2020**.

Responses should be sent, wherever possible, electronically and in MS Word format to: rec.committee@parliament.scot

Hard copy responses may be sent to: Rural Economy and Connectivity Committee, T3.60, Scottish Parliament, Edinburgh EH99 1SP

We encourage members of underrepresented groups to submit evidence. We also welcome written views in English, Gaelic, Scots or any other language.

Please also note that submissions with defamatory content, references to ongoing court cases or third parties' personal information will not be published online.

If you wish to request that your submission be published without your name, please contact us at: rec.committee@parliament.scot

Contact

Should you require alternative formats of this information or further assistance in making a written submission to the Committee, please do not hesitate to contact the clerking team of the Committee.

For Committee information, contact the committee clerks via email:
rec.committee@parliament.scot

For further information, the media contact is: Baktosch Gillan, email:
baktosch.gillan@parliament.scot telephone: 07866 163 636

For general enquiries, contact: 0845 278 1999 (local call rate), email:
sp.info@scottish.parliament.uk

Further information on how laws are passed:
<http://www.scottish.parliament.uk/visitandlearn/100529.aspx>